

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

Appeal No. 5165 of 2022

Raj Kumar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated June 27, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated June 30, 2022, responded to the application filed by the appellant. The appellant filed an appeal (SEBIH/A/E/22/00433) dated July 01, 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. **Queries in the application** –The appellant, vide his application dated June 27, 2022, *inter alia*, sought information whether Supreme Court has put any embargo on Sahara India Group.
3. The respondent, in response to the aforesaid queries, informed that the appellant has not mentioned any name of the scheme or company of Sahara Group of Companies. However, the respondent provided information regarding the order dated August 31, 2012 passed by the Hon’ble Supreme Court and various directions issued from time to time with respect to two of the group companies of Sahara Group namely Sahara India Real Estate Corporation Limited (SIRECL) and Sahara Housing Investment Corporation Limited (SHICL). The respondent also informed regarding the various Press Releases issued by SEBI with respect to refund in the said matter. Further, the respondent provided the link/path to access the various orders of SEBI, the Securities Appellate Tribunal (SAT) and Hon’ble Supreme Court, passed in the matter.
4. **Ground of appeal**- The appellant has filed the appeal on the ground that he is not satisfied with the response provided by the respondent. The appellant, in his appeal, reiterated the query raised in his application.

5. I have perused the query and the response provided thereto. On consideration, I find that the query of the appellant is 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 *Shri 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...". I find that the said query 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.
6. Notwithstanding the above, I note that the respondent has adequately addressed the query by providing the information available with him regarding SIRECL and SHICL. Further, the respondent has guided the appellant to access the various orders passed in the said matter. I also note that the said orders are available in the public domain. In view of these observations, I do not find any deficiency in the response.
7. 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 27, 2022

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