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

Appeal No. 7127 of 2026

Himanshu Soni	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated September 15, 2026 (received by SEBI through RTI MIS portal) under the Right to Information Act, 2005 ("**RTI Act**"). The respondent, by a letter dated October 01, 2026, responded to the application filed by the appellant. The appellant filed an appeal dated October 06, 2026 (Reg. No. SEBIH/A/E/26/00379). 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, in his application, sought the following information:

"मेरे द्वारा **SEBI SCORES** तथा **SMART ODR** में दर्ज निम्न शिकायतों के संबंध में उपलब्ध **Action Taken Report (ATR) / Action Taken Report** के रूप में उपलब्ध रिकॉर्ड/रिपोर्ट की प्रमाणित प्रति उपलब्ध कराई जाए:

A. SEBI SCORES शिकायतें

1. SEBIE/RJ26/JAIP/032701/1

2. SEBIE/RJ26/JAIP/028832/1

3. SEBIE/RJ26/JAIP/028829/1

4. **SEBIE/RJ26/JAIP/028827/1**

B. SMART ODR शिकायतें.

5. **BSE-SB-2026-07-253099**
6. **BSE-SB-2026-07-268528**
7. **BSE-SB-2026-07-478562**
8. **BSE-SB-2026-07-369666**
9. **BSE-SB-2026-08-691360**
10. **BSE-SB-2026-08-651312**

मांगी गई सूचना

उपरोक्त प्रत्येक शिकायत के संबंध में **SEBI**/संबंधित रिकॉर्ड में उपलब्ध **Action Taken Report (ATR)** के रूप में प्रस्तुत रिकॉर्ड की गई रिपोर्ट अथवा अंतिम **Action Taken Record** की प्रमाणित प्रति उपलब्ध कराई जाए।

यह आवेदन केवल मौजूदा अभिलेख रिकॉर्ड की प्रतियां प्राप्त करने के लिए है। इसमें किसी प्रकार की नई सूचना तैयार करने, राय देने, स्पष्टीकरण देने अथवा कोई निष्कर्ष निकालने का अनुरोध नहीं किया गया है।

यदि मांगी गई सूचना का कोई भाग सूचना का अधिकार अधिनियम, **2005** के अंतर्गत अपवर्जित हो, तो कृपया शेष उपलब्ध एवं पृथक किए जा सकने वाले रिकॉर्ड की प्रति प्रदान की जाए।"

3. **Reply of the Respondent** – The respondent, in response to query no. 1 in the application, information that the complaint handling process on SCORES is electronic and the ATR contains all information related to processing of the complaint. The respondent also stated that no separate file noting or internal examination notes are maintained outside the system. All actions, observations, clarification sought and responses received are recorded as part of the action history on SCORES, which is accessible after logging in with the credentials.

   With regard to query no. 2, the respondent informed that the information sought is not available with SEBI.

4. **Ground of appeal** – The appellant has filed the appeal on the ground that he was refused access to the information requested.

5. I have perused the application and the response provided thereto. On consideration, with regard to query no.1 in the application i.e. information sought with respect to SCORES complaint, I note that the respondent

has categorically informed that all actions, observations, clarifications sought and responses received are recorded as part of the action history on SCORES, which is accessible to the appellant after logging in with the credentials on SCORES. The respondent also stated that no separate file noting or internal examination notes are maintained outside the system. I also note that the Hon'ble Central Information Commission (hereinafter referred to as "**CIC**") in its decision in *Lena Irene Mascarenhas vs. CPIO, SEBI* (Date of decision: 05.07.2024, Second Appeal No. CIC/SEBIH/A/2023/134832 & CIC/SEBIH/C/2023/615959), wherein status of SCORES complaint was sought, has upheld a similar reply by the CPIO. Accordingly, I do not find any deficiency in the response of the respondent.

6. With regard to query no. 2 i.e., information sought with respect to SMART ODR, 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. 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.

RUCHI CHOJER

Digitally signed by RUCHI CHOJER
Date: 2026.11.02 15:56:41 +05'30'

Place: Mumbai
Date: November 02, 2026

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