

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

Appeal No. 6185 of 2024

	:	Appellant
Amit Jain		
Vs		
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated September 15, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated October 01, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00238) dated October 01, 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. **Queries in the application** - The appellant, vide his application dated September 15, 2024 sought the following information

“ 1. kindly provide customer care email id of Nirmal Bang Securities Pvt. Ltd.

2. kindly provide chairman/ managing director email id of Nirmal Bang Securities Pvt. Ltd.

3. kindly provide nodal officer email id of Nirmal Bang Securities Pvt. Ltd..

4. kindly provide mobile number/ landline number of chairman/ managing director/ ceo of Nirmal Bang Securities Pvt. Ltd..

5. kindly provide chief compliance officer , email id of Nirmal Bang Securities Pvt. Ltd..

6. Kindly provide email id , contact number and designation of personnel whom SEBI contact in case of any issue with Nirmal Bang Securities Pvt. Ltd..”
3. **Reply of the Respondent** - The respondent, in response to the query nos.1 to 6 of the application, informed that the information sought by the appellant is not maintained by SEBI in normal course of

regulation of securities market. Hence, the same is not available with SEBI. Notwithstanding the same, the respondent has informed the appellant that the SEBI has prescribed the brokers to mandatorily display on their website, the information including names and contact details such as email ids etc., of all their key managerial personnel (KMPs) including compliance officer.

4. **Ground of appeal** – The appellant has filed the appeal on the ground that he has been refused access to the information requested.
5. I have perused the aforesaid queries and the response provided thereto. I note that the respondent has categorically stated that the information sought is not maintained by SEBI in normal course of regulation of securities market. Hence, I note that the information sought by the appellant is not available with SEBI. I note that the respondent can only provide information that is available in the records. In this context, I note that the Hon'ble Supreme Court of India in *Central Board of Secondary Education & Anr. vs Aditya Bandopadhyay & Ors* (Judgment dated August 9, 2011) held that “*The RTI Act provides access to all information that is available and existing. This is clear from a combined reading of section 3 and the definitions of 'information' and 'right to information' under clauses (f) and (j) of section 2 of the Act. If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in section 8 of the Act. 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.*” Accordingly, I do not find any deficiency in the response of the respondent.
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: October 25, 2024

RUCHI CHOJER

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