

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

Appeal No.5855 of 2023

Neeraj Verma : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. An application dated October 10, 2023 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (hereinafter referred to as “**RTI Act**”). The respondent, by a letter dated October 27, 2023 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00242) dated November 16, 2023. 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 October 10, 2023 sought information regarding action taken on his email dated October 10, 2023 sent to Chairman, Securities and Exchange Board of India (hereinafter referred to “**SEBI**”).
3. **Reply of the Respondent** The respondent, in response to the application, informed that the information sought is not clear and specific and are in the nature of seeking clarification Accordingly, the same cannot be construed as “Information” as defined u/s 2(f) of the RTI Act. The respondent further informed that there is no action point for SEBI to pursue.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that information provided was incomplete, misleading or false information.
5. I have perused the request and the response provided thereto. I note that the appellant, in his application has sought information regarding action taken on his email dated October 10, 2023 sent to SEBI. In this regard, the respondent has informed the appellant, that there is no action point for SEBI to pursue. On consideration, I find that the respondent has adequately addressed the request of the appellant as per the information available with him. Notwithstanding the above, on perusal of the aforesaid email, I concur

with the response of the respondent that the information sought in the said email is not clear and specific and are in the nature of seeking clarification. Hence, the same cannot be construed as “Information” as defined u/s 2(f) of the RTI Act. Further, I note that the contents of the said email are also in the nature of suggestions and seeking action from SEBI. In this context, the Hon’ble Central Information Commission (hereinafter referred to as “**CIC**”), in the matter of *Mohan Kumar Sharma vs. CPIO, Prime Minister’s Office* (order dated November 26, 2019), held that “7. *In view of the above, the Commission observes that under the RTI Act the CPIO provides information available with him or held by him. Thus, the appellant cannot expect the respondent to take certain action or initiate action as desired by him.*” In view of these observations, I find that the request made by the appellant in the appeal, does not warrant consideration under the RTI Act.

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

B RAJENDRAN

Date: December 7, 2023

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