

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

**Appeal No. 6544 of 2025**

Rachit Agrawal : Appellant  
Vs

CPIO, SEBI, Mumbai : Respondent

**ORDER**

1. The appellant had filed an application dated August 11, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 04, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00233) dated September 04, 2025. 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 his application dated August 11, 2025, sought the following information:

*“Under the provisions of the Right to Information Act, 2005, I seek the following information:*

*Certified copy of the Listing Agreement (or any document/contract in force) between Bombay Stock Exchange (BSE) and Monsanto India Limited that was applicable during the period 1 January 1994 to 31 December 1995.*

*If the complete agreement is not available, please provide copies of all clauses, schedules, or annexures in force during the above period.*

*If the agreement is not available with SEBI, please seek the information from BSE as per SEBI Appellate Authority decision in 2008 which directed PIO to seek information from BSE.*

*Period for which information is sought: 1 January 1994 to 31 December 1995.*

*Form in which information is required: Certified photocopies or scanned PDF copies via email.”*

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.
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. I note that the appellant, in his appeal has, *inter alia*, contended that SEBI must obtain the information from the BSE and provide the same to the applicant. I note that the respondent has categorically stated 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."* (emphasis supplied). Accordingly, the respondent is not required to obtain such information from the exchange for the sole purpose of providing the same to an applicant under the RTI Act. 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: October 03, 2025

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