

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

Appeal No. 5333 of 2022

Manish Goel	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated July 01, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated July 28, 2022, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/22/00466) dated July 28, 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. **Ground of appeal-** The appellant has filed the appeal on the ground that access to the requested information was refused. On perusal of the appeal, it appears that the appellant is not satisfied with the response of the respondent provided with respect to query numbers 3, 4, 5, 6 and 7. In view of the submission made by the appellant in his appeal, I am only dealing with the said queries and the response provided thereto, in this order.
3. **Query numbers 3 and 4-** The appellant, vide query numbers 3, *inter alia*, sought reason for change in email address of SEBI Chairman. Vide query number 4, the appellant sought information regarding whether any circular/ notification was published for intimating the same.
4. The respondent, in response to the aforesaid queries, informed that the queries were in the nature of seeking clarification/opinion and accordingly, the same cannot be construed as seeking ‘information’ under the RTI Act. However, the respondent informed regarding creation of the new e-mail address post current Chairperson joining SEBI and availability of the same on the SEBI website. The respondent also informed that both the earlier and the current emails of SEBI Chairman/ Chairperson point to the same mailbox. The appellant, in his appeal, submitted that the respondent has not provided the requested information quoting frivolous reasons.

5. I have perused the queries and the response provided thereto. On consideration, I find that the queries of the appellant are in the nature of seeking clarification/opinion 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, reference is made to the matter of *Vineet Pandey vs. CPIO, United India Insurance Company Limited* (Judgment dated January 21, 2021), wherein similar observations were made by the Hon'ble CIC. Further, in the matter of *Sbri Shantaram Walavalkar vs. CPIO, SEBI* (Decision dated January 17, 2013), I note that the Hon'ble CIC held: "... we would also like to observe that, under the Right to Information (RTI) Act, the citizen has the responsibility to specify the exact information he wants; he is not supposed to seek any opinion or comments or clarifications or interpretations from the CPIO...". 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 or opinion under the RTI Act. Accordingly, I do not find any deficiency in the response.
6. Notwithstanding the above, I note that the respondent provided information regarding creation of the new e-mail id of the Chairperson, SEBI (which points to the same mailbox pertaining to the earlier email of the Chairman, SEBI) and availability of the same on the SEBI website. I find that the respondent has adequately addressed the queries by providing the information available with him. Accordingly, no further intervention is warranted at this stage.
7. **Query numbers 5, 6 and 7-** The appellant, vide query number 5, sought reason for removal of the email address of Chief Vigilance Officer (CVO), SEBI from SEBI website. Vide query number 6, the appellant, *inter alia*, queried how the general public will know the email address of CVO. The appellant, vide query number 7, sought the name and e-mail address of the CVO, SEBI.
8. The respondent, in response to the aforesaid queries, provided the web links for accessing the information regarding the CVO, SEBI i.e. name/ e-mail address etc., available on the SEBI website. The appellant, in his appeal, submitted that the web links are not working.
9. I have perused the queries and the response provided thereto. On consideration, I find that the respondent has adequately addressed the queries by guiding the appellant to refer to the information available on the SEBI website, which is in the public domain. Further, with respect to the submission of the appellant regarding web links not working, I find that that the links are active and accessible. Accordingly, I do not find any merit in the submission made by the appellant.

10. 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: August 26, 2022

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