

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

Appeal No. 5970 of 2024

T.N. Ravi	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated March 07, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated March 22, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00066) dated March 26, 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. **Requests in the application** –The appellant, vide his application dated March 07, 2024, sought the following information:

“1. Status of Order No.: WTM/SM/WTO/WRO/2022- 23/21754
2. The time by when resolution and refund will be done”
3. **Reply of the Respondent** – The respondent, in response to the aforesaid requests, informed that as per available records, no such order bearing WTM/SM/WTO/WRO/2022-23/21754 has been passed by SEBI. Hence, the information sought is not available.

Further, respondent informed that the information sought are in the nature of seeking clarification/ opinion. Accordingly, the same cannot be construed as “Information” as defined u/s 2(f) of the RTI Act, 2005. However, the respondent informed that neither Imped Financial Solutions nor Mr. Krishna Govind Anand are registered with SEBI as Investment Adviser / Research Analyst.

Additionally, the respondent informed that SEBI conducts examinations and investigations confidentially, hence, SEBI will neither confirm nor deny the existence of any

examinations/investigations. However, any regulatory actions taken by SEBI pursuant to the examination are published on SEBI website.

4. I have perused the requests and the response provided thereto. I note that the appellant in his application has sought information about Order No.: WTM/SM/WTO/WRO/2022- 23/21754. In this regard, I note that the respondent has informed the appellant that no such order has been passed by SEBI. Hence, the information sought is not available. 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.
5. 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: April 22, 2024

B RAJENDRAN

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