

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

Appeal No. 6196 of 2024

Aher Sachin	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated September 26, 2024 (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, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00249) dated October 12, 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. **Request in the application** - The appellant, vide his application dated September 26, 2024, sought the following information:

“As there are insufficient assets vesting in the Exchange in respect of the above member the admissible amount will be paid out of the Investor Protection Fund subject to the maximum limit of Rs However your claim may be payable which is otherwise due but not payable under the extant policy pertaining to IPF from the assets if any of the defaulter expelled trading member or from the assets if any in possession of any parties who may evaluate the claim separately but i not get so pls help about my loss and which type action against take nse give with act where should i go to take legal action sebi empless

For claim if

If you have already submitted copy of cancelled cheque at the time of filing the claim, the above proceeds will be remitted to your said bank account via electronic payment through RTGS NEFT in 15 working days from the date of this letter”

3. **Reply of the Respondent** - The respondent, in response to the application, informed that that the request of the appellant is vague and not specific. Accordingly, the same cannot be construed as “information” as defined u/s 2(f) of the RTI Act. Further, the respondent also informed that if the appellant has any complaint, the same may be lodged through SCORES platform and provided guidance regarding the same. The respondent also provided the toll free helpline service number launched by SEBI to facilitate replies to various queries of the general public on matters related to securities market. Additionally, the appellant was informed that circulars/guidelines issued by SEBI are available on SEBI website and he may refer to the circulars related to Investor Protection Fund (IPF).
4. **Ground of appeal** – On perusal of the appeal, it appears that the appellant is not satisfied with the response of the respondent.
5. I have perused the aforesaid request and the response provided thereto. On consideration, I concur 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.
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

Date: November 07, 2024

RUCHI CHOJER

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