

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

Appeal No. 6448 of 2025

Geeta Khattar : Appellant
Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated March 08, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated April 04, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00146) dated June 23, 2025.
2. I note that under Section 19(1) of the RTI Act, an aggrieved person may prefer the first appeal within thirty days from the receipt of the response from the CPIO of the concerned public authority. In the instant case, the impugned response from the respondent is dated April 04, 2025. The appellant, therefore, should have filed the first appeal on or before expiry of thirty days from the date of receipt of the said response. As noted above, the appellant’s first appeal was received on June 23, 2025. The first appeal has been made after the last date permissible under the RTI Act. The appellant in her appeal has submitted that as she was not receiving notifications in her email, she could not file the instant appeal on time.
3. I am considering the appeal on merit. I have perused the application and the appeal and find that the matter can be decided based on the material available on record.
4. **Queries in the application** - The appellant, in her application dated March 08, 2025, sought the following information:

“1.To which agency or agencies has Mr. Santosh Kumar Sharma, CPIO, SEBI notified about the offense done by HDFC Securities in the Delivery Instructions Slip (DIS) Form.

2. To which department in SEBI has Mr. Santosh Kumar Sharma, CPIO, SEBI notified about the offense done by HDFC Securities in the Delivery Instructions Slip (DIS) Form.

3. Provide the name of the officer/s appointed in SEBI that has punished HDFC Securities and its officers for issuing FAKE Delivery Instructions Slip (DIS) Form. (The Co. has been taking the investors signature on the FAKE Form which is not approved by SEBI)

4. Under which Sections of the SEBI Act, 1992, etc. HDFC Securities and its officers should be punished for issuing FAKE Delivery Instructions Slip (DIS) Form.”

5. **Reply of the Respondent** – The respondent, in response to queries in the application, informed that the queries are hypothetical in nature and 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. Notwithstanding the aforesaid, the respondent informed that any enforcement action taken by SEBI, is available in the public domain on the SEBI website under the head “Enforcement”.
6. **Ground of appeal** – The appellant has filed the appeal on the ground that she was provided incomplete, misleading or false information.
7. I have perused the application and the response provided thereto. On consideration, I concur with the response of the respondent that the appellant’s application is in the nature of seeking clarification/opinion from the respondent on hypothetical queries. I find that the said queries 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. In this context, I note that the Hon’ble Central Information Commission, in the matter of *Parvinder Singh vs. Public Information Officer under RTI* (Order dated July 19, 2021), held that, “12. Nevertheless, Commission has gone through the case records and on the basis of proceedings observes the information sought by the appellant is clarificatory in nature and thus, doesn't qualify as information as per Section 2(f) of the RTI Act, 2005. Further, PIO is required to provide information as available with them in form of records, documents, memos, emails, opinions, advises, press releases, circulars, orders, log books, contracts, reports, papers, samples, models, data material held in any form and not supposed to create information or interpret information in respect of clarifications, hypothetical & futuristic queries.” Accordingly, I do not find any deficiency in the response of the respondent.

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: July 22, 2025

RUCHI CHOJER

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