

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

Appeal No. 5546 of 2022

Pushpita Sinha	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated November 14, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 ("RTI Act"). The respondent, by a letter dated November 28, 2022 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/22/00680) dated November 28, 2022, against the said response dated November 28, 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 November 14, 2022, *inter alia*, sought total amount of all shares taken by one Mr. Veenesh Priyadarshi during the period from March 31, 2000 to November 14, 2022 and the bank account linked in this regard.
3. The respondent, in response to the aforesaid query, informed that the information sought is not available with SEBI.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that access to the requested information was refused. The appellant also submitted that she was given inconsistent and misleading information.
5. I have perused the query and the response provided thereto. I do not find any reason to disbelieve the observation that the requested information is not available with SEBI. 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 these observations, I find that the

information sought by the appellant was not available with SEBI and therefore, the respondent cannot be obliged to provide such non-available information.

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: January 25, 2023

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