

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

Appeal No. 6272 of 2025

Praveen Kumar Jain : Appellant
Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated December 08, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated December 30, 2024, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00307) dated December 30, 2024. 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 he was refused access to the information requested.
3. **Queries in the application** - The appellant, vide his application dated December 08, 2024, sought the following information:

“ 1. Is SEBI complying with the provisions of the Rajbhasa Adhiniyam, 1963 regarding the use of Hindi and other Bharatiya languages in its official communications, operations, and public facing activities? Please provide details of such compliances along with supporting documents or reports, if any.

2. What specific steps have been taken by SEBI to reduce the imposition of English on investors in Bharat, who are not conversant in English? (Stock exchanges, AIFs, Mutual funds, Depositories, Broking firms, DPs are providing every single info or form/declaration only in English, they even do not allow investors to sign forms/declarations in Hindi or any other Bharatiya Language. Investors are not allowed to submit grievances in Hindi or any other Bharatiya Language.)

3. *What steps have been taken in the last five years to ensure that investor-centric information, notices, guidelines, circulars, press-releases and investors forms are made available in Bharatiya languages? Please provide details of such measures along with supporting documents or reports, if any.*

4. *What steps have been taken by SEBI to increase the use of Bharatiya languages in investor communications by listed companies, in various Investor related Account Opening forms to demat forms to ensure investor awareness in true sense?*

5. *What steps have been initiated by SEBI to use Artificial Intelligence (AI) or other advanced technologies for issuing investor information in Bharatiya languages?*

6. *How many investor grievances received in Bharatiya languages have been resolved in the last five years? Please provide year-wise data, if available.*

7. *What steps have been taken in the last five years to provide the SCORES website and other investor grievance redressal platforms in Hindi and other Bharatiya languages?*

8. *What is the total amount spent by SEBI in the last five years for implementing Bharatiya languages in the SCORES website and investor grievance websites?*

9. *Are there any plans or policies in place to further promote the use of Bharatiya languages in SEBI's communication with investors? If yes, please share details.*

10. *Under which law or rule, Companies coming with IPOs, FPOs, Mutual funds are giving advertisement only in English language and not allowed to give advertisement in Hindi and other Bharatiya Language by SEBI?"*

4. **Reply of the Respondent** - The respondent, in response to query no. 1 in the application, informed that the information sought by the appellant is in the nature of seeking clarification/opinion. Accordingly, the same cannot be construed as "information", as defined u/s 2(f) of the RTI Act. However, respondent has also informed that SEBI complies with the provisions of Official Language Policy of Government of India (including the provisions of Official Languages Act, 1963), and the compliance reports are also duly submitted to the Government of India from time to time.

The respondent, in response to query nos. 2-6 and 9-10, informed that the queries of the appellant are in the nature of seeking clarification. Accordingly, the same cannot be construed as "information", as defined u/s 2(f) of the RTI Act.

The respondent, in response to query no. 7, informed that the information sought is in the nature of seeking clarification/opinion. Accordingly, the same cannot be construed as "information", as defined u/s 2(f) of the RTI Act. However, the respondent also informed that SCORES website is available in bilingual language i.e. English and Hindi.

The respondent, in response to query no. 8, informed that the information sought is vague and not specific and are in the nature of seeking clarification/explanation. Accordingly, the same cannot be construed as "information", as defined u/s 2(f) of the RTI Act.

5. I have perused the application and the response provided thereto. On consideration, with respect to query nos. 1-10, I concur with the response of the respondent that the information sought is in the nature of seeking clarification/opinion/confirmation from the respondent. It is understood 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. I find that the said request 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. In this context, reliance is placed on the matter of *Azad Singh vs. CPIO, Oriental Insurance Company Limited* (order dated March 23, 2021), wherein, Hon'ble Central Information Commission (hereinafter referred to as "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" Accordingly, I do not find any deficiency in the response.
6. Further, with respect to query no. 8, I concur with the response of the respondent that appellant's query is vague, broad and not specific. It is an established law that the information sought for in order to be disclosable under the RTI Act, must be clear, specific and available in the records of the public authority. In this context, I note that in the matter of *Mr. T. V. Sundaresan vs. CPIO, Securities and Exchange Board of India* (Decision dated November 24, 2021), the Hon'ble CIC held: "The framework of the RTI Act, 2005 expects that the information sought is specific and believed to be existing with the public authority in documented or material

form as such; which can be shared with the appellant as per the provisions of the RTI Act. Answering to broad, multiple and general queries and presumptive documents that should have been generated as per the expectation of the appellant cannot be furnished under the provisions of the Act.” Accordingly, I do not find any deficiency in the response.

7. Further, I note that the appellant in his appeal has sought further information pertaining to his application. As held by the Hon’ble Central Information Commission in *Harish Prasad Divedi vs. Bharat Petroleum Corporation Limited* (decided on January 28, 2014), an information seeker cannot be allowed to expand the scope of his RTI enquiry at appeal stage. Accordingly, I find that the said submissions do not warrant consideration at this stage.
8. 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, 2025

RUCHI CHOJER

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