

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

Appeal No. 6483 of 2025

Dhanraj Bagrecha	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated May 21, 2025 (received by SEBI on May 24, 2025) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated June 18, 2025, responded to the application filed by the appellant. The appellant filed an appeal dated July 08, 2025 (received by the Office of Appellate Authority on July 11, 2025). 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. **Queries in the application-** The appellant, vide his application dated May 21, 2025, sought following information:

“ 1. Please supply us certified copy of the letter means letter dt 08/11/2021 written by SEBI Officers to Delhi Chef Minister Office

2. please supply us copy of court approved scheme of amalgamation of TCS-E Serve Ltd with TCS Limited

3. please provide us copy of submission made by TCS Management on the basis of this letter written”
3. **Reply of the Respondent** - The respondent, in response to query no. 1 in the application, informed that the letter dated 18.11.2021 (to be read as 08.11.2021) referred to in the query was already shared with the appellant. The respondent has also enclosed a copy of the aforementioned letter along with his response.

The respondent, in response to query no. 2, informed that the information sought is not maintained by SEBI in normal course of regulation of securities market. Hence, the same is not available with SEBI.

The respondent, in response to query no. 3, informed that the query is not clear and specific and are in the nature of seeking clarification. Accordingly, the same cannot be construed as “Information” as defined u/s 2(f) of the RTI Act.

4. **Ground of appeal** – On perusal of the appeal, it appears that the appellant is not satisfied with the response of the respondent.
5. I have perused the application and the response provided thereto. With regard to query no. 1, I note that respondent has already informed that letter dated 08.11.2021 was shared with the appellant. On consideration, I find that the information already in possession of a RTI applicant can be denied to him as the same cannot be said to be exclusively held by a public authority. In this context, Hon’ble Central Information Commission (hereinafter referred to as “**CIC**”) in its decision in *Sbri S.P. Goyal vs. Sbri Pragati Kumar & Ors.* (order dated January 24, 2008), held that “*Further, the obligation of a respondent extends only to providing information which it “holds” or controls in terms of Section 2(f) of the RTI Act. If it can be established through evidence that a party/ applicant himself possesses an information which he has sought from a public authority, such information can be denied to him. This appellant has already been provided the judgement dated 30.3.2007 of the Income Tax Appellate Authority. The information, therefore, is already in appellant’s possession and cannot therefore be said to be “held”-much less “exclusively held”-by the public authority in terms of Section 2(j) of the RTI Act.*” Accordingly, I do not find any deficiency in the response of the respondent.
6. With respect to query no. 2, I note that the respondent has categorically stated that the requested information 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.*” Further, I note that the Hon’ble 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.

7. With respect to query no. 3, On consideration, I concur with the response of the respondent that the appellant’s queries are vague and not specific. It is an established law that the information sought for in order to be disclosable under the RTI Act, must be clear, specific and available in the records of the public authority. In this context, I note that in the matter of *Mr. T. V. Sundaresan vs. CPIO, Securities and Exchange Board of India* (Decision dated November 24, 2021), the Hon’ble CIC held: “*The framework of the RTI Act, 2005 expects that the information sought is specific and believed to be existing with the public authority in documented or material form as such; which can be shared with the appellant as per the provisions of the RTI Act. Answering to broad, multiple and general queries and presumptive documents that should have been generated as per the expectation of the appellant cannot be furnished under the provisions of the Act.*” Accordingly, I do not find any deficiency in the response of the respondent.
8. 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: August 05, 2025

RUCHI CHOJER

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