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

Appeal No. 6052 of 2024

Santosh Kumar Gupta	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application (Reg. No. SEBIH/R/P/24/00098) dated May 03, 2024 (received by SEBI on May 09, 2024) under the Right to Information Act, 2005 ("**RTI Act**"). The respondent, by a letter dated May 13, 2024, responded to the application filed by the appellant. The appellant filed an appeal dated June 10, 2024 (received by the Office of Appellate Authority on June 19, 2024). 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. **Request in the application** - The appellant, in his application dated May 03, 2024, has referred to the RTI application of his friend, Jitendra Kushwaha and the response provided by the CPIO to the said RTI application. In reference to the aforesaid RTI application, the appellant, *inter alia*, sought information related to the matter of PACL Ltd.

3. **Reply of the Respondent** - The respondent, in response to the queries, informed that the queries of the appellant are in the nature of seeking clarification/opinion. Accordingly, it cannot be treated as "information" as defined under Section 2(f) of the RTI Act, 2005

4. **Ground of appeal-** On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent.

5. I have perused the application and the response provided thereto. On consideration, I find that said request appear to be interrogative in nature. In my opinion, the CPIO is not supposed to provide clarification/ explanation; or to interpret information; or to provide response to interrogative queries under the ambit of the RTI Act. In this context, I note that the Hon'ble CIC, in the matter of *Laxman Prasad Kayal vs. CPIO, State Bank of India (Order dated June 20, 2023)* 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. It appears that the Appellant is harbouring a grievance and is not seeking access to information as envisaged under the RTI Act." In view of these observations, I find that the said request cannot be construed as seeking 'information' as defined under section 2 (f) of the RTI Act. 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: July 11, 2024

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