

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

Appeal No. 6165 of 2024

	:	Appellant
Aseem Juneja		
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated August 22, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 16, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg.No. SEBIH/A/E/24/00226) dated September 21, 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. **Ground of appeal** - The appellant filed the appeal on the ground that he was refused access to information requested.
3. **Queries in the application** - The appellant, vide application dated August 22, 2024 sought the following information:

“This is in regards to the SEBI chairperson mam Madhabi Puri Buch appointed for the top job at the regulator back in March 2022.

Earlier, she joined SEBI as a whole time director in April 2017.

In the meantime, she also had a stake in a firm called Agoda Advisory Private Limited based out of Ghatkopar, Mumbai.

Till 31st March 2024, she still held a 99% stake in the same company (pls check attachment).

The question is whether she had given this disclosure at SEBI that she has this firm running under her name at the required time.

Is this documented in SEBI that she is associated with Agora advisory private limited during this time?”

4. **Reply of the Respondent** - The respondent, in response to queries in 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 . The respondent, further, informed the applicant that the information sought by the applicant does not pertain to him and the same relates to personal information, the disclosure of which has no relationship to any public activity or interest and may cause unwarranted invasion into the privacy of the individual and may also endanger the life or physical safety of the person(s). Therefore, the respondent informed the applicant that the information sought by him, is exempt in terms of Section 8(1)(g) and 8(1)(j) of the RTI Act.
5. I have perused the aforesaid request and the response provided thereto. On consideration, I concur with the response of the respondent that the said requests are in the nature of seeking clarification/opinion from the respondent. I find that the said requests cannot be construed as seeking ‘information’ as defined under section 2(f) of the RTI Act. In this context, reliance is placed on the matter of *Azad Singh vs. CPIO, Oriental Insurance Company Limited* (order dated March 23, 2021), wherein, Hon’ble Central Information Commission (hereinafter referred to as “CIC”) observed that “7. *The Commission, after hearing the submissions of both the parties and after perusal of records, observed that some queries of the appellant are in the nature of seeking explanation/ opinion/ advice/ confirmation/ clarification from the CPIO and he has expected that the CPIO firstly should analyze the documents and then provide information to the appellant. But the CPIO is not supposed to create information; or to interpret information; or to compile information as per the desire of the appellant under the ambit of the RTI Act. As per Section 2(f) of the RTI Act, the reasons/ opinions/ advices can only be provided to the applicants if it is available on record of the public authority. The CPIO cannot create information in the manner as sought by the appellant. The CPIO is only a communicator of information based on the records held in the office and hence, he cannot be expected to do research work to deduce anything from the material therein and then supply it to him*” Accordingly, I do not find any deficiency in the response. In light of the aforesaid, I also do not find it necessary to examine the denial of information sought on the grounds mentioned under Section 8(1)(g) and 8(1)(j) of the RTI Act.

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: October 16, 2024

RUCHI CHOJER

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