

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

Appeal No. 6961 of 2026

Sabbani Maruthi : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated June 06, 2026 (received by SEBI through RTI MIS portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated July 06, 2026 responded to the application filed by the appellant. The appellant filed an appeal dated July 06, 2026 (Reg. No. SEBIH/A/E/26/00245). 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 dated June 06, 2026 sought the following information:

“1. Kindly provide a copy of the current Study Leave Policy applicable to SEBI employees and officers along with all amendments, circulars and guidelines issued from 01 January 2015 till date.

2. Kindly provide the eligibility criteria for Study Leave including minimum service requirement, maximum duration of leave, eligible courses, permissible institutions and whether Study Leave is available for studies in India and abroad.

3. Kindly provide details of salary, allowances, reimbursement of fees and expenses, service benefits, bond requirements and post study service obligations applicable during and after Study Leave.

4. Kindly provide year wise details of Study Leave applications received, approved and rejected from 01 January 2015 till date.

5. *Kindly provide details of all officers granted Study Leave from 01 January 2015 till date including designation, department, course, institution, duration of leave and whether the course was pursued in India or abroad.*

6. *Kindly provide the total expenditure incurred by SEBI towards Study Leave, educational sponsorships and related reimbursements for each financial year from FY 2015 16 till FY 2025 26.*

7. *Kindly provide details of officers who resigned or failed to complete the prescribed service obligation after availing Study Leave from 01 January 2015 till date and the action taken in each case.*

8. *Kindly provide copies of sanction orders and approval notes relating to Study Leave granted from 01 January 2020 till date after redacting personal information, if required.”*

3. **Reply of the Respondent** – The respondent, in response to query nos. 1- 5, 7 and 8 in the application, informed that the information sought is strategic and pertains to the internal functioning of SEBI and relates to the systems and procedures followed at SEBI. Therefore, the respondent informed that the information sought is exempt u/s 8(1)(a) of RTI Act.

With regard to query no. 6, the respondent informed that the information sought is not available in the format sought by the appellant.

4. **Ground of appeal** – The appellant has filed the appeal on the ground that he was refused access to information requested.
5. I have perused the application and the response provided thereto. With regard to query nos. 1-5, 7 and 8 in the application, I note that the respondent has not provided sufficient justification for invocation of section 8(1)(a) of the RTI Act. Accordingly, I find that the queries have not been adequately addressed and warrants reconsideration.
6. With regard to query no. 6, I note that the requested information is not available in the format sought by the appellant. I note that the CPIO is expected to provide information that is available and existing in the records. In this context, I note that similar response/submission provided by the respondent was accepted by the Hon'ble Central Information Commission (**CIC**) in the matter of the *Prateek Tewari v. CPIO, SEBI* (Order dated January 19, 2023) and it was observed that “*In respect to point no. 13 the information sought cannot be directed to be disclosed as the same was sought in a particular format and the CPIO submitted that the same is not available in that format.*” I also note that Hon'ble High Court of Delhi in its judgment dated 04.12.2014 in case of *The Registrar, Supreme Court of India vs. Commodore Lokesh K. Batra and Ors.* [W.P.(C) No. 6634/2011] had held: “11. Insofar as

the question of disclosing information that is not available with the public authority is concerned, the law is now well settled that the Act does not enjoin a public authority to create, collect or collate information that is not available with it. Accordingly, I do not find any deficiency in the response of the respondent with respect to the query.

7. Considering the above observations, I remit query nos. 1-5, 7 and 8 in the application to the respondent for *de novo* consideration and sending appropriate response to the appellant in terms of RTI Act, within 15 working days from the date of receipt of this order.
8. The appeal is accordingly disposed of.

Place: Mumbai

Date: August 03, 2026

RUCHI CHOJER

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