

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

Appeal No. 6046 of 2024

Piyush Mastkar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated April 19, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated May 16, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00128) dated June 16, 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 has been provided incomplete, misleading and false information. The appellant, in his appeal, has raised dissatisfaction only with respect to the replies to request nos. 1-8 and 10 of his application.
3. **Request nos. 1, 2, 4, 5 and 6 of the application** - The appellant, vide his requests nos. 1, 2, 4, 5 and 6 of the application sought information regarding his complaint filed on SEBI Scores portal.
4. **Reply of the Respondent** - The respondent, in response to request nos. 1, 2, 4, 5 and 6, informed that that status of the complaint and the related correspondence can be viewed in SCORES by clicking “View complaint status” under “Investor corner” on the homepage, by providing the complaint registration number, which was allotted at the time of registration of complaint and password as mentioned in the Acknowledgement letter. The respondent also informed the appellant that he may also contact SEBI helpline service numbers to enquire about the status of his complaint
5. I have perused the aforesaid requests and the response provided by the respondent. I note that the respondent was clearly informed that the complainant can access the requested information after logging into the SCORES portal. It is understood that all the complaints which are lodged in the SCORES system, the related correspondence, Action History etc., can be accessed online on SCORES portal

under the tab “View Complaint Status” by providing the complaint registration number and password, which is allotted at the time of registering the complaint. I note that the respondent has guided the appellant to access the requested information. Accordingly, the queries are adequately addressed. Therefore, I do not find any deficiency in the response.

6. **Request no. 3 of the application** - The appellant, vide his request no. 3 of the application, *inter alia*, sought information regarding the investigating officer appointed for his Scores complaint.
7. **Reply of the Respondent** - The respondent, in response to the request no. 3, informed that the information sought relates to personal information, the disclosure of which has no relationship to any public activity or interest and may cause unwarranted invasion into the privacy of the officials and may also endanger the life or physical safety of the person(s). The same is therefore exempt in terms of sections 8(1)(g) and 8(1)(j) of the RTI Act, 2005.
8. I have perused the aforesaid requests and the response provided thereto. On consideration, with respect to request no. 3 of the application, I find that the information about SEBI officials relates to personal information, the disclosure of which has no relationship to any public activity or interest and may cause unwarranted invasion into the privacy of the individual and may also endanger the life or physical safety to the person. In this regard, I note that the Hon’ble Central Information Commission (hereinafter referred to as “CIC”), in the matter of *Prerit Misra vs. CPIO, SEBI* (order dated November 21, 2022) held that- *“It is pertinent to mention here that the appellant in a similar case which was dealt in File no. CIC/SEBIE/A/2019/660770 dated 10.08.2021 whereby he had sought information regarding the names of the officers who had blocked his email address, the Commission, while passing an order had held that such information is exempted u/s 8(1)(g) & 8(1)(j) of the RTI Act. The Commission after considering the submissions of the appellant finds no merit in his case, and also is in agreement with the order of the FAA and concludes that the information is exempt u/s 8(1)(g) & 8(1)(j) of the RTI Act, hence, no relief can be given.”* In view of these observations, I find that the requested information is exempt from disclosure under sections 8(1)(g) and 8(1)(j) of the RTI Act.
9. **Request no. 7 of the application** - The appellant, vide his request no. 7 of the application, *inter alia*, sought information regarding timeline for resolving the complaint filed on SCORES.
10. **Reply of the respondent** - The respondent, in response to request no. 7 of the application informed the appellant to refer to FAQs on SEBI’s SCORES website.

11. I have perused the aforesaid request and the response provided by the respondent. On consideration, I find that the respondent has adequately addressed the said requests by providing the information available with him. Accordingly, no further intervention of this forum is warranted.
12. **Request no. 8 of the application** - The appellant, vide his request no. 8 of the application, *inter alia*, sought reason as to why action on his complaint could not be completed in 4 years
13. **Reply of the Respondent** - The respondent, in response to request no. 8 of the application 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, 2005.
14. I have perused the aforesaid request and the response provided thereto. On consideration, I find that said request appear to be interrogative in nature. In my opinion, the CPIO is not supposed to provide clarification/ explanation; or to interpret information; or to provide response to interrogative queries under the ambit of the RTI Act. In this context, I note that the Hon'ble CIC, in the matter of *Laxman Prasad Kayal vs. CPIO, State Bank of India* (Order dated June 20, 2023) held that "9. The Commission based on a perusal of the facts on record finds that the dissatisfaction of the Appellant with the reply provided by the CPIO is bereft of merit as the RTI Application merely seeks for clarifications and answers to interrogative queries. It appears that the Appellant is harbouring a grievance and is not seeking access to information as envisaged under the RTI Act." In view of these observations, I find that the said request cannot be construed as seeking 'information' as defined under section 2 (f) of the RTI Act. Accordingly, no further intervention is warranted at this stage.
15. **Request no. 10 of the application** - The appellant, vide his request no. 10 of the application, *inter alia*, sought information regarding how many applicants have been paid with respect to the complaint made against Neha Gupta Proprietor Trade India Research,
16. **Reply of the Respondent** - The respondent, in response to request no. 10 of the application, informed that the information sought is vague and not specific. Accordingly, the same cannot be construed as "information", as defined u/s 2(f) of the RTI Act, 2005.
17. I have perused the request, the response provided thereto. On consideration, I agree with the response of the respondent that the request is vague 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 Central

Information Commission (hereinafter referred to as “**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 of the respondent.

18. 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 11, 2024

RUCHI CHOJER

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