

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

Appeal No. 5988 of 2024

Rachna Jain : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated April 09, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated April 22, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00082) dated April 22, 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. **Ground of appeal** - The appellant has filed the appeal on the ground that information provided is incomplete, misleading or false information. The appellant, in her appeal, has raised dissatisfaction only with respect to the reply to request nos. 1, 2, 3 and 19 of her application.
3. **Request nos. 1, 2, 3 and 19 of the application** - The appellant, vide her request nos. 1, 2, 3 and 19 of the application dated April 09, 2024, sought the following information:

“Regarding Catalyst Trusteeship acting as Trustee for PTCs issued by Linked Investment Trust vide offer document purportedly signed by one Mr. Akshat Sharma of Catalyst Trusteeship Ltd. New Delhi office

1. Is it under SEBI’s knowledge that a Collective Investment Scheme is floated by Catalyst Trusteeship Ltd. & Linked Investment Trust

2. Has the SEBI approval taken for issuing such PTC’s by Catalyst Trusteeship Ltd. & Linked Investment Trust

3. Has the SEBI approval taken for such Offer document by Catalyst Trusteeship Ltd. & Linked Investment Trust “

“19. Please provide the SEBI’s guidelines for issuance of such PTC’s.”

4. **Reply of the Respondent** - The respondent, in response to the requests, informed that Securitised Debt Instruments (SDIs) issued by Linked Investment Trust are not listed and hence, the information sought does not fall under the purview of SEBI. However, the respondent informed that with respect to the jurisdiction of the SEBI and the provisions of the SEBI Act, 1992 (and its amendments thereof), and rules/ regulations framed thereunder are all available on SEBI website. The respondent provided the relevant link to access the same on SEBI website.
5. **Ground of appeal** - The appellant filed the appeal on the ground that information provided is incomplete, misleading or false information.
6. I have perused the requests and the response provided thereto. I note that the respondent has informed the appellant that as the information pertains to unlisted Securitised Debt Instruments and the same does not come under the purview of SEBI. Hence, it is understood that the information sought is not available with SEBI. I note that the respondent can only provide information that is available in the records. I note that the Hon'ble Central Information Commission in the matter of *Sh. Pattipati Rama Murthy vs. CPIO, SEBI* (Decision dated July 8, 2013), held: "... *if it (SEBI) does not have any such information in its possession, the CPIO cannot obviously invent one for the benefit of the Appellant. There is simply no information to be given.*" In view of these observations, I find that the information sought by the appellant is not available with SEBI and therefore, the respondent cannot be obliged to provide such non-available information.
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: May 7, 2024

B RAJENDRAN

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