

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

Appeal No. 6573 of 2025

Naveen Chaudhary	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated August 07, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 01, 2025, responded to the application filed by the appellant. The appellant filed an appeal dated September 17, 2025 (received by the Office of Appellate Authority on September 23, 2025). 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. **Queries in the application-** The appellant, vide his application dated August 07, 2025, sought the following information regarding his email complaint dated July 26, 2025 sent to SEBI :

“1. Whether SEBI has taken cognizance of the complaint dated 26.07.2025 against Suresh Kumar Gupta, Anjali Gupta, and SCLL.

2. Whether any internal inquiry, inspection, or investigation has been initiated by SEBI under its powers under Sections 11, 11B, and 11C of the SEBI Act, 1992.

3. Details of any file reference number or complaint tracking ID assigned to my email complaint.

4. Whether SEBI has: Issued any interim orders (e.g., freezing of bank/demat accounts, bar on directorship)? Forwarded the complaint to RBI, ED, FIU-IND, or CBI for coordinated action? (if yes, kindly provide the reference correspondence without disclosing third-party confidential information.)

5. *Whether any order for forensic audit of SCLL's books, NBFC transactions, or related-party entries (2019–2025) has been passed or recommended*
6. *Whether SEBI has recommended cancellation of the NBFC license of SCLL or moved for any criminal prosecution. b*
7. *Names and designations of officers handling this complaint or the internal department/division to which this complaint was assigned.*
8. *Certified copies or extracts of file notings, inter-departmental memos, recommendations, or minutes (as permissible under Section 10 of RTI Act) in relation to action or inaction on the complaint.”*

3. **Reply of the Respondent** - The respondent, in response to query nos. 1-2 and 4-6 in the application, informed that the queries are in the nature of seeking clarification/ opinion. Accordingly, the same cannot be construed as “Information”, as defined u/s 2(f) of the RTI Act.

The respondent, in response to query nos. 3 and 8, informed that the reply to the query which was received through email dated July 26, 2025 was provided vide mail dated August 14, 2025. Further, the respondent provided information regarding lodging of grievance, if any, on the SCORES portal of SEBI.

The respondent, in response to query no. 7, informed that the complaint handling mechanism at SEBI is a collective affair, in which officers of different level contribute. Hence, handling the complaints is internal to the functioning of SEBI and the said information relates to personal information, the disclosure of which has no relation to any public activity or interest. Hence, the same is exempt u/s 8(1)(g) & 8(1)(j) of the RTI Act.

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 application and the response provided thereto. I note that the appellant had sought the status and action taken with respect to his email complaint dated July 26, 2025, vide the application dated August 07, 2025. Considering the time taken between filing his email complaint and RTI application, I am of the view that said application seems to be filed in haste and prematurely as public authorities also require reasonable time to act upon the complaints received by them. Such hasty and premature filing of RTI applications may be avoided as the same have the effect of clogging the system. Notwithstanding the aforesaid, I find that respondent had informed that the reply to the complaint

dated July 26, 2025 has been given via email dated August 14, 2025. Further, I find that the appellant has not denied the receipt of the said email in his appeal. Hence, I find that query nos. 3 and 8 have been adequately addressed by the respondent.

6. Additionally, with respect to query nos. 1-2 and 4-6 in the application, I concur with the response of the respondent that queries 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 or opinion under the RTI Act. In this context, reliance is placed on 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 of the respondent.
7. With regard to query no. 7, I find that the information about SEBI officials relates to personal information, the disclosure of which has no relationship to any public activity or interest and may cause unwarranted invasion into the privacy of the individual and may also endanger the life or physical safety to the person. I note that a similar issue was settled in the matter of *H. E. Rajashekarappa vs. State Public Information Officer and Ors.* (Order dated July 01, 2008), wherein the Hon'ble High Court of Karnataka had ruled that: "... *it cannot be said that section 2(f) of the Act (the RTI Act encompasses the personal information of the officials of the public authority. The intention of the legislation is to provide right to information to a citizen pertaining to public affairs of the public authority*". Further, I note that the Hon'ble CIC in the matter of *Prerit Misra vs. CPIO, SEBI* (order dated November 21, 2022) held that- "*It is pertinent to mention here that the appellant in a similar case which was dealt in File no. CIC/SEBIE/A/2019/660770 dated 10.08.2021 whereby he had sought information regarding the names of the officers who had blocked his email address, the Commission, while passing an order had held that such information is exempted u/s 8(1)(g) & 8(1)(j) of the RTI Act. The Commission after considering the*

submissions of the appellant finds no merit in his case, and also is in agreement with the order of the FAA and concludes that the information is exempt u/s 8(1)(g) & 8(1)(j) of the RTI Act, hence, no relief can be given.” In view of these observations, I find that the requested information is exempt from disclosure under sections 8(1)(g) and 8(1)(j) of the RTI Act.

8. 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: October 13, 2025

RUCHI CHOJER

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