

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

Appeal No. 5117 of 2022

Satish Ohri	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated April 29, 2022 (received by SEBI on May 02, 2022) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated May 25, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated June 10, 2022 (received by the Office of Appellate Authority on June 15, 2022). I have perused the application, the response of the respondent and the appeal and find that the matter can be decided based on the material available on record.
2. **Ground of appeal-** On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent with respect to first part of query number 2. In view of the submission made by the appellant in his appeal, I am only dealing with the said query and the response provided thereto, in this order.
3. **Query number 2-** The appellant, vide query number 2 of his application dated April 29, 2022, sought the information regarding:

“2. Total number of complaints/cases pending with SEBI under PIT Regulations against officers of Reliance Industries Ltd. and the details of each case thereof attracting provision of PIT Regulations.”

4. The respondent, in response to the aforesaid query, informed that the information received by SEBI through complaints is considered as input for market intelligence and treated as confidential. The information so received is analysed and if found necessary, further action is taken accordingly. The appellant also informed that any regulatory action taken by SEBI is available in the public domain, on the SEBI website. The appellant, in his appeal, *inter alia*, submitted that the second part of the query number 2 is covered by the reply provided by the respondent. However, he is not satisfied with the

respondent for not giving “total number” of cases pending with SEBI against officers of Reliance Industries Limited.

5. I have perused the query number 2 and the response provided thereto. From the appeal it appears that the appellant is satisfied with the response provided with second part of the query number 2. With respect to the first part of query number 2, I find that the same is in the nature of seeking clarification from the respondent. I note that only the documents/information available in material form as per the records available with the public authority can be furnished under the RTI Act. Further, the respondent is not supposed to create information, or interpret information or compile information as per the desire of the appellant under the ambit of the RTI Act. The respondent is only a communicator of information based on the records held in the office and hence, he cannot be expected to do research work to deduce anything from the material therein and then supply it to the appellant. In this context, I note that the Hon’ble CIC had made similar observation in the matter of *Mr. Nitin Moolani vs. CPIO, SEBI* (order dated October 25, 2021). I also agree with the response of the respondent that information received by SEBI through complaints is considered as input for market intelligence and treated as confidential and that further action is taken, if necessary. In my opinion, the said query has been adequately addressed and no further intervention is warranted at this stage.
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: July 11, 2022

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