

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

Appeal No. 5027 of 2022

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

ORDER

1. The appellant had filed an application dated April 08, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated April 28, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated May 01, 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 query, it appears that the appellant is not satisfied with the response provided with respect to query numbers 7, 13, 18 and 20. The appellant, in her appeal, reiterated the said queries and submitted that the requested information has not been provided by the respondent. In view of the submission made by the appellant, I am only dealing with the said queries and the response provided thereto, in the following paragraphs.
3. **Query numbers 7 and 20-** The appellant, vide query numbers 7 and 20, sought the following information-
 7. *Provide information regd. each official each is bound to.*
 20. *Provide officials names (if appointed) that investigate Stock market SCAMS / frauds and matters related thereto.*
4. The respondent, in response to the aforesaid queries, informed that the queries are vague and not specific and accordingly, the same cannot be construed as seeking “information”, as defined under Section 2(f) of the RTI Act.

5. I have perused the queries and the response provided thereto. I agree with the observation of the respondent that the same are vague and not 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, no further intervention of this forum is warranted at this stage.

6. **Query number 13-** The appellant, vide query number 13, sought the following information:

13. Go through the attached F. No. AB.14017/28/2014-Estt.(RR), dated 2.7.2015 (can be verified on DoP&T website) i.e. regd. Bio-data / Curriculum Vitae (CV) proforma, FURTHER PROVIDE A PDF COPY OF BIO-DATA/CURRICULUM VITAE (CV) OF the CPIO and Appellate, RTI which is appointed in DoP&T.

7. The respondent, in response to the aforesaid query, informed that the information sought is not available with SEBI.

8. 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 *Mrigesh Manubhai Thakkar vs. SEBI* (order dated December 28, 2016) observed that "*The Commission observes that the respondents can provide only that information which is existing and available with them and the RTI Act does not mandate it for the respondent authority to create information if it is not collected and collated in the normal course of their duties. The Commission, therefore, does not find any need to intervene in the matter. The appeal is disposed of.*" In view of these observations, I do not find any deficiency in the response.

9. **Query number 18-** The appellant, vide query number 18, sought the following information:

18. Arrange a copy of the letter ref. no. KS/COMPLIANCE/NSE/CORR/2016-17/RB/081 from NSE, Civil Lines, Kanpur (U.P.) and provide the said letter here on the RTI portal. NSE, Kanpur, U.P. contact details is hereafter. Tel. 0512 2303 604 and Email nseisckan@nse.co.in

10. The respondent, in response to the aforesaid query, informed that the appellant may refer to CPIO letter dated April 20, 2022 provided in response to her RTI Application dated March 30, 2022.
11. I have perused the query and the response provided thereto. I note that the respondent has referred to his letter dated April 20, 2022 vide which the appellant was provided with the details of the fees payable for providing the physical copy of the requested information. In view of the same, I find that the requested information can be obtained by the appellant on payment of certain fees as prescribed under the RTI Act. Accordingly, I do not find any deficiency in the response.
12. 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: May 27, 2022

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