

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

Appeal No.5820 of 2023

Ram Atal	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated May 19, 2023, under the Right to Information Act, 2005 (“**RTI Act**”). The respondent had replied to the said application vide letter dated June 21, 2023. Thereafter, the appellant, vide letter dated July 17, 2023, *inter alia*, requested that out of the 9 queries raised in his application dated May 19, 2023, queries nos. 3,4, 5, 6 and 7 were not properly responded to. The respondent vide letter dated July 25, 2023 informed the appellant that his application was sent without the application fees. Hence, he was advised to send the RTI application processing fees to enable further processing of his application dated July 17, 2023. The appellant vide letter dated nil (received by Respondent on August 12, 2023) sent the requisite application fee and requested the respondent to provide information sought by him vide his letter dated July 17, 2023. The respondent, by a letter dated September 4, 2023, responded to the application filed by the appellant. The appellant filed an appeal dated September 30, 2023 (received by the Office of Appellate Authority on October 09, 2023). 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, in his application dated July 17, 2023, *inter alia*, sought the information regarding queries nos. 3, 4, 5, 6, 7 and 8 of his earlier letter dated May 19, 2023. The queries are as follows:

Query No. 3 - According to SEBI, changing of financial data and manipulating of figures is illegal.

Query No. 4 - Initiate action on private limited companies indulging in changing of data and manipulating figures.

Query No. 5 - SEBI takes action on company only when there is manipulation of shares and does not take action on company indulging in alteration of figures.

Query No. 6 - SEBI does not take action in case of data alteration in other matters.

Query No. 7 - SEBI appoints any investigating officer / investigating team for manipulation of data.

Query No. 8 - Which officers of the Indian authority have the right to cancel the registration/certificate given by SEBI for changing the financial data.

3. **Reply of Respondent-** The respondent, vide letter dated September 4, 2023 replied to the aforesaid queries and informed as follows:

Reply to queries nos. (3), (5), (6) (7) and (8) - 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.

Reply to Query No. 4 – The question does not pertain to SEBI. Hence, no information is available with 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 also submitted that the requested information was not provided.
5. **Query numbers 3, 5, 6, 7 and 8 -** I have perused the queries and the response provided thereto. On consideration, I concur with the response of the respondent that the said queries of the appellant are vague and not specific. Further, I find that the queries of the appellant are more in the nature of seeking clarification/opinion from the respondent. In this context, reliance is placed on matter of *Shri Shantaram Walavalkar vs. CPIO, SEBI* (Decision dated January 17, 2013), wherein the Hon’ble Central Information Commission (hereinafter referred to as “**CIC**”) held: “... we would also like to observe that, under the Right to Information (RTI) Act, the citizen has the responsibility to specify the exact information he wants; he is not supposed to seek any opinion or comments or clarifications or interpretations from the CPIO...”. Accordingly, I do not find any deficiency in the response.
6. **Query number 4 -** With respect to query number 4, I note that the respondent is *inter alia* seeking information regarding action initiated against private limited companies for data manipulation. In this regard, I find that the respondent has clearly informed that the query does not pertain to SEBI. The respondent has also informed regarding the unavailability of the requested information. On consideration, I do not find any reason to disbelieve the said response. In my view the query has been adequately addressed.

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 3, 2023

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