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

Appeal No. 6939 of 2026

Sudhir Agarwal	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated May 31, 2026 (received by SEBI through RTI MIS portal) under the Right to Information Act, 2005 ("**RTI Act**"). The respondent, by a letter dated June 15, 2026 responded to the application filed by the appellant. The appellant filed an appeal dated June 21, 2026 (Reg. No. SEBIH/A/E/26/00227). 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 31, 2026, sought the following information:

"I, Sudhir Agarwal, hereby seek the following information under the Right to Information Act, 2005 in respect of trading and demat account maintained with BMA Wealth Creators Ltd. Client Details: Name: Sudhir Agarwal DP ID: 12046300 Client ID: 00xxxx UCC Code: 2000xxxxx The information sought is as under:

1. Kindly provide certified copies of all records available with SEBI/NSE containing NEAT System generated details of KYC information, Mobile Number and Email ID uploaded by Trading Member BMA Wealth Creators Ltd. at the time of opening of the trading account of Mr. Sudhir Agarwal pursuant to the Account Opening Form dated 07.02.2007.

2. Kindly provide certified copies of all NEAT System generated records, logs, audit trail entries, database records or any other electronic records available with SEBI/NSE showing the client registration details submitted by BMA Wealth Creators Ltd. for UCC Code 20000022.

3. Kindly provide certified copies of all documents, records, submissions, electronic logs, acknowledgements or NEAT System generated records evidencing issuance and delivery of Contract Notes by BMA Wealth Creators Ltd. to Mr. Sudhir Agarwal and relied upon during IGRP proceedings and/or Arbitration proceedings.

4. Kindly provide certified copies of all records, trade logs, dealer terminal records, NEAT System generated records, inspection records, audit records or other documents available with SEBI/NSE concerning trades executed in the account of Mr. Sudhir Agarwal by or through Mr. Dinesh Kumar Singh.

5. Kindly provide certified copies of all documents furnished by BMA Wealth Creators Ltd. before NSE, IGRP, Arbitration Panel or SEBI claiming that Mr. Sudhir Agarwal had authorised Shri Dinesh Kumar Singh to trade and/or collect Contract Notes on his behalf.

6. Kindly provide certified copies of records showing whether Shri Dinesh Kumar Singh was registered, approved or recognised by NSE/SEBI as an Authorised Person, Approved Person, Dealer or any other permitted intermediary associated with BMA Wealth Creators Ltd. during the relevant period.

7. Kindly provide certified copies of records showing the Authorised Person(s), Approved Person(s) or Dealer(s) permitted by NSE/SEBI to operate the trading terminal of BMA Wealth Creators Ltd. from its Nehru Place, New Delhi office during the relevant period.

I request that the information be supplied in certified form. Wherever records are maintained electronically, certified printouts of the electronic records may kindly be provided."

3. **Reply of the Respondent** – The respondent, in response to the application, informed that the information sought is not maintained by SEBI in normal course of regulation of securities market.

4. **Ground of appeal** – The appellant has filed the appeal on the ground that he was refused access to the information requested.

5. I have perused the application and the response provided thereto. On consideration, 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. In this regard, the appellant, in his appeal, has requested that the respondent be directed to obtain requested information from NSE, by exercising statutory powers of SEBI. On consideration, 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 Central Information Commission in the matter of *Narotam Dass Goel vs. CPIO, SEBI* (order dated July 09, 2012) observed that "*SEBI does not have any unfettered power to call for any information from the stock exchanges just because any citizen has requested for such information under the Right to Information (RTI) Act…"*. Accordingly, I do not find any deficiency in the response of 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 20, 2026

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