

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

Appeal No. 6473 of 2025

Geeta Rani : Appellant
Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated April 29, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated May 07, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00170) dated July 03, 2025 (received by the Office of Appellate Authority through RTI MIS Portal as well as by Post). 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. **Queries in the application** - The appellant, in her application dated April 29, 2025, sought the following information:

“Please provide certified documentary proof of order placement by me for all trades as per list Annexure-1 enclosed executed in my trading account Trading Account Number / UCC: DSW61072, Demat Account No: 1203350001797090, maintained with Bonanza Portfolio Ltd, Mumbai.

Specifically:

Order logs (with time stamps, IP address or device ID, terminal ID).

Dealer ID/operator ID involved in execution.

Voice recording or call log proof, if orders were placed telephonically.

Any written or recorded instructions authorizing the trades.

Complete audit trail related to all executed orders in my account.

Kindly also provide the broker's standard operating procedure for recording client instructions and confirm whether the same was followed in my case."

3. **Reply of the Respondent** –The respondent, in response to queries in 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. Notwithstanding the aforesaid, the respondent has provided along with his response, the ATR of Complaint No. SEBIE/UC25/HARI/003412/1 dated 17/01/2025. The respondent also informed that the same can be accessed by the appellant in SCORES 2.0 portal by using the login credentials.
4. **Ground of appeal** – The appellant has filed the appeal on the ground that she was refused access to the information requested.
5. 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 also note that appellant, in her appeal, has contended that SEBI, as the regulatory authority for the securities market, possess the statutory authority to call for requested information from the concerned intermediary to examine investor complaints and ensure proper regulatory enforcement. In this regard, appellant has requested the instant forum to direct the concerned department to obtain relevant documents from the intermediary. With regard to the aforementioned submission, 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."* (emphasis supplied) Further, I note that the Hon'ble Central Information Commission in its decision in *Shri Shailesh Gandhi vs. SEBI* (Date of Decision: February 22, 2017), observed that: *"If the SEBI does not have the desired information in its possession, we do not think that it is a part of its duty to access this*

information from the National Stock Exchange only to provide to the appellant under the Right to Information Act, 2005.”

Accordingly, I do not find any deficiency in the response of the 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: July 29, 2025

RUCHI CHOJER

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