

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

Appeal No. 5806 of 2023

Praveenkumar R	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated September 18, 2023 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (hereinafter referred to as “**RTI Act**”). The respondent, by a letter dated September 25, 2023 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00203) dated September 27, 2023. 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. **Query in the application** - The appellant, vide his application dated September 18, 2023 sought the following information”

“I bought biocon shares in huge quantity considering its subsidiary will be listed a separate entity.I will get some shares in those when listed.For confirming the same I sent a mail to biocon investors team asking whether how many biocon biologics Shares I will get.They replied there was no structure articulated yet. Hence my doubt is if there is a company xyz.Under that a subsidiary company abc is there.Xyz was a listed company.How could that xyz company list abc company with out allocating any shares...”
3. **Reply of the Respondent** - The respondent in response to the query informed that the query is the nature of seeking clarification. Accordingly, the same cannot be construed as “information” as defined u/s 2(f) of the RTI Act, 2005.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that information provided was incomplete, misleading or false information. The appellant, in his appeal, has, inter alia, raised the same query as in the application.

5. I have perused the query and the response provided thereto. On consideration, I concur with the reply of the respondent and find that the query of the appellant is in the nature of seeking clarification/opinion from the respondent. It is understood that the respondent is not supposed to create information; or to interpret information; or to furnish clarification to the appellant under the ambit of the RTI Act. I find that the said query cannot be construed as seeking 'information' as defined under section 2 (f) of the RTI Act. Consequently, the respondent did not have an obligation to provide such clarification or opinion under the RTI Act. In this context, reference is made to the matter of *Vineet Pandey vs. CPIO, United India Insurance Company Limited* (Judgment dated January 21, 2021), wherein similar observations were made by the Hon'ble Central Information Commission (hereinafter referred to as "**CIC**"). Further, in the matter of *Sbri Shantaram Walavalkar vs. CPIO, SEBI* (Decision dated January 17, 2013), I note that the Hon'ble 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. 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 13, 2023

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