

RIGHT TO INFORMATION ACT (SEBI)

RIGHT TO INFORMATION ACT

The Government of India has enacted "Right to Information Act 2005" to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of Public Authorities in order to promote transparency and accountability in the working of any public authority.

RIGHT TO INFORMATION

The right to information includes an access to the information which is held by or under the control of any public authority and includes the right to inspect the work, document, records, taking notes, extracts or certified copies of documents / records and certified samples of the materials and obtaining information which is also stored in electronic form.

THE INFORMATION WHICH IS EXEMPT FROM DISCLOSURE

The Right to Information Act, 2005 under Sections 8 and 9 exempts certain categories of information from disclosures. These include:

- Information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence.
- Information which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court;
- Information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislature;
- Information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information;
- Information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information;
- Information received in confidence from foreign Government; information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes;
- Information which would impede the process of investigation or apprehension or prosecution of offenders;
- Cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other officers;
- Information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual.

FEE / COST TO GET THE INFORMATION

A request for obtaining information under Section 6(1) of the Act needs to be accompanied by an application fee of Rs.10 by way of cash against proper receipt or

by DD or bankers' cheque.

As per the Right to Information (Regulation of Fee and Cost) Rules, 2005, the public authority shall charge:

- Rs.2/- for each page (in A-4 or A-3 size paper) created or copied;
- actual charge or cost price of a copy in larger size paper;
- actual cost or price for samples or models; and
- for inspection of records, no fee for the first hour; and a fee of Rs.5/- for each 15 minutes (or fraction thereof thereafter)

Further, to provide information under Section 7(5) of the Right to Information Act, 2005, the public authority shall charge:

- Rs. 50/- per diskette or floppy; and
- for information provided in printed form at the price fixed for such publication or Rs. 2/- per page of photocopy for extracts from the publication

WHO CAN ASK FOR INFORMATION?

Any citizen can request for information by making an application in writing or through electronic means in English / Hindi / official language of the areas, in which the application is being made together with the prescribed fees.

WHO WILL GIVE INFORMATION?

Any public authority would designate Central Asst. Public Information Officer (CAPIO) at various levels, who will receive the requests for information from the public and necessary number of Central Public Information Officers (CPIO) in all administrative units/ office who will arrange for providing necessary information to the public as permitted under the law. The public authorities are also required to designate authority (ies) senior in rank to CPIO, as Appellate Authorities, who will entertain and dispose off appeals against the decision of the CPIO as required under the Act. Any person who does not receive the decision from CPIO wither by way of information or rejection within the time frame, may within 30 days from the expiry of period prescribed for furnishing the information or 30 days from the date of receipt of the decisions, prefer an appeal to the Appellate Authority.

THE ROLE OF CENTRAL PUBLIC INFORMATION OFFICERS (CPIO)

The CPIO will receive the application / request for information under the Act and process the request for providing the information and dispose of the same; either by providing the information or rejecting the request, within a period of 30 days from the date of receipt of request

THE STRUCTURE OF CENTRAL PUBLIC INFORMATION OFFICERS IN SEBI

Sr. No.	Name	Designation	Offices
1.	Shri Sudev C. Das	Executive Director	Head Office, Mumbai Mittal Court, "B" Wing, 1st Floor 224, Nariman Point, Mumbai (Bombay) : 400021 Tel.Direct: +91-22-22855385 Tel.Board: +91-22-22850451-56
2.	Shri Amarjeet Singh	General Manager	Northern Regional Office, Delhi No. 32, Rajendra Bhavan, Rajendra Place, New Delhi : 110008 Tel.Direct: +91-11-25781750 Tel.Board: +91-11-25788658/25718911
3.	Shri A Sunil Kumar	Deputy General Manager	Southern Regional Office, Chennai D' Monte Building, 3rd Floor, 32 D' Monte Colony, TTK Road, Alwarpet, Chennai (Madras) : 600018. Tel.Direct: +91-44-24998179 Tel.Board: +91-44-24995676/5525/7385/7480/7540.
4.	Shri Jayanta Jash	Deputy General Manager	Eastern Regional Office, Kolkata L&T Chambers, 3rd Floor, 16 Camac Street, Kolkata 700 017. Tel.Direct: +91-33-22801423 Tel.Board: +91-33-22402435, 22406104/05

HOW LONG WILL SEBI TAKE TO PROVIDE INFORMATION?

SEBI will, within 30 days of receipt of the application for information along with the fee of Rs.10/-, communicate to the requestor whether it can or cannot provide the information.

AT WHAT STAGE WILL I HAVE TO PAY THE COST?

If SEBI has the information and can provide it to you it will, within 30 days of its receiving the application along with the fee of Rs.10/-, communicate to you the cost of providing the information as prescribed under Section 7(1) of Right to Information Act.

WHEN WILL I GET THE INFORMATION?

You will get the information, once SEBI receives the payment towards providing the information.

SEBI WEBSITE

Securities and Exchange Board of India (SEBI) has been maintaining its website (<http://www.sebi.gov.in>) since November 1996. The site is updated regularly and all the information released by SEBI is also simultaneously made available on the website.

The information published in public domain include the following:

- (1) Acts, Rules, Regulations, Guidelines, Circulars, etc.
- (2) Orders passed by SEBI
- (3) Reports of Committees
- (4) Press Releases
- (5) Annual Report
- (6) SEBI Bulletin

ESTABLISHMENT OF SEBI

The Securities and Exchange Board of India was established on April 12, 1992 in accordance with the provisions of the Securities and Exchange Board of India Act, 1992.

PREAMBLE

The Preamble of the Securities and Exchange Board of India describes the basic functions of the Securities and Exchange Board of India as

“.....to protect the interests of investors in securities and to promote the development of, and to regulate the securities market and for matters connected therewith or incidental thereto””