

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

Appeal No. 7081 of 2026

Smita Shreenath Bhivandkar : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated May 29, 2026 (received by SEBI on June 29, 2026) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated July 28, 2026, responded to the application filed by the appellant. The appellant filed an appeal dated September 09, 2026 (Reg. No. SEBIH/A/P/26/00062, received by the Office of Appellate Authority on September 10, 2026).
2. I note that under Section 19(1) of the RTI Act, an aggrieved person may prefer the first appeal within thirty days from the receipt of the response from the CPIO of the concerned public authority. In the instant case, the impugned response from the respondent is dated July 28, 2026,. The appellant, therefore, should have filed the first appeal on or before expiry of thirty days from the date of receipt of the said response. As noted above, the appellant’s first appeal was received on September 09, 2026. The first appeal has been made after the last date permissible under the RTI Act. The appellant neither made a request for condoning the said delay in filing the appeal nor made any submission explaining the reasons which caused the delay. Considering the absence of a request for condoning the delay and any valid reason that prevented the appellant from filing the appeal in time, I consider this appeal as time barred and hence, liable to be dismissed on that count.
3. Notwithstanding the above observation, I am considering the appeal on merit. I have perused the application and the appeal and find that the matter can be decided based on the material available on record.
4. **Queries in the application** - The appellant, in her application, sought the following information:

“Subject: RTI and Disclosure as per sebi disclosure norms — We need this information.

SEBI circular No. CIRIMDDF212012 dated 13th September 2012—Investment directly

Respected Sir/Madam,

1. *please share Total Directly invested aum corpus on 31dec2012 across schemas across fund houses by fund houses by schema*
2. *Did Sebi mentioned in the circular to keep Total Directly invested aum corpus on 31dec2012 across schemas across fund houses to keep as indirect from 01Jan2013 and extra indirect expense load where fund house did not paid any brokerage or distributor fee since it was direct. We need since it has impacted our investment and we paid extra expense load (of indirect) for direct investment (which was done before 31jan2012) after 01Jan2013.*
3. *Did Sebi asked to rename schemas as regular from 01Jan2013 without directly invested investors consent?*
4. *Is AMFI under Sebi disclose norm and under Sebi compliance and regulation?*
5. *can I raise sebiscore complaint against AMFI? How to raise since option is not available in Sebi score*
6. *Who is in charge of Mutual fund in Sebi ? whom should to write in case we need more detail on the mentioned Sebi circular or any circular(past/future) as investors.”*

5. **Reply of the Respondent** – The respondent, in response to query nos. 1 to 5, informed that the information sought is vague and not specific. Accordingly, the same cannot be construed as “information”, as defined u/s 2(f) of the RTI Act.

With regard to query no. 6, the respondent informed that the information sought is available on the SEBI website and provided the path to access the same.

6. **Ground of appeal** – On perusal of the appeal, it appears that the appellant is not satisfied with the response of the respondent.
7. I have perused the application and the response provided thereto. With regard to query nos. 1 and 5, I concur with the response of the respondent that the queries are vague and not specific. In this context, I note that Hon’ble Central Information Commission in its decision in *Naresh Kadyan vs. CPIO (14.06.2023 - CIC: MANU/CI/0366/2023)* has held “*Notwithstanding the aforesaid, the Commission after scrutinizing the contents of RTI Application in question is of the considered view that the queries raised by the Complainant are vague and in determinate which concededly do not conform to Section 2(f) of RTI Act per se. In this regard, the Complainant shall note that the outstretching the interpretation of Section 2(f) of the RTI Act to include deductions and inferences to be drawn by the CPIO is unwarranted as it casts immense pressure on the CPIOs to ensure that they provide the correct deduction/inference to avoid being subject to penal provisions under the RTI Act*”. In view of the aforesaid, I do not find any deficiency in the response of the respondent.

8. With regard to query no. 6, the respondent has informed that the requested information can be accessed by the appellant from SEBI website. Hence, I note that the requested information is in the public domain. In this context, I note that the Hon'ble Delhi High Court in *Registrar of Companies & ors. Vs. Dharmendra Kumar Garg & anr.* and the Hon'ble CIC in *Shri K Lall vs. Shri M K Bagri* (CIC/AT/A/2007/00112, order dated April 12, 2007) held 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. Accordingly, I do not find any deficiency in the said response of the respondent.
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 07, 2026

RUCHI CHOJER

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