

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

Appeal No. 5343 of 2022

Siddhant	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated July 15, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated August 11, 2022 responded to the application filed by the appellant. The appellant filed an appeal dated August 12, 2022, against the said response dated August 11, 2022. 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 July 15, 2022, *inter alia*, stated that he wants to see his response sheet (answer sheet of phase 2) of both the paper with respect to the examination conducted for recruitment of SEBI Grade A (2022) in General Stream.
3. The respondent, in response to the aforesaid query, informed that the online examination for recruitment of Officer Grade A was conducted by Institute of Banking Personal Selection, which is an autonomous body on behalf of SEBI. The respondent also informed that the information sought by the appellant was not shared with SEBI. Hence, the information 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. The appellant, in his appeal, *inter alia*, submitted that he has applied for a regulatory body exam which is funded by the government and that the same comes under the purview of the RTI Act.
5. I note that the respondent has informed the appellant about non-availability of the requested information with SEBI as the same is not shared with SEBI. I do not find any reason to disbelieve the said statement. In this regard, I note that the Hon’ble 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, the respondent did not have an obligation to obtain and furnish such non available information to the appellant.

6. 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 12, 2022

ANAND BAIWAR

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