

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

Appeal No. 5459 of 2022

Abdul Wasid	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated August 27, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 21, 2022, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/22/00628) dated October 20, 2022. 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 the information provided was incomplete, misleading or false. In the text of RTI First Appeal, the appellant has mentioned “Please Find Attaching .JPG”. I find that no additional document has been attached with the said appeal. In absence of any specific submission, I am only dealing with the queries and the response provided thereto, in the following paragraphs.
3. **Query numbers 1, 2, 3, 4 and 7-** The appellant, vide query numbers 1, 2, 3, 4 and 7, *inter alia*, sought the following information regarding Grasim Industries Ltd.

- 1. Has anyone made a secret purchase in Grasim Industries Ltd on 10th and 12th August 2022?*
- 2. If so, the name of the said customer, the purchase price and the number of shares purchased.*
- 3 If the purchase has taken place, is the said customer an employee of the company?*
- 4 How many people made purchases above 15 lakhs on 10th and 12th August 2022?*
- 7. Whether these clients and bought the shares of Grasim Industries Ltd in August 2022? (If bought, how many shares did they buy?)*

4. The respondent, in response to the aforesaid queries, informed that the information sought is not maintained by SEBI in the normal course of regulation of securities market. Hence, the same is not available with SEBI.
5. I have perused the queries and the response provided thereto. On consideration, I do not find any reason to disbelieve the response of the respondent that the requested information is not maintained by SEBI in the normal course of regulation of securities market. In this context, I note that the Hon'ble CIC, in the matter of *Mrigesh Manubhai Thakkar vs. SEBI* (order dated December 28, 2016) observed that *"The Commission observes that the respondents can provide only that information which is existing and available with them and the RTI Act does not mandate it for the respondent authority to create information if it is not collected and collated in the normal course of their duties. The Commission, therefore, does not find any need to intervene in the matter. The appeal is disposed of."* Accordingly, I do not find any deficiency in the response.
6. **Query number 5-** The appellant, vide query number 5, sought the following information-
5. What action did you take if insider trading happened? (If yes, attach report)
7. The respondent, in response to the aforesaid query, informed that the query is in the nature of seeking clarification/opinion and accordingly, the same cannot be construed as "information", as defined under section 2(f) of the RTI Act.
8. I have perused the query and the response provided thereto. On consideration, I find that the query of the appellant is in the nature of seeking clarification/opinion from the respondent. I note that the respondent is not supposed to create information; or to interpret information; or to furnish clarification to the appellant under the ambit of the RTI Act. Accordingly, I do not find any deficiency in the response.
9. **Query number 6-** The appellant, vide query number 6, sought the following information-
6. What was the up and down share price on 10th and 12th August 2022?
10. The respondent, in response to the aforesaid query, informed that the information sought by the appellant is publicly available on NSE and BSE websites. The respondent also provided the links for accessing the websites of the respective exchanges.
11. I have perused the query and the response provided thereto. I note that the requested information can be found out by the appellant himself by accessing the information available on the websites of NSE and BSE which is in the public domain. The respondent cannot be expected to research and compile the

information which is already available in the public domain and then provide the same to the appellant. Notwithstanding the same, I note that the respondent has informed the appellant accordingly. In view of the same, I find that the query has been adequately addressed and no further intervention is warranted at this stage.

12. 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: November 14, 2022

ANAND BAIWAR

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