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

Appeal No. 7056 of 2026

Rabindra Nath Sahay	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated May 20, 2026 (received by SEBI through RTI MIS portal) under the Right to Information Act, 2005 ("**RTI Act**"). The respondent, by a letter dated June 18, 2026, responded to the application filed by the appellant. The appellant filed an appeal dated August 23, 2026 (Reg. No. SEBIH/A/E/26/00321).

2. I note that under Section 19(1) of the RTI Act, an aggrieved person may prefer the first appeal within thirty days from the receipt of the response from the CPIO of the concerned public authority. In the instant case, the impugned response from the respondent is dated June 18, 2026. The appellant, therefore, should have filed the first appeal on or before expiry of thirty days from the date of receipt of the said response. As noted above, the appellant's first appeal was received on August 23, 2026. The first appeal has been made after the last date permissible under the RTI Act. The appellant neither made a request for condoning the said delay in filing the appeal nor made any submission explaining the reasons which caused the delay. Considering the absence of a request for condoning the delay and any valid reason that prevented the appellant from filing the appeal in time, I consider this appeal as time barred and hence, liable to be dismissed on that count.

3. Notwithstanding the above observation, I am considering the appeal on merit. I have perused the application and the appeal and find that the matter can be decided based on the material available on record.

4. The appellant has filed appeal only against the response of the respondent to query nos. 1, 2, 4 and 5.

5. **Query nos. 1, 2, 4 and 5 in the application** - The appellant, vide query nos. 1, 2, 4 and 5 in his application, sought the following information:

   "I HAD DEPOSITED Rs 5000 in golden forest india ltd in ac no L/C 24 CODE NO 347xxx DATED 16.07.1997 FROM BRANCH OBRA (UP).for which refund order is initiated by Justice R N AGRAWAL COMMITEE .
   Please provide me following informations through this RTI:

   1. Is my deposit ac no LC 24 CODE NO 347864 is listed ted in R N AGRAWAL COMMITEE record
   2. if listed then in which phase is it and what would be payment date
   4.when is 3rd phase of golden forest refunding/rejected please provide the cause and process of refund 5.if my claim refund is pending or rejected provide how can it be processed for refund
   5.if my claim refund is pending or rejected provide how can it be processed for refund"

6. **Reply of the Respondent** – The respondent, in response to query nos. 1, 2, 4 & 5, in the application, informed that the information sought is not available with SEBI.

7. **Ground of appeal** – The appellant has filed the appeal on the ground that he was provided incomplete, misleading or false information.

8. I have perused the application and the response provided 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 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.*" Accordingly, I do not find any deficiency in the response of the respondent.

9. 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: September 17, 2026

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