

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

Appeal No. 5442 of 2022

Rajeev Bhatnagar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated September 16, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 29, 2022, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/22/00606) dated October 01, 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. In view of the submissions made by the appellant in his appeal, 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 the following information regarding Master Capital Services Ltd:

“1. When the registration number for various segments of capital market was changed.”
4. The respondent, in response to the aforesaid query, informed that the information on intermediaries registered with SEBI are already on SEBI website. The respondent also provided the path for accessing the same on the SEBI website. The appellant, in his appeal, submitted that the response provided by the respondent is not a ‘to the point’ information.
5. I have perused the query and the response provided thereto. I note that the respondent has informed regarding availability of information on intermediaries registered with SEBI. On perusal of the query, I note that the appellant has sought information regarding when the registration of Master Capital Services Ltd. was changed. In my opinion, the query has not been adequately addressed and the same warrants

reconsideration on the point whether the requested information is available with SEBI and whether the same can be disclosed under the provisions of the RTI Act.

6. **Query number 2-** The appellant, vide query number 2, sought the following information:

“2. The dates of inspection and internal audit during the period after issuance of SEBI Circular No CIR/HO/MIRSD2/CIR/P/2017/73 dated 30.06.2017.”

7. The respondent, in response to the aforesaid query, informed that the inspection of the entity was carried out in the year 2017-2018 and 2021-2022. The respondent also informed that the information with respect to internal audit is not available with SEBI. The appellant, in his appeal, *inter alia*, submitted that the dates/periods of inspection are not provided.
8. I have perused the query and the response provided thereto. With respect to the query pertaining to “dates of inspection”, I note that the respondent has provided the broad period i.e. the year during which the inspection was carried out. The appellant has sought the specific dates/ period during which the inspection was carried out. In my opinion, the said query warrants reconsideration.
9. Further, with respect to the query pertaining to “internal audit”, I note that the respondent has categorically informed regarding non-availability of the requested information. I note that the respondent is obliged to provide only that information which is available with him. On consideration, I find that the respondent has adequately addressed the query. In view of the same, I do not find any deficiency in the response.
10. In view of above observations, I remit the application to the respondent for reconsidering the query number 1 and the first part of query number 2 regarding “dates of inspection” and to provide a revised response within 15 working days from the date of receipt of this order.
11. The Appeal is accordingly disposed of.

Place: Mumbai

Date: October 21, 2022

A SUNIL KUMAR
APPELLATE AUTHORITY UNDER THE RTI ACT
SECURITIES AND EXCHANGE BOARD OF INDIA