

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

Appeal No. 5347 of 2022

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

ORDER

1. The appellant had filed an application dated July 25, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated August 18, 2022, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/22/00513) dated August 18, 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 number 2. In view of the submission made by the appellant in his appeal, I am only dealing with the said query and the response provided thereto, in this order.
3. **Query number 2-** The appellant, vide query number 2 in his application dated July 25, 2022, *inter alia*, sought information regarding whether any public notice was published by SEBI intimating public regarding the updated email address of SEBI Chairman.
4. The respondent, in response to the aforesaid query, informed that the queries are 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 denied the requested information based on 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/confirmation from the respondent. I note that the respondent 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. In this context, reliance is placed on matter of *Azad Singh vs. CPIO, Oriental Insurance Company Limited* (order dated March 23, 2021) where the Hon'ble CIC, observe 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 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 query by providing the information available with him. Accordingly, no further intervention is warranted at this stage.
7. Further, I note that the appellant had raised similar queries vide his application dated July 01, 2022 and this forum had already dealt with the same in the order dated August 26, 2022 passed in Appeal No. 5333 of 2022.
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: September 15, 2022

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