

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

Appeal No. 5818 of 2023

Raju Kumar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated September 20, 2023 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (hereinafter referred to as “**RTI Act**”). The respondent, by a letter dated October 06, 2023 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00213) dated October 06, 2023. 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 his application dated September 20, 2023 sought following information:

“Q.1 Is there any fees or charges for ASBA facility given by PSU bank while Applying in IPOs?”

Q2. What are the different kind of charges that is charged by PSU banks while applying in IPO through ASBA such as mandate registration charges or others?”

Q.3 What are the limits for IPO investment that does not charges ASBA Mandate registration fee or charges?”
3. **Reply of the Respondent** The respondent vide letter dated October 6, 2023 replied to the aforesaid queries and informed that the information sought is not maintained by Securities and Exchange Board of India (hereinafter referred to as “**SEBI**”) in normal course of regulation of securities market. Hence, the same is not available with SEBI. However, the applicant may reach out to respective PSUs for details related to amount being charged by them for their respective services.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that he was refused access to information requested.

5. 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 *Lakshminarayanan R vs. 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...*" In view of these observations, I do not find any deficiency in the response of the respondent. Further, I have noted that the respondent has guided the appellant to reach out to the respective PSUs for details related to amount being charged by them for their respective services.
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: October 30, 2023

ANAND BAIWAR

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