

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

Appeal No. 5077 of 2022

Anisha	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated May 18, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated June 02, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated June 02, 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 her application dated May 18, 2022, sought the following information with respect to her trade dated April 28, 2022:
 1. *Immediately after deduction of above funds from my trading account, in which account did this funds got credited? Please provide me the complete detail of that including relevant documents.*
 2. *When did my broker (SBI Cap in this case) deposit the amount to NSE and how much amount he paid to NSE.*
 3. *When and how much amount NSE paid to seller’s broker? Please provide information with relevant documents.*
 4. *When and how much amount seller’s broker paid to his client? Please provide information with relevant documents.*
 5. *Copy of documents showing all information related to my above trade.*
 6. *Copy of all documents showing various Events happened in back end, from the trade day i.e. 28-April-22 to settlement date.*
 7. *Detail of Seller and his/her broker.*
 8. *Step by Step procedure, that was followed by clearing house from trade day 28-April-22 to settlement date. Please provide relevant documents.*

9. *Step by Step procedure, that was followed by clearing house from trade day 28-April-22 to settlement date in view of seller of those shares. Please provide relevant documents.*
3. The respondent, in response to the aforesaid queries, 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.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that the information provided was incomplete, misleading or false.
5. I have perused the queries and the response provided thereto. On consideration, I do not find any reason to disbelieve the observation of the respondent that the requested information is not available with SEBI as the same is not maintained by SEBI. In this context, I note that the Hon'ble CIC, in the matter of *Mrigesh Manubhai Thakkar vs. SEBI* (order dated December 28, 2016) observed that "*The Commission observes that the respondents can provide only that information which is existing and available with them and the RTI Act does not mandate it for the respondent authority to create information if it is not collected and collated in the normal course of their duties. The Commission, therefore, does not find any need to intervene in the matter. The appeal is disposed of.*" In view of these observations, 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: June 28, 2022

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