

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

Appeal No. 6271 of 2025

Jitendra Kumar Sahu : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated November 05, 2024 (received by SEBI on November 18, 2024) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated December 06, 2024, responded to the application filed by the appellant. The appellant filed an appeal dated December 19, 2024 (received by the Office of Appellate Authority on December 27, 2024). I have perused the application, the response of the respondent 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 information.
3. **Queries in the application-** 1) The appellant, in his application dated November 05, 2024, sought verified copy of the agreement entered into between Bharat Aluminium Company Ltd., Korba, Chhattisgarh and Vedanta Limited with regard to the shares. 2) The appellant had also sought the name, designation and address of the Appellate authority. 3) Further, the appellant had requested that if the information sought is related with some other office, his application should be transferred to the concerned office under the RTI Act.
4. **Reply of the Respondent** - The respondent, in response to the query no. 1 informed that the information sought is not maintained by SEBI in the normal course of regulation of securities market and hence, the information is not available with SEBI. The respondent, in his reply, provided the information sought with respect to query no. 2. With respect to query no. 3, respondent gave the response as “not applicable”.

5. I have perused the queries and the response provided thereto. On consideration, I do not find any reason to disbelieve the response of the respondent that the requested information is not maintained by SEBI in the normal course of regulation of securities market. In this context, I note that the Hon'ble Central Information Commission, in the matter of *Lakshminarayanan R vs. CPIO, SEBI* (order dated February 09, 2023) observed that *"Keeping in view the facts of the case, the Commission observed that the information sought by the appellant regarding Central Depository Services Ltd. was not maintained by the respondent authority in the normal course of regulation of securities market. It is an established law that the information sought for in order to be disclosable under the RTI Act, 2005 must be existent and available in the records..... In the instant case, the desired information was not available in the records of the respondent authority. The CPIO in his reply and written submissions has also sufficiently explained the reason for denial of information in the present case. Therefore, the denial is justified and upheld accordingly."* In view of these observations, I do not find any deficiency in the response.
6. Further, I find that the respondent has adequately addressed the query nos. 2 in the application. Accordingly, I do not find any deficiency in the response of the respondent.
7. 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 20, 2025

RUCHI CHOJER

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