

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

Appeal No. 4848 of 2022

B Ravikumar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated February 23, 2022 (received by SEBI on February 28, 2022) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated March 10, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated February 23, 2022 (received by the Office of Appellate Authority on March 31, 2022). 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 February 23, 2022, *inter alia*, referred to certain guidelines prescribed by RTA (Satellite Corporate Services Pvt. Ltd.) for issue of duplicate share certificate. The appellant, vide his application, requested to confirm whether the said guidelines issued by Satellite Corporate Services Pvt. Ltd., are in conformity with SEBI Rules. The appellant also requested to provide SEBI Rules and Guidelines issued to RTAs for issue of duplicate Share Certificate.
3. The respondent, in response to the queries, informed that the queries are not clear and specific and are in the nature of seeking clarification. Accordingly, the same cannot be construed as seeking “information” as defined under Section 2(f) of the RTI Act. However, the respondent advised the appellant to refer to SEBI Circulars dated May 09, 2001 and January 25, 2022 for details. The respondent also provided the links for accessing the said Circulars, which are available on the SEBI website.
4. **Ground of appeal-** The appellant, in his appeal, did not mention any specific ground for filing the appeal. Further, the appellant requested to arrange to send the procedure for obtaining duplicate share certificate with relevant papers/formats.

5. I have perused the application and the response provided thereto. On consideration, I find that the queries of the appellant are in the nature of seeking clarification from the respondent. I note that the respondent is not supposed to create information; or to interpret information; or to furnish clarification to the appellant under the ambit of the RTI Act. In this context, I note that the Hon'ble CIC, in the matter of *Azad Singh vs. CPIO, Oriental Insurance Company Limited* (order dated March 23, 2021), the 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.” In view of these observations, I find that the said queries 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 under the RTI Act.
6. Notwithstanding the above, I note that the respondent has provided information regarding relevant SEBI Circulars to deal with the appellant’s queries. Further, the respondent also provided the links for accessing the said Circulars, which are available in the public domain. Accordingly, I do not find any deficiency in the response.
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: April 26, 2022

S V MURALI DHAR RAO

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