

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

**Appeal No. 4583 of 2021**

Geeta Khattar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

**ORDER**

1. The appellant had filed an application dated November 24, 2021 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The application was transferred under Section 6(3) of the RTI Act for providing information in respect of query number 12 related to SEBI. The respondent, by a letter dated December 22, 2021, responded to the application filed by the appellant. The appellant filed an appeal dated December 24, 2021, against the said response dated December 22, 2021. 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. **Ground of appeal-** The appellant has filed the appeal on the ground that the information provided was incomplete, misleading or false. I note that the application was transferred under Section 6(3) of the RTI Act for providing information in respect of query number 12. In view of the same, I am only dealing with the said query and the response provided thereto, in this appeal.
3. **Query number 12-** The appellant, vide query number 12 of her application dated November 24, 2021, *inter alia*, sought the GOI online portal details through which she could send case/write to JSFM, ASFM, WGIA and SEBI Board Members.
4. The respondent, in response to the aforesaid query, informed that the information sought is not available with SEBI. However, the respondent informed that the name and designation of the present Members of SEBI Board are available on the SEBI website. The respondent also provided the link for accessing the same.
5. On consideration, I find that the respondent has categorically stated that the requested information is not available with SEBI, and I have no reason to disbelieve the same. In this context, I note that the Hon’ble

CIC in the matter of *Sh. Pattipati Rama Murthy vs. CPIO, SEBI* (Decision dated July 8, 2013), held: “... *if it (SEBI) does not have any such information in its possession, the CPIO cannot obviously invent one for the benefit of the Appellant. There is simply no information to be given.*” In view of these observations, I find that the information sought by the appellant was not available with SEBI and therefore, the respondent cannot be obliged to provide such non-available information.

6. Notwithstanding the above, I note that the respondent has guided the appellant to access the details of the members of the SEBI Board. Accordingly, I find that the query has been adequately addressed and no further intervention warranted at this stage.
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: January 20, 2022**

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