

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

Appeal No. 6250 of 2025

Kannan Ramakrishnan	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated November 06, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated November 29, 2024, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00291) dated December 10, 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. **Queries in the application** - The appellant, vide his application dated November 06, 2024, sought the following information:

“Dear Sir, As per New rules given by SEBI Name and date of Birth for the mutual fund investments as per PAN based on that i have updated KYC in KRA and got validated even though some AMC like HDFC is Not accepting the KYC verified by KRA, the New Folio Purchase which i have done After KYC validation AMC provide purchase confirmation name not as per PAN and KYC verified document with KRA so need to understand the below question.

- 1. what the name as investor need to maintain in folio bought before the new rules of SEBI*
- 2. should investor need to update KYC in KRA or in each respective AMC*
- 3. what is the reason AMC not accepting KYC validate details from KRA*

4. when new rules OF SEBI investors not getting any support for correcting the existing folio purchase details updating for example my name in PAN is KANNAN RAMAKRISHNAN the Folio purchased before new rules R Kannan with Initial but AMC asking gazette or an affidavit letter for each folio even for name update as per PAN document request your confirmation what is the rules set by SEBI for updating Name as per PAN

5. for small correction with Expanding Name with initial AMC asking gazette or an affidavit letter even though request to update name matching to PAN and KYC verified documents this is most painful process please confirm is the investor must need to submit gazette or an affidavit even to match name as per PAN ”

3. **Reply of the Respondent** - The respondent, in response to queries in the application, informed that queries of the appellant are in the nature of seeking clarification/opinion. Accordingly, the same cannot construed as “Information”, as defined u/s 2(f) of the RTI Act.
4. **Ground of appeal** – The appellant has filed the appeal on the ground that he was refused access to the information requested.
5. I have perused the application and the response provided thereto. On consideration, I concur with the response of the respondent that the queries in the application are in the nature of seeking clarification/opinion from the respondent. 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/opinion under the RTI Act. In this context, reliance is placed on the matter of *Azad Singh vs. CPIO, Oriental Insurance Company Limited* (order dated March 23, 2021), wherein, Hon’ble Central Information Commission (‘CIC’) observed that “7. The Commission, after hearing the submissions of both the parties and after perusal of records, observed that some queries of the appellant are in the nature of seeking explanation/ opinion/ advice/ confirmation/ clarification from the CPIO and he has expected that the CPIO firstly should analyze the documents and then provide information to the appellant. But the CPIO is not supposed to create information; or to interpret information; or to compile information as per the desire of the appellant under the ambit of the RTI Act. As per Section 2(f) of the RTI Act, the reasons/ opinions/ advices can only be provided to the applicants if it is available on record of the public authority. The CPIO cannot create information in the manner as sought by the appellant. The CPIO 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 him” Accordingly, I do not find any deficiency in the response.

6. Further, I note that the appellant in his appeal has sought further information pertaining to his application. As held by the Hon'ble CIC in *Harish Prasad Divedi vs. Bharat Petroleum Corporation Limited* (decided on January 28, 2014), an information seeker cannot be allowed to expand the scope of his RTI enquiry at appeal stage. Accordingly, I find that the said submissions do not warrant consideration 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: January 3, 2025

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