

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

Appeal No. 5955 of 2024

Amit Kumar Singh	:	Appellant
Vs		
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated February 29, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated March 14, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00052) dated March 19, 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. **Requests in the application** –The appellant, vide his application dated February 29, 2024, sought information regarding Central Registrar of Cooperative Societies (CRCS) Sahara Refund portal.
3. **Reply of the Respondent** – The respondent in response to the application informed that the information sought pertains to CRCS Refund Portal and the same does not fall under the purview of Securities and Exchange Board of India (hereinafter referred to as “**SEBI**”). However, the respondent informed that in accordance with Order dated March 29, 2023 of the Hon'ble Supreme Court, an amount of Rs 5000 Crores was transferred from "Sahara-SEBI Refund Account" to the Central Registrar of Cooperative Societies on 19.05.2023, for the purpose of disbursement of the same, to the legitimate depositors of the Sahara Group of Cooperative Societies. The same was ordered to be done under the supervision of Justice R. Subhash Reddy, with the assistance of Shri Gaurav Agarwal, Advocate (Amicus Curiae to assist Justice R. Subhash Reddy) and the Central Registrar of Cooperative Societies. In view of the above, the respondent advised the appellant to seek information in this regard from Central Registrar of Cooperative Societies (CRCS), Ministry of Co-operation.

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 request, the response provided thereto. On consideration, I note that the respondent in his application has sought information regarding CRCS Refund Portal, for which, the respondent has informed the appellant that the same is not under the purview of SEBI. Accordingly, 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. In this context, I note that the Hon'ble Central Information Commission (hereinafter referred to as "**CIC**") 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." Accordingly, I do not find any deficiency in the response of the respondent. Notwithstanding the above, I note that the respondent has aptly guided the appellant to approach Central Registrar of Cooperative Societies (CRCS), Ministry of Co-operation, for information regarding CRCS Refund Portal.
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: April 5, 2024

B RAJENDRAN

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