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

Appeal No. 6936 of 2026

Jignesh R Soni	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated May 28, 2026 (received by SEBI through RTI MIS portal) under the Right to Information Act, 2005 ("**RTI Act**"). The respondent, by a letter dated June 08, 2026 responded to the application filed by the appellant. The appellant filed an appeal dated June 18, 2026 (Reg. No. SEBIH/A/E/26/00224). 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 May 28, 2026 sought the following information:

   " I am the sole registered beneficial owner of the above Demat Account. I have reason to believe that my account may have been used by unauthorized third parties without my knowledge or consent. I request the following information from records maintained by SEBI / NSDL / Sharekhan Limited for the period 10-May-2016 to date:

   1. Complete transaction-wise history including date, ISIN, scrip name, transaction type (credit / debit / transfer), quantity, counterparty DP ID and Client ID, settlement ID, and market / off-market indicator.

   2. Transaction-wise details of all share purchase (buy) and credit transactions including nature of credit (market purchase, IPO allotment, bonus, rights, off-market transfer, etc.).

   3. Transaction-wise details of all share sale and debit transactions including mode of instruction (physical DIS / e-DIS / TPIN / internet login) and counterparty details.

4. Complete details of all pledge, encumbrance, collateral, and re-pledge transactions including pledgee name, quantity, purpose, status (active / closed / invoked), and whether my consent was obtained.

5. Details of any Power of Attorney (POA) registered on my account including POA holder name, date, scope of authority, and transactions executed under POA.

6. Details of all off-market debit transactions including counterparty DP ID, Client ID, mode of instruction, and IP address / device details if available.

7. Details of all DIS booklets issued and slips used against my account.

8. Details of all modifications to account profile (mobile, email, bank account, address, nomination) from 10-May-2016 to date.

9. Whether any complaint, investigation, inspection, or surveillance has been conducted by SEBI / NSDL involving my account, and whether the account has been frozen or restricted at any time."

3. **Reply of the Respondent** – The respondent, in response to query nos. 1 to 8 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.

   With regard to query no. 9, the respondent informed that the query is 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.

4. **Ground of appeal** – On perusal of the appeal, it appears that the appellant is not satisfied with the response of the respondent.

5. I have perused the application and the response provided thereto. With regard to query nos. 1 to 8, I note that the respondent has categorically stated that the requested information is not maintained by SEBI in normal course of regulation of securities market. Hence, 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 Central Information Commission (hereinafter referred to as "**CIC**") in the matter of *Lakshminarayanan R vs. SEBI* (order dated February 09, 2023) observed that "*Keeping in view the facts of the case, the Commission observed that the information sought by the appellant regarding Central Depository Services Ltd. was not maintained by the respondent authority in the normal course of regulation of securities market. It is an established law that the information sought for in order to be disclosable under the RTI Act, 2005 must be existent and available in the records……… In the instant case, the desired information was not available in the records of the respondent authority…"*. Accordingly, I do not find any deficiency in the response of respondent.

6. With regard to query no.9, I note that the query is in the nature of seeking clarification/confirmation 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 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.

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.

Place: Mumbai
Date: July 17, 2026

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