

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

Appeal No. 5271 of 2022

Ajay Singh	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated June 27, 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 21, 2022, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/22/00454) dated July 22, 2022, against the said response dated July 21, 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. **Ground of appeal-** The appellant has filed the appeal on the ground that the information provided was incomplete, misleading or false. I am dealing with the queries and the response provided thereto, in the following paragraphs.
3. **Query number 1-** The appellant, vide query number 1, sought copy of all igrp and arbitration records from 2006 to 2022 of Iicwebtrade and Iicibrokerageservicesltd.
4. The respondent, in response to the aforesaid query, informed that the information sought by the appellant is not maintained by SEBI in normal course of regulation of securities market. Hence, the same is not available with SEBI.
5. I have perused the query 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.” Further, 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 do not find any deficiency in the response.

6. **Query numbers 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16 and 17-**

2. *Merger and name change records from NSE and BSE and other stock exchanges from icicibank and its associates.*
5. *Copy of email send to sh kvr murthy regarding attached documents and his notings and meetings taken by him.*
6. *Copy of pan no and st no and bank account no and transctions of icicibank amd associates.*
7. *Copy of emails received by madhabipuribuch and her notings on email. (madhabi.buch@sebi.gov.in) to whom she forwarded and action taken by her.*
8. *Copy of offer document and related files at icicibank, icicipruamcltd , hdfc bank and other regulatory authorities.*
9. *Copy of offer document and complete file submitted by icicipruamc ltd in sebi and irda and rbi and incometax and mca and nse and bse.*
10. *Copy of Icicibrokerageservicesltd and Iciciwebtrade taken at high court level and supremecourt ltd by nse or icicigroup or bse .*
11. *Copy of icicibank and associates in itat all over india. and pan no record from 2006 to 2022..*
12. *Copy of application no and kyc for account no 001201059059 from, nse ,bse and Icicibank .*
13. *Copy of data provided by icicigroup to jenyjobn (pmo complaint) . Matter is related not to maintain rtinrecords in chronological order and back date records created by nse and sebi.*
15. *Copy of details provided by nse to high court delhi in case of Iciciwebtrade cleints and Icicibrokerageservicesltd. Nse employees maintain data as per need of brokers. Matter is related to fraudninnscorea and at mca webiste too. Merger and amalgamtion data is not availbel with first party.*
16. *Call records between ajay singha and medha sonaparte (agent and employee of sebi).*
17. *List of complaints tegsitered by medha sonaparte for sh Ajay singh in scores and actions and notings by sebi.*

7. In response to the aforesaid queries, the respondent informed that the queries are vague and not specific and accordingly, the same cannot be construed as seeking “information”, as defined under section 2(f) of the RTI Act.
8. I have perused the queries and I agree with the observation of the respondent that the same are vague and not specific. Further, it is difficult to ascertain what exact information has been sought by the appellant. I find that the appellant’s queries cannot be construed as seeking “information” as defined under section 2(f) of the RTI Act. Accordingly, no further intervention of this forum is warranted at this stage.
9. **Query numbers 3 and 4-** The appellant, vide query number 3, *inter alia*, sought information regarding selection of SEBI Chairman, procedure and report of background check. The appellant also sought information regarding application form submitted by the Chairperson and her career profile. Vide query number 4, the appellant sought information regarding name of members of selection committee in selecting current SEBI WTM.
10. In response to the aforesaid queries, the respondent informed that the SEBI chairman is appointed by the Government of India. Accordingly, SEBI has no information to provide in this matter. The respondent also informed that Ms. Madhabi Puri Buch is the current Chairperson, SEBI. The appellant was also advised to refer to her profile which is available on the SEBI website.
11. I have perused the queries and the response provided thereto. With respect to query number 3, I note that the respondent has adequately addressed the query by providing the information available with him. Further, the appellant has not made any specific submission with respect to the said response. Accordingly, I do not find any deficiency therein. With respect to query number 4, I find that the query is vague and not specific and accordingly the same cannot be construed as seeking “information” as defined under section 2(f) of the RTI Act.
12. **Query numbers 14 and 18-** The appellant, vide query number 14, sought “*No. of chequebook to of icicibank and its associates from 1995 to 2020.*” Vide query number 18, the appellant sought call records between Ajay Singh and Sh Rakesh Seth and all icici bank employees and dsa and agents.
13. The respondent, in respect to the aforesaid queries, informed that the queries do not pertain to SEBI.

14. I have perused the queries and the response provided thereto. I note that the respondent has categorically stated that the said queries do not pertain to SEBI. I do not find any reason to disbelieve the same. Accordingly, I do not find any deficiency in the response.
15. 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: August 22, 2022

ANAND BAIWAR

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