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

Appeal No. 5916 of 2024

Lakshmanan	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated January 23, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 ("**RTI Act**"). The respondent, by a letter dated February 08, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/0027) dated February 12, 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. **Requests in the application** –The appellant, vide his application dated January 23, 2024 sought the following information:

"With respect to Complaint No. SEBIE/DH23/0001956/1 raised in SCORES system please provide following information .

1. Reason for closure

2. Against which complaint has this been marked as duplicate

3. Is it allowed by the rules to mark the complaint a duplicate of itself

4. If not, what is the penalty to be levied on the officer who committed the mistake

5. Name of officer who committed the mistake

6. When this complaint will be reopened, as it is genuine and not a duplicate"

3. **Reply of the Respondent** - The respondent vide his letter dated February 08, 2024 provided the fowling response to the said application:

Reply to Request no. 1: "*The reason for closure is available on SCORES portal*"

Reply to Request no. 2: *"Against SEBI registration No. SEBIE/DH23/0001844/1 the complaint lodged was duplicate"*

Reply to Request nos. 3 and 4: *"Your queries are 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, 2005."*

Reply to Request no. 5: "*The name of the Dealing Officer is available on SCORES portal*"

Reply to Request no. 6: *"You have already filed for review on the instant complaint which is under process."*

4. **Ground of appeal-** The appellant has filed the appeal on the ground that information provided is incomplete, misleading and false information.

5. I have perused the application and the response provided thereto. I note that the appellant, in his appeal has mainly raised dissatisfaction towards the reply given for request no. 3 and 4 of his application. On perusal of the said requests and the response provided thereto, I concur with the response of the respondent that the said requests of the appellant are in the nature of seeking clarification/opinion 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 under the RTI Act. In this context, reliance is placed on matter of *Shri Shantaram Walavalkar vs. CPIO, SEBI* (Decision dated January 17, 2013), wherein the Hon'ble Central Information Commission 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...*" Accordingly, I do not find any deficiency in the response.

6. 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: February 27, 2024

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