

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

Appeal No. 6108 of 2024

Virendra Sharma	:	Appellant
Vs		
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated July 24, 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 01, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00174) dated August 12, 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 July 24, 2024, sought the following information:

*“1. I want to know the full process of ipo allotment.
2. I want to know that from where i get the list of person who get allotment in any ipo.”*

3. **Reply of the Respondent** - The respondent, in response to request no. 1 of the application, informed that IPO allotment process is in terms of Regulation 49 on ‘Allotment procedure and basis of allotment’ of the SEBI (Issue of Capital and Disclosure Requirements) Regulations, 2018 (hereinafter referred to as “**ICDR Regulations**”). Further, the respondent informed that “schedule XIV” of the ICDR Regulations provides ‘Illustration explaining the procedure of allotment’. The respondent provided the relevant link to access the aforesaid regulations.

In response to request no. 2, the respondent informed the information sought is not available with SEBI.

4. **Ground of appeal** - On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent.

5. I have perused the aforesaid request and the response provided thereto. With respect to request no. 1 of the application, I find that the respondent has adequately addressed the said request by providing the information available with him. Accordingly, no further intervention of this forum is warranted.
6. With respect to request no. 2 of the application, 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 Central Information Commission (hereinafter referred to as "**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 these observations, I do not find any deficiency in the response.
7. Further, I note that the appellant in his appeal has sought information regarding source from where he can get information about list of persons who are getting allotment in any IPO. On consideration, I find that the appellant is now seeking new information pertaining to his aforesaid application. As held by the Hon'ble Central Information Commission (hereinafter referred to as "**CIC**") in *Harish Prasad Divedi vs. Bharat Petroleum Corporation Limited* (decided on January 28, 2014), an information seeker cannot be allowed to expand the scope of his RTI enquiry at appeal stage. Accordingly, I find that the said submissions do not warrant consideration at this stage.
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: September 3, 2024

RUCHI CHOJER

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