

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

Appeal No. 5662 of 2023

R K Singh	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application no. SEBIH/R/T/23/00063 dated March 14, 2023 (original application No. DOFSR/R/T/23/00305 dated March 14, 2023 filed with Department of Economic Affairs and transferred to SEBI with remarks “Please see Point No. 8 etc. Regards”), under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated April 10, 2023, responded to query number 8 of the application filed by the appellant. An appeal (Reg. No. DOFSR/A/E/23/00043) dated April 11, 2023 was filed with the Department of Financial Services, Ministry of Finance and the same was forwarded to SEBI vide letter dated April 28, 2023. The said appeal was received by the Office of Appellate Authority on May 04, 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. **Ground of appeal-** The appellant, in his appeal, has not specified any specific ground for filing the appeal. Since the application dated March 14, 2023 was forwarded for dealing with query number 8, I am only dealing with the said query in this order.
3. **Query number 8-** The appellant, vide query number 8, sought the following information-

“8. Vedanta Limited wrote letter to Incometax, GST, MoeFCc, excise, ED, CBI, SEBI, MCA, sfo on 7.5.21 about me after I raised corruption issue pls supply copy to me”
4. The respondent, in response to the aforesaid query, informed that SEBI is not in receipt of any letter as described by the appellant. The appellant, in his appeal, made certain allegations of hushing up case of benami account and cash transactions by certain nationalized bank. The appellant also requested to supervise and act.

5. I have perused the query and the response provided thereto. The respondent has categorically informed regarding non availability of the requested information. CPIO can provide only the information which is available and existing in the records of the public authority. In this context, I note that the Hon'ble Supreme Court of India in the matter of *Central Board of Secondary Education & Anr. vs. Aditya Bandopadhyay & Ors* (Judgment dated August 9, 2011), *inter alia*, held: "*The RTI Act provides access to all information that is available and existing. ...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.*" In view of these observations, I do not find any deficiency in the response.
6. Further, I note that the appellant has made certain allegations in his appeal regarding hushing up of benami accounts. In my opinion, if the appellant has any grievance, he may approach the appropriate grievance redressal forum. I note that redressal of grievance does not fall within the ambit of the RTI Act. Accordingly, 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: June 01, 2023

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