

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

Appeal No. 6562 of 2025

Saikrishna Vasantha : Appellant
Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated August 30, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 17, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00247) dated September 17, 2025. 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. The appellant has filed appeal only against the response of the respondent to query nos. 2(a) & (b) in the application.
3. **Query nos. 2(a) and (b) in the application** - The appellant, vide aforesaid queries, sought the following information:

“Information Regarding Customer Complaints:

Please provide the total number of unique complaints received by SEBI against Mirae Asset Capital Markets (India) Pvt. Ltd. (M.Stock) for the period from 30th December 2024 to 30th August 2025. Kindly provide a breakdown of these complaints as follows:

a) The number of complaints specifically related to the unilateral imposition of brokerage charges on customers who had previously paid for a Lifetime Zero Brokerage plan.

b) The total number of all other complaints received against the said entity during this period.”

4. **Reply of the Respondent** – The respondent, in response to query nos. 2 (a) & (b) informed that the information sought is not maintained by SEBI in the manner/format as specified. Hence, information sought is not available with SEBI.
5. I have perused the queries and the response provided thereto. I note that appellant, vide query no. 2 (a) and (b), has sought information regarding total number of unique complaints and category wise break down of the complaints received against Mirae Asset Capital Markets (India) Pvt. Ltd by SEBI. On consideration, I note that respondent in his reply has categorically mentioned that the requested information is not available with SEBI in the format as sought by the appellant. In this context, I note that the Hon'ble High Court of Delhi in its judgment dated 04.12.2014 in case of *The Registrar, Supreme Court of India vs. Commodore Lokesh K. Batra and Ors. [W.P.(C) No. 6634/2011]* has held as under: “11. Insofar as the question of disclosing information that is not available with the public authority is concerned, the law is now well settled that the Act does not enjoin a public authority to create, collect or collate information that is not available with it. There is no obligation on a public authority to process any information in order to create further information as is sought by an applicant.....” Accordingly, I do not find any deficiency in the response of the respondent.
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: October 09, 2025

RUCHI CHOJER

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