

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

Appeal No. 5678 of 2023

Abhishek	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated May 02, 2023 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated May 17, 2023, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00100) dated May 20, 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. **Queries in the application** –The appellant, vide his application dated May 02, 2023, sought the year wise list of Constituent companies of S&P BSE SENSEX since 1986.
3. The respondent, in response to the aforesaid query, informed that the requested information is not maintained by SEBI in the manner/format as specified. Hence, information sought is not available with SEBI. However, the respondent informed that the current list of constituents of BSE S&P SENSEX is available on the BSE website. The respondent also provided the link for accessing the same.
4. **Ground of appeal-** On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent.
5. I have perused the query and the response provided thereto. I find that the respondent has categorically informed regarding unavailability of the requested information since the same is not maintained by SEBI in the manner/format as specified. I do not find any reason to disbelieve the said response. I note that the CPIO is expected to provide information that is available and existing in the records. In this context, I note that similar response/submission provided by the respondent was accepted by the Hon’ble CIC in the matter of the *Prateek Tewari v. CPIO, SEBI* (Order dated January 19, 2023) and it was observed that “In respect to point no. 13 the information sought cannot be directed to be disclosed as the same was sought in a particular

format and the CPIO submitted that the same is not available in that format.”. In view of these observations, I do not find any deficiency in the response.

6. 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 14, 2023

ANAND BAIWAR

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