

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

Appeal No. 5455 of 2022

Sunil Kumar Rampukar Sahu	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated September 29, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated October 10, 2022, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/22/00616) dated October 11, 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 September 29, 2022, sought the following information:

“We had received on bond from Eveready Industries India Ltd in 02-10-2000, which is supposed to be mature on 03-10-2022. Since it is too old, we are trying to get some information on how to get it processed, but unable to find the required information. Kindly help in getting the same information, so this can be processed and cashed.”
3. The respondent in response to the query, informed that the information sought is in the nature of complaint and does not qualify as “information” under the provisions of Sections 2(f) of the RTI Act. The respondent also provided information regarding lodging of grievance on the SCORES portal on SEBI website or SCORES Mobile App which is available on both Apple App Store and Google Play Store. Further, the respondent provided the toll free helpline numbers launched by SEBI to facilitate replies to various queries of the general public on matters related to securities market. Further, the appellant was advised to refer to the FAQs on “Investor Grievances- SCORES”, available on the SEBI website. The respondent also provided the link for accessing the said FAQs.

4. **Ground of appeal-** The appellant has filed the appeal on the ground that the information provided was incomplete, misleading or false.
5. On consideration, I find that the query of the appellant is in the nature of seeking clarification/opinion/guidance from the respondent. In this context, I note that the Hon'ble Supreme Court, in the matter of *CBSE and Anr. Vs. Aditya Bandopadhyay and Ors.* [2011 (8) SCC 497] held that “35 *A Public Authority is also not required to furnish information which require drawing of inferences and/or making assumptions. It is also not required to provide ‘advice’ or ‘opinion’ to an applicant, nor required to obtain and furnish any ‘opinion’ or ‘advice’ to an applicant. The reference to ‘opinion’ or ‘advice’ in the definition of ‘information’ in section 2(f) of the Act, only refers to such material available in the records of the public authority. Many public authorities have, as a public relation exercise, provide advice, guidance and opinion to the citizens. But that is purely voluntary and should not be confused with any obligation under the RTI Act.*” In view of these observations, I find that the respondent did not have an obligation to provide such clarification/ opinion/ guidance under the RTI Act. Accordingly, no further intervention is warranted at this stage.
6. Notwithstanding the above, I find that the respondent has appropriately guided the appellant to refer to the SCORES website for lodging his grievance, if any, and also provided helpline service numbers launched by SEBI, to facilitate replies to various queries of the general public on matters relating to securities market.
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: November 09, 2022

ANAND BAIWAR

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