

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

Appeal No. 5069 of 2022

Geeta Khattar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated May 03, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated May 18, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated May 20, 2022. 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. **Ground of appeal-** The appellant has filed the appeal on the ground that the information provided was incomplete, misleading or false. On perusal of the appeal, it appears that the appellant is not satisfied with the query numbers 3, 4, 5, 6, 7 and 8. In view of the same, I am only dealing with the said queries and the respondent provided thereto, in this order. Further, the appellant, in his appeal, has reiterated the said queries raised in his application.
3. **Query number 3-** The appellant, vide query number 3, sought the SEBI department/section name along with the official names that qualify in Stock market professionally and have experienced officials that investigate the Stock market SCAMS / frauds and matters related thereto.
4. In response to the aforesaid query, the respondent informed that the query is not clear and specific and is in the nature of seeking clarification. Accordingly, the same cannot be construed as seeking “information”, as defined under Section 2(f) of the RTI Act.
5. I have perused the query raised by the appellant. I agree with the observation of the respondent that the same is not clear and specific. In view of the same, I do not find any deficiency in the response.

6. **Query numbers 4, 5, 6, 7 and 8-** The appellant, vide query number 4, *inter alia*, sought an official report on the case/document attached by the appellant along with the application. Vide query number 5, the respondent was asked to specify the category (out of the options provided by the appellant) in which certain transactions fall. Vide query number 6, the respondent was asked to specify the category (out of the options provided by the appellant) under which the attached case falls. The appellant, vide query number 7, requested the respondent to provide the name of the agency (out of the options provided by the appellant) to whom the attached case should be notified. The appellant, vide query number 8, requested the respondent to specify the category of the penalty amount (out of the options provided) that Government of India might recover in the attached case.
7. The respondent, in response to the aforesaid queries, observed that the queries are in the nature of seeking action from SEBI and accordingly, the same cannot be construed as seeking “information”, as defined under Section 2(f) of the RTI Act.
8. I have perused the queries and the response provided thereto. On consideration, I agree with the observation of the respondent that the queries are in the nature of seeking certain action from the respondent. In this regard, I note that the Hon’ble CIC, in the matter of *Shri Matloob Ahmed v. Delhi Police, East District* (Decision dated January 11, 2013), held: "*The R.T.I. Act cannot be used to make the respondent to do certain things or to take certain action.*" In view of the same, I am of the opinion that the said request of the appellant does not warrant consideration at this stage.
9. 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: June 17, 2022

ANAND BAIWAR

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