

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

Appeal No. 4849 of 2022

B S Dugar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated February 24, 2022 (received by SEBI on February 25, 2022) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated March 10, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated March 24, 2022 (received by the Office of Appellate Authority on March 28, 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 February 24, 2022, sought the following information for the period 2020 till date-
 1. *Action taken as the Regulator and Entities regulated and/or controlled by SEBI in Public Interest to waive fine, penalty and/or interest for non-compliance of SEBI rules and regulations in view of the situation due to outbreak of Corona Virus in the country and the Govt. of India promulgating the Disaster Management Act i.e. non-compliance due to Force Majeure reasons.*
 2. *Number of companies who have requested for waiver of Fines/Penalties for non-compliance of SEBI rules and regulations due to Covid pandemic.*
 3. *Number of companies who have been given waiver of Fines/Penalties for non-compliance of SEBI rules and regulations due to Covid pandemic.*
 4. *The manner and method to exercise discretionary power if any, to grant waiver for non-compliance considering Force Majeure reasons due to Covid pandemic and promulgation of the Disaster Management Act.*
3. The respondent, in response to the queries, informed that the queries are vague and not clear and accordingly, the same cannot be construed as seeking “information” as defined under Section 2(f) of the RTI Act. However, the respondent provided the link for accessing the information with respect to the

jurisdiction of SEBI and the provisions of the SEBI Act, 1992 (and its amendments thereof), and rules/regulations/ circulars framed thereunder, which is available on the SEBI website.

4. **Ground of appeal-** On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent. The appellant, in his appeal, submitted that the information sought in his application has been refused without proper justification. The appellant also alleged that the grant of waiver by SEBI for non-compliance have been arbitrary and non-transparent.
5. I have perused the queries raised by the appellant and the response provided thereto. On consideration, I find that the same are vague and not specific. Further, it is difficult to ascertain what exact information has been sought by the appellant. In this context, I note that in the matter of *Shri S. C. Sharma vs. CPIO, Securities and Exchange Board of India* (Decision dated August 30, 2012), the Hon'ble CIC held: "*Since the Appellant had not clearly stated what exact information he wanted, the CPIO could not have provided any specific information to him. We would like to advise the Appellant that he might like to specify the exact information he wants from the SEBI and prefer a fresh application before the CPIO.*" In view of the same, I do not find any deficiency in the response.
6. Notwithstanding the above, I note that the respondent has guided the appellant to access the information with respect to jurisdiction of SEBI and the provisions of the SEBI Act, 1992 along with the rules/regulations/ circulars framed thereunder. In view of the same, I am of the opinion that no further intervention is warranted at this stage.
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: April 27, 2022

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