

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

Appeal No. 6193 of 2024

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

ORDER

1. The appellant had filed an application dated September 13, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated October 04, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00246) dated October 07, 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. **Request in the application** - The appellant, vide his application dated September 13, 2024 sought the following information

“I need the data for the financial year 2023-24 of all the IPO of companies who shares were listed in that financial year . Data pertaining to whom the shares allotted name of individuals, Pan, company of whose shares and most important RTI agents who managed these IPO and did this allotment. This request is only for Retail clients and further you can opt this data from Depository and share the same”
3. **Reply of the Respondent** - The respondent, in response to the application informed that w.r.t IPOs listed in FY 2023-24 and the associated RTAs, the data is available on website of Stock Exchanges. The respondent provided the website address of the Stock Exchanges.

Further, with respect to request regarding data pertaining to allottees and their PANs, etc, the respondent informed that the said information is not maintained by SEBI in the normal course of regulation of securities market.

4. **Ground of appeal** - On perusal of the appeal, it appears that the appellant is not satisfied with the response of the respondent.
5. I have perused the aforesaid queries and the response provided thereto. With respect to request regarding IPOs listed in FY 2023-24 and the associated RTAs, I find that the respondent has adequately addressed the said requests by providing the information available with him. Accordingly, no further intervention of this forum is warranted.
6. With respect to request regarding data pertaining to allottees and their PANs, etc, I note that the respondent has informed that the said information is not maintained by SEBI in the normal course of regulation of securities market. Hence, it is understood that the information sought by the appellant 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 Supreme Court of India in *Central Board of Secondary Education & Anr. vs Aditya Bandopadhyay & Ors* (Judgment dated August 9, 2011) held that "*The RTI Act provides access to all information that is available and existing. This is clear from a combined reading of section 3 and the definitions of 'information' and 'right to information' under clauses (f) and (j) of section 2 of the Act. If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemption in section 8 of the Act. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non-available information and then furnish it to an applicant.*" Accordingly, I do not find any deficiency in the response of the respondent.
7. Further, I note that the appellant, in his appeal has, *inter alia*, submitted that the concerned RTI application was filed with a different Public Authority and not SEBI. Hence, his said application should have been transferred to the concerned Public Authority. In this regard, I note that the aforesaid application was transferred to SEBI under Section 6(3) of RTI Act. I also note that the subject matter of the application pertains to SEBI as seen from reply of the respondent to the application. Hence, the respondent has responded to all the queries of the application. Accordingly, no further intervention of this forum is warranted.

8. 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 29, 2024

RUCHI CHOJER

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