

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

Appeal No. 5557 of 2023

Veena Srivathsa	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated December 12, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated January 03, 2023, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00004) dated January 04, 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 her application dated December 12, 2022, sought the following information with respect to deceased parents:

“1: Details of all the demat accounts and its statements, mutual funds investments and detailed statements and any securities/ bonds/ that were linked to his PAN, that were held by Mr G.V DEVAPRIYAN, the joint holders if any of my father , branch where it was held balance as on date and the nominee if any and their name as on date and the current status of the investment If any of the amounts are settled, to whom were the monies were paid, date of settlement and the amount settled. If there were no nominees the same also be mentioned against those policies.

2: Details of all the demat accounts and its statements, mutual funds investments and detailed statements, and any securities/ bonds/ that were linked to her PAN that were held by Mrs Vidyapriyan, the joint holders if any along with my mother , branch where it was held balance as on date and the nominee if any and their name as on date and the current status of the investment If any of the amounts are settled, to whom were the monies were paid, date of settlement and the amount settled. If there were no nominees the same also be mentioned against those policies.”

3. The respondent, in response to the aforesaid queries, informed that the requested information is not available with SEBI.

4. **Ground of appeal-** The appellant has not specified any specific ground for filing the appeal. The appellant, in her appeal, stated that SEBI is the ultimate custodian and that they need a single source of authentic information.
5. I have perused the queries and the response provided by the respondent. With respect to the aforesaid queries, the respondent has categorically informed regarding non-availability of the requested information. In my view, the respondent is expected to provide information as available on record and not create any information. In this context, 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.*” In view of the same, I do not find any deficiency in the response.
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: February 03, 2023

ANAND BAIWAR

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