

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

Appeal No. 5776 of 2023

Manmeet Singh Tuteja	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application (Reg. No. SEBIH/R/T/23/00160) dated August 01, 2023 (transferred by Department of Investment and Public Asset Management and received by SEBI through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated August 22, 2023, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00184) dated August 23, 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. **Requests made in the application** –The appellant, vide his application August 01, 2023, *inter alia*, sought the details of investments and assets belonging to his spouse Dr. Reema Tuteja.
3. The respondent, in response to the aforesaid queries, informed that the requested information is not maintained by SEBI in the normal course of regulation of securities market. Hence, the same is not available with SEBI.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that access to the requested information was refused. The appellant, in his appeal, *inter alia*, submitted that the requested information is not a third party information and that that invocation of section 8(1)(j) of the RTI Act is not justified. The appellant also stated that the ground of lack of public interest and unwarranted intrusion of privacy are unavailable in this case. Additionally, the appellant referred to certain judgements and requested to provide generic statement/ generic details from 2023 till date.
5. I have perused the request and the response provided thereto. I find that the respondent has categorically informed that the requested information is not maintained by SEBI in the normal course of regulation of securities market. I note that the requested information is not available on record. 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."* In view of these observations, I do not find any deficiency in the response.

6. Further, I note that the respondent has not made any mention of section 8(1)(j) of the RTI Act, in his response dated August 22, 2023. In view of the same, I find that the submissions of the appellant regarding section 8(1)(j) is unwarranted. I also note that the appellant, in his appeal, has requested to provide generic statement/ generic details from 2023 till date. I find that the said request is vague and not clear and accordingly, the same does not warrant consideration at this stage.
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: September 08, 2023

B RAJENDRAN

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