

**BEFORE THE APPELLATE AUTHORITY**  
**(Under the Right to Information Act, 2005)**  
**SECURITIES AND EXCHANGE BOARD OF INDIA**

**Appeal No. 6552 of 2025**

Dipakbhai Jashvantlal Panchal	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

**ORDER**

1. The appellant had filed an application dated July 25, 2025 (received by SEBI on July 28, 2025) under the Right to Information Act, 2005 (“**RTI Act**”). The appellant has filed two appeals, one dated September 03, 2025 (received by the Office of Appellate Authority on September 09, 2025) and the other dated September 10, 2025 (received by the Office of Appellate Authority on September 15, 2025) with respect to his application.
2. I note that appellant, in his earlier appeal dated September 03, 2025, has submitted that he had not received any response/ reply to his application dated July 25, 2025. However, I note that appellant, in his later appeal dated September 10, 2025, has acknowledged that he had received the respondent’s reply dated August 26, 2025 to his application, albeit, with delay. The appellant has also submitted that his appeal dated September 10, 2025 may be treated in continuation and consolidation of his earlier appeal dated September 03, 2025. Further, on perusal of the appeal dated September 10, 2025, it appears that the appellant is not satisfied with the response provided by the respondent.
3. Before delving into the merits of the case, I find it appropriate to deal with the contention of the appellant that there is delay in furnishing of reply by the CPIO. The appellant, has contended that though respondent’s reply is dated August 26, 2025, the same was despatched only on September 04, 2025 and received by him only on September 06, 2025. As acknowledged by the appellant, reply to RTI application was sent to appellant vide letter dated August 26, 2025 and the same was uploaded on the RTI portal on the same date. From the submissions made by the appellant, it is noted that the appellant

was unable to view the response in the RTI portal due to certain technical issue. In this regard, I find that any delay in receipt of information through post or due to any technical glitch could not be ascribed to the respondent. Accordingly, the contention of the appellant cannot be upheld.

4. I have perused the application, the response of the respondent and the appeal and find that the matter can be decided based on the material available on record.
5. **Queries in the application-** The appellant, vide his application dated July 25, 2025, sought the following information:

*“ a) Please provide a certified copy of the Authority Letter issued by the competent authority under the SEBI Act, 1992, authorizing Shri S. Ramann to issue the aforementioned Show Cause Notice.*

*b) please specify the designation of the person who authorized Shri. S. Ramann to issue the said Show Cause Notice*

*c) please specify the Grade level in SEBI for the officers taken as officer on Special Duty (OSD)”*

6. **Reply of the Respondent** - The respondent, in response to query nos. (a) and (b) in the application, informed that the details of delegation powers including power to approve for issuance of Show Cause Notice is available on SEBI website. The respondent has informed that as per the delegation of power, at the relevant point of time, the competent authority for approving the Show Cause Notice (**SCN**) was whole time member (WTM) and SCN issuing authority was Chief General Manager (CGM), Mr. S Ramann. being the officer on Special Duty, was holding the position of CGM..

The respondent, in response to query no. (c ), informed that the deputation of officers to SEBI is governed by SEBI (Employees Service) Regulations, 2021 and provided the web link for accessing the said Regulation from SEBI website.

7. I have perused the application and the response provided thereto. With regard to query no. a, I note that the appellant has contended that the document in the link provided by the respondent is of the year 2019 whereas the information sought by him pertains to the year 2009. Hence, the appellant has contended that requested information was not provided to him. In my view, the respondent was obliged to ascertain availability of the requested information with SEBI and whether the same may be provided to the appellant in accordance with the provisions of the RTI Act. Accordingly, on consideration, I find that the query no. a has not been adequately addressed by the respondent and the same warrants reconsideration.

8. With regard to query no. b, I find that the respondent has adequately addressed the query by providing the information available with him.
9. Further, with regard to query no. c, I find that respondent has informed that the deputation of officers to SEBI is governed by SEBI (Employees Service) Regulations, 2021 and has provided the web link for accessing the same from SEBI website. Hence, I find that the requested information is available in the public domain. In this context, I note that the Hon'ble Delhi High Court, in the matter of *Registrar of Companies & Ors. Vs. Dharmendra Kumar Garg & Anr.* and the Hon'ble CIC, in the matter of *Shri K Lall vs. Shri M K Bagri* (CIC/AT/A/2007/00112, order dated April 12, 2007), *inter alia*, observed that if the relevant information is available in the public domain, the same cannot be said to be information held by the public authority and consequently, there is no obligation to provide such information to an applicant under the RTI Act. In view of these observations, I find that the respondent cannot be obliged to provide the information which is already available in the public domain to the appellant. Accordingly, I do not find any deficiency in the response of the respondent.
10. Considering the above observations, I remit the application to the respondent for *de novo* consideration of the query no. a in the application and sending appropriate response to the appellant in terms of RTI Act, within 15 working days from the date of receipt of this order.
11. The appeal is accordingly disposed of.

Place: Mumbai

Date: October 08, 2025

**RUCHI CHOJER**

**APPELLATE AUTHORITY UNDER THE RTI ACT  
SECURITIES AND EXCHANGE BOARD OF INDIA**