

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

Appeal No.5828 of 2023

Sapan Shrivastava	:	Appellant
Vs		
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated September 22, 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 09, 2023 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00222) dated October 15, 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. **Queries in the application** - The appellant, vide his application dated September 22, 2023 sought following information

“Mankind Pharma Limited IPO Listed on April 2023. SEBI directed to clear objections raised in observation letter. As per Section 17 A of Securities Contract act 1947 SEBI compliance is mandatory for any issue or IPO by company. RTI Question

1. *Copy Of All objections compliance done letter or certificate or consent issued by SEBI to Mankind Pharma Limited IPO*
 2. *Copy of Lenders NOC issued by all Banks.”*
3. **Reply of the Respondent** - The respondent in response to the query 1 informed that the query is vague and not specific. Accordingly, the same cannot be construed as “information” as defined u/s 2(f) of the RTI Act, 2005. In response to the query 2, the respondent informed that the information sought is not available with Securities and Exchange Board of India (hereinafter referred to as “**SEBI**”).

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 has *inter alia* submitted that the information about NOC or consent issued by SEBI to the said company regarding the IPO may be provided to him.
5. **Query No. 1** - The appellant vide query no. 1 had sought “*Copy Of All objections compliance done letter or certificate or consent issued by SEBI to Mankind Pharma Limited IPO*” On perusal of the query and the response of the respondent, I concur with the response of the respondent that the said request of the appellant is vague and not specific. In this regard, I note that the Hon’ble Central Information Commission (hereinafter referred to as “**CIC**”) in the matter of *Ms. Sarika Jain vs National Hydroelectric Power Corporation Limited* (order dated April 25, 2014) held that “*As regards the first part i.e. copies of all documents in relation to the contracts mentioned in the RTI application, the Commission finds that the term "all" used by the Appellant here is very vague and does not pin point the particular document she wants to obtain from the Respondents. The Appellant is, therefore, advised to be more specific and identify the documents she wants to obtain from the Respondents ...*”
6. **Query No. 2** - With regard to Query No. 2, I note that the respondent, in his response, has categorically mentioned that the requested information is not available with SEBI. In this context, I note that the Hon’ble CIC, in the matter of *Sb. Pattipati Rama Murthy vs. CPIO, SEBI* (Decision dated July 8, 2013), held: “*... if it (SEBI) does not have any such information in its possession, the CPIO cannot obviously invent one for the benefit of the Appellant. There is simply no information to be given.*” In view of these observations, I do not find any deficiency in the response.
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: November 6, 2023

ANAND BAIWAR

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