

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

Appeal No. 6139 of 2024

Sagar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated August 25, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 ("**RTI Act**"). The respondent, by a letter dated August 30, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00202) dated September 01, 2024. 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. **Request in the application** - The appellant, vide his application dated August 25, 2024 sought the following information:

"MY FATHER HAD BOUGHT SHARES BEFORE HE DIED IN 2008 BUT WE MISPLACED RECEIPTS OF HIS PURCHASE I REQUEST SEBI TO LOOK AT BSE AND NSE, THEIR RECORDS HIS NAME WAS JAGDEEP RANA S/O PARTAP SINGH RANA RESIDENT OF ... ROHTAK HARYANA"
3. **Reply of the Respondent** - The respondent, in response to the application, informed that the information sought is not maintained by Securities and Exchange Board of India (hereinafter referred to as "**SEBI**") in normal course of regulation of securities market. Hence the same is not available with SEBI.
4. **Ground of appeal** - The appellant filed the appeal on the ground that information provided is incomplete, misleading and false information.
5. I have perused the aforesaid request and the response provided thereto. I note that the respondent has categorically stated that the requested information 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 the Hon'ble

Supreme Court of India in *Central Board of Secondary Education & Anr. vs. Aditya Bandopadhyay & Ors* (Judgment dated August 9, 2011) held that *“The RTI Act provides access to all information that is available and existing. This is clear from a combined reading of section 3 and the definitions of ‘information’ and ‘right to information’ under clauses (f) and (j) of section 2 of the Act. If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in section 8 of the Act. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non-available information and then furnish it to an applicant.”* Accordingly, I do not find any deficiency in the response of the respondent.

6. Notwithstanding the above, in regard to any grievance related to securities market, the appellant may lodge complaint on the SCORES portal of SEBI. It is understood that SCORES is an online platform designed to help investors to lodge their complaints online with SEBI, pertaining to securities market, against listed companies and SEBI registered intermediaries. The said platform enables investors to lodge and follow up their complaints and track the status of redressal of such complaints online from the SCORES website. The link for accessing the same is provided below-

<https://scores.sebi.gov.in>

7. 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 26, 2024

RUCHI CHOJER

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