

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

Appeal No. 5907 of 2024

Bansi Dhar Gupta	:	Appellant
Vs		
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated January 24, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated February 02, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00018) dated February 03, 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 January 24, 2024 sought the following information:

“I have correspondence address different from permanent address i.e. correspondence and aadhaar address is different. There is option for updation of two addresses – 1) Permanent address which has already been updated as per aadhaar card and is already updated with DP; 2) Correspondence address which is different from permanent address . I have two different address i.e correspondence and permanent. In the backdrop, kindly provide following information:

Intimate the documents which are required for updating correspondence address different from address in aadhaar with DP.”
3. **Reply of the Respondent** - The respondent, in response to the application, 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. Further, the respondent provided information regarding lodging of grievance, if any, on the SCORES portal of Securities and Exchange Board of India (hereinafter referred to as “**SEBI**”) and tracking the status of the same. The respondent also provided the toll free helpline numbers launched by SEBI to facilitate replies to various queries of the general public on matters related to securities market.

The appellant was also advised to refer to the FAQs on “Investor Grievances- SCORES”, available on the SEBI website. The respondent also provided the link for accessing the said FAQs.

4. **Ground of appeal-** The appellant has filed the appeal on the ground that information provided was incomplete, misleading or false information.
5. I have perused the application and the response thereto. 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 Central Information Commission (hereinafter referred to as “**CIC**”), in the matter of *Lakshminarayanan R vs. SEBI* (order dated February 09, 2023) observed that “*Keeping in view the facts of the case, the Commission observed that the information sought by the appellant regarding Central Depository Services Ltd. was not maintained by the respondent authority in the normal course of regulation of securities market. It is an established law that the information sought for in order to be disclosable under the RTI Act, 2005 must be existent and available in the records..... In the instant case, the desired information was not available in the records of the respondent authority...*”. Accordingly, I do not find any deficiency in the response of 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: February 22, 2024

B RAJENDRAN

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