

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

Appeal No. 6442 of 2025

Siddharth Lalitkumar Vora : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated April 14, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated April 29, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00141) dated June 19, 2025.
2. I note that under Section 19(1) of the RTI Act, an aggrieved person may prefer the first appeal within thirty days from the receipt of the response from the CPIO of the concerned public authority. In the instant case, the impugned response from the respondent is dated April 29, 2025. The appellant, therefore, should have filed the first appeal on or before expiry of thirty days from the date of receipt of the said response. As noted above, the appellant’s first appeal was received on June 19, 2025. The first appeal has been made after the last date permissible under the RTI Act. The appellant neither made a request for condoning the said delay in filing the appeal nor made any submission explaining the reasons which caused the delay. Considering the absence of a request for condoning the delay and any valid reason that prevented the appellant from filing the appeal in time, I consider this appeal as time barred and hence, liable to be dismissed on that count.
3. Notwithstanding the above observation, I am considering the appeal on merit. 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.

4. **Queries in the application** - The appellant, in his application dated April 14, 2025, sought the following information regarding recovery certificate no. 2619 of 2019 dated November 19, 2019:

“ 1. What is the current status of the attached property?

2. Has SEBI initiated any steps to auction or dispose of the said property?

3. If not, what are the reasons for the delay in initiating the auction process?

4. Is there any tentative timeline by which SEBI plans to auction or dispose of the attached property?

5. Is there any mechanism by which the co-owner can offer to buy back the attached share directly from SEBI?

6. What is the Time limit for completion of recovery from the attached property in accordance with Rule 68B of the Second Schedule to the Income-tax Act, 1961 (as incorporated through Section 28A of the SEBI Act, 1992)?

7. In case the Time limit for Auction property is lapsed, is there any additional steps being taken by SEBI to complete recovery?”

5. **Reply of the Respondent** –The respondent, in response to query no. 1 in the application, informed that the property continues to be attached vide Prohibitory Order no. RO/HO/188/2021 date January 13, 2021.

The respondent, in response to query nos. 2 and 3, informed that the process of auction of the property has already been initiated.

The respondent, in response to query nos. 4 and 6 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.

The respondent, in response to query nos. 5 and 7 informed that the information sought is hypothetical in nature and 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.

6. **Ground of appeal** – The appellant has filed the appeal on the ground that he was provided incomplete, misleading or false information.

7. I have perused the application and the response provided thereto. On consideration, with regard to query nos. 1, 2 & 3, I find that the respondent has adequately addressed the queries by providing the information available with him. Accordingly, I do not find any deficiency in the response of the respondent.
8. Further, with regard to query nos. 4, 6, 5 & 7, I concur with the response of the respondent that the queries are in the nature of seeking clarification/opinion from the respondent. 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 queries cannot be construed as seeking 'information' as defined under section 2 (f) of the RTI Act. In this context, reliance is placed on matter of *Azad Singh vs. CPIO, Oriental Insurance Company Limited* (order dated March 23, 2021) wherein Hon'ble Central Information Commission, in the said matter, 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/advice 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 of the respondent.
9. 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: July 15, 2025

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