

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

Appeal No. 6103 of 2024

Chandrakant C. Shah	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated July 19, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated August 02, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00169) dated August 08, 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. **Request in the application** - The appellant, vide his request of the application dated July 19, 2024, sought the following information:

“Dear Sir,

Herewith I submit an application under section 6 (1) of Right to Information Act, 2005 seeking the following information: I had earlier submitted a written complaint against Association of Mutual Funds in India (AMFI) to higher officials of SEBI Mehta on 22.06.2024 with subject line REQUEST FOR REVOCATION OF LIBERTY GRANTED TO AMFI FOR INVESTOR EDUCATION AND AWARENESS DUE TO ITS BLATANT MISUSE, AND ISSUE OF DIRECTIONS TO AMFI TO IMMEDIATELY DESIST FROM FURTHER RELAYING ITS FALSE AND MISLEADING AD CAMPAIGNS. The complaint was sent by E-mail as well as by speedpost. Copy of the complaint letter dated 22.06.2024 is attached herewith. In connection with the aforesaid complaint, kindly provide the following information:

- 1. Whether any enquiry or investigation has been launched based on my complaint*
- 2. If answer to point no. 1 above is in the affirmative, kindly provide information about the status of the enquiry.*
- 3. If answer to point no. 1 above is in the affirmative and enquiry is complete, kindly provide a copy of the enquiry / investigation report, and the action taken*
- 4. If answer to point no. 1 above is in the affirmative and enquiry is pending, kindly provide information as to when the enquiry is expected to be completed.*
- 5. If answer to point no. 1 above is in the negative, kindly provide information as to why no enquiry has been initiated against AMFI.”*

3. **Reply of the Respondent** - The respondent, in response to the application, informed that the information sought 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, 2005.
4. **Ground of appeal** - The appellant filed the appeal on the ground that he was refused access to information requested.
5. I have perused the request and the response provided thereto. On consideration, I concur with the response of the respondent that the information sought is in the nature of seeking clarification/confirmation and are interrogative queries. In my opinion, the CPIO is not supposed to provide clarification/opinion; or to interpret information; or to compile information as per the desire of the appellant under the ambit of the RTI Act. In this context, reliance is placed on the matter of *Laxman Prasad Kayal vs. CPIO, State Bank of India* (Order dated June 20, 2023), wherein the Hon’ble CIC held that “9. *The Commission based on a perusal of the facts on record finds that the dissatisfaction of the Appellant with the reply provided by the CPIO is bereft of merit as the RTI Application merely seeks for clarifications and answers to interrogative queries.*” Accordingly, I do not find any deficiency in the response of the respondent.
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: August 29, 2024

RUCHI CHOJER

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