

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

Appeal No. 6566 of 2025

Vinay Kumar Chahar : Appellant
Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated August 24, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 09, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00249) dated September 19, 2025. I have carefully considered the application, the response and the appeal and find that the matter can be decided based on the material available on record.
2. **Queries in the application** - The appellant, in his application dated August 24, 2025, sought the following information:

1. “Please provide the total amount spent by SEBI on Investor Awareness Programmes (LAPs) during the last five financial years (2020-21 to 2024-25).”

2. Please provide a year-wise breakup of these expenditures, along with the details of the agencies/ organizations/ individuals to whom the funds were disbursed for conducting such programmes.

3. Kindly provide details of the process and criteria by which SEBI empanels or selects trainers/ agencies for conducting these awareness programmes.

4. Please provide the reasons for delay or nonimplementation of the SMART Trainers process, along with the status update on when it is planned to be activated or rolled out.

5. Please provide certified copies of any circulars, notifications, or internal communications regarding the above.”

3. **Reply of the Respondent** –The respondent, in response to query no. 1 in the application, informed that the information regarding amount spent by SEBI on investor awareness activities can be accessed from the SEBI Annual Report. The respondent, in this regard, had provided the path to access the same from SEBI website.

The respondent, in response to query no. 2, informed that the information sought is not maintained by SEBI in the manner/format as specified. Hence, information sought is not available with SEBI.

The respondent, in response to query nos. 4 & 5, informed that the queries are vague and not specific. Accordingly, the same cannot be construed as "information", as defined u/s 2(f) of the RTI Act.

The respondent, in response to query no. 3, advised the appellant to refer to the operational guidelines on Securities Market Trainers (SMARTS) available at "Partner with us" tab of SEBI Investor Website.

4. **Ground of appeal** – The appellant has filed appeal on the ground that he was refused access to the information requested.
5. I have perused the application and the response provided thereto. On consideration, I note that information sought vide query nos. 1 and 3 can be accessed from SEBI website and SEBI investor website respectively. Hence, I find that the information sought is in 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 Central Information Commission (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.
6. With regard to query no. 2, I note that the respondent has categorically stated that requested information is not maintained by SEBI in the manner/format as specified and hence, the same is not available with SEBI. I note that the respondent can only provide information that is available in the records. In this context, I note that Hon'ble High Court of Delhi in its judgment dated 04.12.2014 in case of *The Registrar, Supreme Court of India vs. Commodore Lokesh K. Batra and Ors.* [W.P.(C) No. 6634/2011] has held: "11. Insofar as the question of disclosing information that is not available with the public authority is concerned, the law is now well settled

that the Act does not enjoin a public authority to create, collect or collate information that is not available with it. There is no obligation on a public authority to process any information in order to create further information as is sought by an applicant.....” Accordingly, I do not find any deficiency in the response of the respondent.

7. With regard to query nos. 4 and 5, I concur with the response of the respondent that the queries are vague and not specific. It is an established law that the information sought for in order to be disclosable under the RTI Act, must be clear, specific and available in the records of the public authority. In this context, I note that in the matter of *Mr. T. V. Sundaresan vs. CPIO, Securities and Exchange Board of India* (Decision dated November 24, 2021), the Hon’ble CIC held: *“The framework of the RTI Act, 2005 expects that the information sought is specific and believed to be existing with the public authority in documented or material form as such; which can be shared with the appellant as per the provisions of the RTI Act. Answering to broad, multiple and general queries and presumptive documents that should have been generated as per the expectation of the appellant cannot be furnished under the provisions of the Act.”* Additionally, with regard to query no. 4, I find the request of the appellant is in the nature of seeking justification and reasons for certain action/non-action of SEBI. On the context of seeking reasons for certain action/ non-action, the Hon’ble High Court of Bombay in *Dr. Celsa Pinto, Ex-Officio Joint Secretary (School Education) vs. the Goa State Information Commission* (Judgment dated on 3 April, 2008) held that *“The Public Information Authorities cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of a justification because the citizen makes a requisition about information. Justifications are matter within the domain of adjudicating authorities and cannot properly be classified as information.”* Hence, the information sought cannot be construed as “Information”, as defined u/s 2(f) of the RTI Act. Accordingly, I do not find any deficiency in the response of the respondent.
8. Further, I note that appellant, in his appeal, is seeking additional information pertaining to his application. As held by the Hon’ble CIC in *Harish Prasad Divedi vs. Bharat Petroleum Corporation Limited* (decided on January 28, 2014), an information seeker cannot be allowed to expand the scope of his RTI enquiry at appeal stage. Accordingly, I find that the said submissions do not warrant consideration at this stage.

9. In view of the above observations, I find that there is no need to interfere with the decision of the respondent. The appeal is accordingly dismissed.

Place: Mumbai

Date: October 10, 2025

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