

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

Appeal No. 5695 of 2023

Rashmi Soni	:	Appellant
Vs		
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated May 02, 2023 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated May 24, 2023, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00109) dated May 25, 2023. 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, vide his application dated May 02, 2023, sought the following information:

“Kindly provide information under RTI Act 2005 under section 2(b) as per provide information from NSDL

- 1. rana sugar -1500 2. adperry sugar-66, Share Deposite in Stock Holding Corporation of India Dpid-301330 Id 19.....74 1 Provide Demat A/C opening Form Zerox With KYC because I am not Open Above Demat Ac*
- 2. Provide information above share tr. Demat ac with date and which source*
- 3. Provide information above share tr. which source full details with company name*
- 4. Provide information above Demat ac opening form SHCIL and demat transaction ac opening date to till date with proof of transaction because I am not open any demat ac with SHCIL*
- 5. Provide information above demat charge bill send to me year wise ac opening date to till date with proof*
- 6. Provide information above demat dis slip send to me after demat ac opening with proof*
- 7. Provide information above share purchase date with id and exchange.”*

3. The respondent, in response to the aforesaid queries, informed that the information sought by the appellant is not maintained by SEBI in the normal course of regulation of securities market. Hence, the same is not available with SEBI.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that the information provided was incomplete, misleading or false.
5. I have perused the queries and the response provided thereto. I find that the respondent has categorically informed that the requested information is not maintained by SEBI in the normal course of regulation of securities market. I note that the requested information is not available on record. In this context, I note that the Hon'ble CIC, in the matter of *Lakshminarayanan R vs. SEBI* (order dated February 09, 2023) observed that *"Keeping in view the facts of the case, the Commission observed that the information sought by the appellant regarding Central Depository Services Ltd. was not maintained by the respondent authority in the normal course of regulation of securities market. It is an established law that the information sought for in order to be disclosable under the RTI Act, 2005 must be existent and available in the records..... In the instant case, the desired information was not available in the records of the respondent authority. The CPIO in his reply and written submissions has also sufficiently explained the reason for denial of information in the present case. Therefore, the denial is justified and upheld accordingly."* In view of these observations, I do not find any deficiency in the response.
6. Further, I note that the appellant, in her application has raised certain grievances regarding demat account. I note that the RTI Act is not the proper law for redressal of grievances/disputes. In case the appellant has any grievance, she may lodge the same at <https://scores.gov.in> or SCORES Mobile App which is available on both Apple App Store and Google Play Store. The appellant may also refer to the FAQs on "Investor Grievance- SCORES", available on the SEBI website at the link given below-
<https://scores.gov.in/scores/Docs/FAQ-SCORES.pdf>
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: June 21, 2023

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