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

Appeal No. 7023 of 2026

Vivek Tripathi	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application (received by SEBI on June 18, 2026) under the Right to Information Act, 2005 ("**RTI Act**"). The respondent, by a letter dated July 17, 2026, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/R/P/26/00052; received by Office of Appellate Authority on August 05, 2026). 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.

2. **Queries in the application** – The appellant, in his application, stated that he is the legal heir of the investments made by his grandfather (Late Sarvanand Tripathi), grandmother (Late Swarnpati Tripathi) and father (Late Sushil Kumar Tripathi) in Helios Plantation & Developers Limited. He has attached death certificates, family tree certificate and records of investment to establish the fact that he is the legal heir of the aforesaid persons. He has sought certified copies of the following documents/information under the RTI Act:

   1. All complaints, investment details, claims, applications, correspondences related to Late Sarvanand Tripathi, Late Swarnpati Tripathi and Late Sushil Kumar Tripathi. The applicant has also requested investor numbers, folio number, application number, receipt number and claim number, if available.

   2. *The list of investors, claimants, affected investors and verified investors. In the event no such entry is available, certified copies of the corresponding records, file notings, and reports have been sought.*

3.All records relating to SEBI's investigation concerning the aforesaid persons, including verification, scrutiny of records, identification of investors, and examination of claims, along with certified copies of all file notings, administrative proceedings, official comments, approvals, decisions, orders, and internal correspondence.

4.Certified copies of all letters, correspondences, and orders if SEBI has forwarded any records, lists, claims, applications, or notices regarding the aforesaid persons to any court, investigative authority, administrator, liquidator, special committee, or any government department or authority.

5.In case, no information relating to the aforesaid persons is available in SEBI's records, certified copies of the file notings, reports, or records made by the competent authority regarding such non-availability of information.

6.Certified copies of all actions taken, prosecutions initiated, verification of investors claim, maintenance of the records of investors, asset tracing, correspondence w.r.t. steps taken by SEBI to protect the interest of the investors in respect of Helios Plantation & Developers Limited.

7.Certified copies of all orders, reports, file noting, correspondences, policies, guidelines, public notices, and other records w.r.t. refund, distribution and claim settlements of investors of the Helios Plantation & Developers Limited.

8.Certified copies of all Orders, file noting, correspondences, prosecution records, status reports, verification of investors claims, asset tracing, investor protection measures, refund, distribution, attachment/seizure details, sale of assets and recovery proceedings w.r.t. SEBI vs. Helios Plantation & Developers Limited & Others (Case No. SEBI/22/2001), currently pending before the 5th Special Court, Calcutta.

9.Certified copies, if any, of the prescribed procedure, forms, public notices, or guidelines indicating the manner in which investors or their legal heirs may submit their claims. If the process for issuing refunds or settling claims is not available, a certified copy of the available records related to it should be provided.

Certified copies, if available, of the diary Number, Case reference number, Prosecution Number and other available records w.r.t. the above matter.

Certified copies of available orders, correspondence, records, public notices, and contact details, if any Special Committee, Liquidator, Administrator, Receiver, or any other body has been constituted in respect of Helios Plantation & Developers Limited pursuant to the order of any court, authority, or competent institution.

Certified copies of all available records relating to any proposed, ongoing, or concluded proceedings in the said matter concerning protection of the interests of investors, claimants, or their legal heirs.

3. **Reply of the Respondent** – The respondent, in response to query nos. 1 and 2 in the application, informed that the information sought pertains to third parties, which is held by SEBI in fiduciary capacity. Accordingly, the same is exempted under section 8(1)(e) of the RTI Act.

   With regard to query nos. 3, 4, 5 and 6, the respondent informed that the Orders passed by the SEBI in the matter of Helios Plantations and Developers Ltd are available on SEBI website. The respondent also provided the link for accessing the same. The respondent also informed that the prosecution proceedings are ongoing against Helios Plantations and Developers Ltd before SEBI Special Court, Kolkata. The respondent informed that the developments and status updates regarding the Court Proceedings are publicly available on the website of the Court and provided the link for accessing the said website.

   With regard to query nos. 7, 8 and 9, the respondent informed that the recovery proceedings have not been initiated against Helios Plantations and Developers Ltd.

4. **Ground of appeal** – On perusal of the appeal, it appears that the appellant is not satisfied with the response of the respondent.

5. I have perused the application and the response provided thereto. With regard to query nos. 1 and 2, I note that the appellant has denied the requested information under section 8(1)(e) of the RTI Act on the ground that the information sought pertains to third parties. I note that vide query no.1, the appellant has sought details pertaining to Late Sarvanand Tripathi, Late Swarnpati Tripathi and Late Sushil Kumar Tripathi. In this regard, the appellant, in his appeal, has submitted that he is the legal heir of the investors mentioned in his application. The appellant also mentioned that he had enclosed copies of the death certificates of the said investors along with his application. I note that Hon'ble Central Information Commission in its decision in *Chandra Shekhar vs. Central Public Information Officer,* (Date of Decision: January 22, 2018, Decision No. CIC/PNBNK/A/2016/297945) had observed that *"…. to access information regarding an account of a deceased person, the appellant has to prove that he is the legal heir of the deceased*." I note that the appellant, in his appeal and application, has not produced any legal heirship certificate. In the absence of the same, I note that the appellant can be considered only as a third party. Further, vide query no.2, the respondent has sought the list of affected investors. In this regard, I concur with the response of the respondent that same is in the nature of third party information. I find that SEBI, being the regulatory authority for the securities market, gets various documents from various entities and the information contained therein are received in 'fiduciary relationship'. In the context of non-disclosure of information under Section 8(1)(e) of the RTI Act, the Hon'ble Central Information Commission (**CIC**), in the matter of *Mr. Ashok Kumar Rajak vs. CPIO, SEBI,*

(order dated December 21, 2021), held that "*Further the details such as investigation report, file noting, directions and various communication involves with the third party information which is received from other agencies is being held by them in fiduciary capacity hence the same is barred from disclosure under section 8(1)(e) & (j) of the RTI Act, 2005.*" Accordingly, I do not find any deficiency in the response of the respondent.

6. With regard to query nos. 3, 4, 5 and 6, the respondent has informed the appellant regarding the Orders passed by SEBI and ongoing prosecution proceedings in the Special Court, Kolkata. I note that such information is available on 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.

7. With regard to query nos. 7, 8 and 9, I find that the respondent has adequately addressed the queries by providing the information available with him.

8. 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: September 03, 2026

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