

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

Appeal No. 5570 of 2023

Haruli Devi	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated November 09, 2022 (received by SEBI on November 12, 2022) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated December 09, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated January 01, 2023 (received by the Office of Appellate Authority on January 12, 2023). 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. **Queries in the application-** The appellant, in her application dated November 09, 2022, sought the following information:

“1. Holding details of shares/MFs of the deceased.

2. Holding Demat accounts nos. with their respective brokerage company of the deceased.

3. Details of nominee for each Demat Account.”
3. The respondent, in response to the aforesaid queries, informed that the information sought is not maintained by SEBI in the normal course of regulation of securities market. Hence, the same is not available with SEBI. The respondent also advised the appellant to approach depositories for holdings and nominee details in different demat accounts and RTAs for holdings and nominee details of Mutual Funds/Physical shares.
4. **Ground of appeal-** On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent. The appellant, in her appeal, *inter alia*, stated that SEBI has the responsibility to collect the information and provide the same to her.

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 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 advised the appellant to approach the Depositories and the RTAs for seeking the details pertaining to holdings/ nominees etc. In my opinion the queries have been adequately addressed. Accordingly, I find that no further intervention is warranted 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: February 10, 2023

A SUNIL KUMAR

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