

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

Appeal No. 6740 of 2026

Prakash Kundu	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated December 16, 2026 (received by SEBI on December 23, 2025) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated January 07, 2026 responded to the application filed by the appellant. The appellant filed an appeal dated February 04, 2026 (received by the Office of Appellate Authority on February 09, 2026). 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, vide his application dated December 16, 2026, sought the following information:

“1. Provide all the detailed information regarding the open Demat Trading Account of wife Purnima Kundu with the necessary approval and documents as evidence

2. Provide all the detailed information regarding the amount of money invested by Proten eGov Technologies Limited and some other company with the necessary approval and documents as evidence.”
3. **Reply of the Respondent** - The respondent, in response to the query nos. 1 and 2 in 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. However, the respondent has also informed that appellant can contact the concerned broker or depository participant.

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. On consideration, I note that the respondent has informed that the information sought is not maintained by SEBI in the normal course of regulation of securities market and hence, the same 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.”* In this context, I note that the Hon'ble 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. 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: March 05, 2026

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