

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

Appeal No. 4711 of 2022

Lakshminarayanan Ramanujam	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated February 09, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated March 03, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated March 10, 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. **Queries in the application** –The appellant, vide his application dated February 09, 2022, sought the following information with respect to SEL Manufacturing Company Limited for the period from January 03, 2022 to February 09, 2022:
 1. *Time of change (hours: minutes: seconds) (HH:MM:SS) of price range by the exchange*
 2. *Prescribed time (hours: minutes: seconds) (HH:MM:SS) for change of price by the Depository Participants*
 3. *Actual time (hours: minutes: seconds) (HH:MM:SS) of change of price by the Depository Participant ICICI Securities/ ICICI Direct.*
3. The respondent in response to query number 1, informed that the information sought is not available with SEBI. In response to query numbers 2 and 3, the respondent informed that the queries are not clear and specific and accordingly, the same cannot be construed as seeking “information”, as defined under Section 2(f) of the RTI Act.
4. **Ground of appeal-** The appellant has not mentioned any specific ground for filing the appeal. The appellant, in his appeal, *inter alia*, submitted that the respondent has not provided straight forward information.

5. **Query number 1-** I have perused the query and the response provided thereto. On consideration, I do not find any reason to disbelieve the observation of the respondent that the requested information is not available with SEBI. In this context, I note that the Hon'ble CIC, in the matter of *Sh. Pattipati Rama Murthy vs. CPIO, SEBI* (Decision dated July 8, 2013), held: "... if it (SEBI) does not have any such information in its possession, the CPIO cannot obviously invent one for the benefit of the Appellant. There is simply no information to be given." In view of these observations, I do not find any deficiency in the response.
6. **Query numbers 2 and 3-** I have perused the queries raised by the appellant. I agree with the observation of the respondent that the queries are not clear and specific. Further, it is difficult to ascertain what exact information has been sought by the appellant. In this context, I note that in the matter of *Shri S. C. Sharma vs. CPIO, Securities and Exchange Board of India* (Decision dated August 30, 2012), the Hon'ble CIC held: "Since the Appellant had not clearly stated what exact information he wanted, the CPIO could not have provided any specific information to him. We would like to advise the Appellant that he might like to specify the exact information he wants from the SEBI and prefer a fresh application before the CPIO." I find that the appellant's queries 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.
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: April 07, 2022

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