

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

Appeal No. 6894 of 2026

Poonam

:

Appellant

Vs

CPIO, SEBI, Mumbai

:

Respondent

ORDER

1. The appellant had filed an application dated April 22, 2026 received by SEBI through RTI MIS portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated May 19, 2026 responded to the application filed by the appellant. The appellant filed an appeal dated May 23, 2026 (Reg. No. SEBIH/A/E/26/00193). 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 her application dated April 22, 2026, sought the following information:

“ 1. Under which Act, Rule, Regulation, Circular, or official provision has SEBI provided or instructed its officials to disobey directions issued under applicable laws, deal with applications arbitrarily, and attach documents or material information known to be false, or documents/ material information other than those requested by the investor/ applicant.

2. Provide the Act, Rule, Regulation, Circular, or official provision under which following CPGRAMS applications bearing reference no. DOEAF/E/2025/0001195, DOEAF/E/2026/0000215, DOEAF/E/2026/0000415, and emails dated 24 & 25.03.2026 and 13.04.2026 were dealt with by SEBI officials. (Copies of said records are attached.)

3. On which date and through which mode were daily Benpos photocopies and daily Excel files relating to Bajaj Hindustan shares provided by SEBI, as requested by me under CPGRAMS applications bearing reference numbers DOEAF/E/2025/0001195, DOEAF/E/2026/0000215, DOEAF/E/2026/0000415 and emails dated 24 & 25.03.2026 and 13.04.2026. (Copies of said records are attached.)

4. *To which department has SEBI assigned responsibility for registration, supervision, compliance monitoring, and inspection of market intermediaries in respect of equity, and whether the same department is also responsible for supervision, compliance monitoring, investor grievances, etc., relating to intermediaries such as stock brokers, depository participants, etc. Kindly provide the name of the department.*
 5. *To which department has SEBI assigned responsibility for taking action against intermediaries for regulatory violations.*
 6. *To which department and under which responsibilities has SEBI appointed the following officials: Mr. Surendra Gangavarapu, Mr. Krishnanad Raghawan, Mr. Vijayakant K. Verma, and Mr. Tunbin Kanta Pandey.*
 7. *Provide names and copies of any orders, judgments, official records, or communications issued by the Hon,ble Supreme Court of India or the Central Government, if any, which SEBI and its officials are not bound to follow.*
 8. *Under which circular(s) or official record(s), if any, has SEBI granted authority to its officials to deal with investor applications that do not pertain to the department in which the concerned official is appointed.*
 9. *Provide a copy of the prescribed format of Benpos as issued by the regulatory authorities.*
 10. *Provide names of the entities responsible for maintaining Benpos official records and their corresponding Excel files.*
 11. *Provide names of regulatory bodies of Securities market who have been integrated to this RTI online portal*
 12. *To which RTI online portal the following regulatory bodies has been integrated, NSE, BSE, NSDL, CDSL, etc.*
 13. *Provide name of the public authority relating to the Securities market who arrange the information from the following regulatoty bodies and provide information in this RTI online portal, NSE, BSE, NSDL, CDSL, etc*
 14. *To which officials/ department has SEBI permitted to deal investors applications offline.*
3. **Reply of the Respondent** – The respondent, in response to query nos. 1 and 13, informed that the queries are in the nature of seeking clarification/opinion. Accordingly, the same cannot be construed as “information”, as defined u/s 2(f) of the RTI Act. Additionally, with respect to query no. 13, the respondent also advised the appellant to refer to the RTI Act.

The respondent, in response to query no.2, informed that the information sought is not available with SEBI. Notwithstanding the aforesaid, the respondent informed that the appellant can refer to the comprehensive

guidelines for handling grievances available on the CPGRAMS website. The respondent also provided the path and link for accessing the same.

With regard to query no. 3, the respondent informed that the details sought by the appellant pertain to the CPGRAMS application and that the same is available to the appellant.

With regard to query nos. 4, 5 and 6, the respondent informed that the information sought is available on SEBI website. The respondent also provided the path and link for accessing the same.

With regard to query nos. 7 and 8, the respondent informed that the queries are hypothetical in nature and are in the nature of seeking clarification/opinion. Accordingly, the same cannot be construed as “information”, as defined under section 2(f) of the RTI Act.

With regard to query nos. 9 & 10, the respondent informed that the information sought is not available with SEBI. The respondent also informed that the primary entities responsible for maintaining, generating and providing the BENPOS (Beneficiary Position) data are depositories (NSDL and CDSL) and their authorised agents, Registrars and Transfer Agents (RTAs). The respondent also advised the appellant to refer to Depositories and Participants Regulations, which is available on SEBI website, for more information.

With regard to query no. 11 and query no.14, the respondent informed that the queries are vague and not specific. Accordingly, the same cannot be construed as “information” as defined u/s 2(f) of the RTI Act. Additionally, with respect to query no.11, the respondent informed that SEBI is a public authority and securities market regulator. Accordingly, SEBI is integrated with RTI MIS portal.

With regard to query no.12, the respondent informed that the information sought does not pertain to SEBI and appellant can check RTI online portal.

4. **Ground of appeal** – The appellant has filed the appeal on the ground that she was provided incomplete, misleading or false information.
5. I have perused the application and the response provided thereto. With regard to query nos. 1, 7, 8 and 13, I find that the appellant’s queries are in the nature of seeking clarification/opinion from the respondent. I find that the said query cannot be construed as seeking ‘information’ as defined under section 2(f) of the RTI Act. Consequently, the respondent did not have an obligation to provide such clarification or confirmation under the RTI Act. In this context, reliance is placed on matter of *Azad Singh vs. CPIO, Oriental Insurance*

Company Limited (order dated March 23, 2021) wherein Hon'ble Central Information Commission(CIC) observed that "7. *The Commission, after hearing the submissions of both the parties and after perusal of records, observed that some queries of the appellant are in the nature of seeking explanation/ opinion/ advice/ confirmation/ clarification from the CPIO and he has expected that the CPIO firstly should analyze the documents and then provide information to the appellant. But the CPIO is not supposed to create information; or to interpret information; or to compile information as per the desire of the appellant under the ambit of the RTI Act. As per Section 2(f) of the RTI Act, the reasons/ opinions/ advices can only be provided to the applicants if it is available on record of the public authority. The CPIO cannot create information in the manner as sought by the appellant. The CPIO is only a communicator of information based on the records held in the office and hence, he cannot be expected to do research work to deduce anything from the material therein and then supply it to him.*" Accordingly, I do not find any deficiency in the response of the respondent.

6. With regard to query nos. 2, 9, 10 and 12, I note 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 regard to query no. 3, the respondent has informed that the appellant can refer to CPGRAMS portal for the requested information. Accordingly, I find that the query has been adequately addressed.
8. With regard to query nos. 4, 5 and 6, I note that the respondent has clearly informed that the requested information can be accessed from SEBI website and hence, the requested information is in the public domain. In this context, I note that the Hon'ble Delhi High Court in *Registrar of Companies & ors. Vs. Dharmendra Kumar Garg & anr.* and the Hon'ble CIC in *Shri K vs. Shri M K Bagri* (CIC/AT/A/2007/00112, order dated April 12, 2007) held that if the relevant information is available in the

public domain, the same cannot be said to be information held by the public authority and consequently there is no obligation to provide such information to an applicant under the RTI Act. Accordingly, I do not find any deficiency in the said response of the respondent.

9. With regard to query nos. 11 and 14, I concur with the response of the respondent that the 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 Central Information Commission (hereinafter referred to as "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.
10. 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: June 18, 2026

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