

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

Appeal No. 6698 of 2026

Rajesh Kumar Mittal : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated December 24, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated January 13, 2026, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/26/00020) dated January 13, 2026. 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, in his application dated December 24, 2026, sought the following information:

“ 1. Year wise Investor Protection and Education Fund collected by each stock exchange in India and spent by each Stock exchange in India.

2. Year wise Investor Protection and Education fund collected by SEBI and spend by SEBI every year.

3. Year wise details of total companies suspended and fines and penalties received by the Stock exchanges and SEBI.

4. Year wise details of the total number of Investors compensated from the Fund and Amount paid to them.

5. Year wise details of How many promoters are debarred from Stock Market and replaced by the SEBI or Government.”
3. **Reply of the Respondent** –The respondent, in response to query no. 1 in the application, informed that information sought is not available with SEBI.

The respondent, in response to query no. 2, informed that the information regarding amount spent by SEBI on investor awareness activities can be accessed from the SEBI Annual report. The respondent also provided link for accessing the SEBI Annual Report. The respondent has also provided the link for accessing the annual links.

The respondent, in response to query nos. 3, 4 & 5, informed that the information sought is not maintained by SEBI in normal course of regulation of securities market. Hence, the same is not available with SEBI. Notwithstanding the aforesaid, I note that respondent has informed with respect to query no. 5, that SEBI Orders, including those directing the debarment of entities from the securities market are publicly available on SEBI website.

4. **Ground of appeal** – The appellant has filed the appeal on the ground that he was provided incomplete, misleading or false information.
5. I have perused the application and the response provided thereto. With respect to query no. 1, I find that the respondent, in his response, has categorically mentioned that the requested information is not available with SEBI. In this context, I note that the Hon'ble Central Information Commission (**CIC**) in the matter of *Sh. Pattipati Rama Murthy vs. CPIO, SEBI* (Decision dated July 8, 2013), held: "... if it (SEBI) does not have any such information in its possession, the CPIO cannot obviously invent one for the benefit of the Appellant. There is simply no information to be given." Accordingly, I do not find any deficiency in the response of the respondent.
6. With respect to query no. 2, I note that the respondent has provided the information available with him. Accordingly, I do not find any deficiency in the response of the respondent.
7. With regard to query nos. 3, 4 & 5, I note that the respondent has informed that the requested information is not maintained by SEBI in normal course of regulation of securities market and hence is not available with SEBI. 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...*". Accordingly, I do not find any deficiency in the response of respondent.

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: February 09, 2026

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