

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

Appeal No. 6280 of 2025

Ravi Sanghi	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated October 14, 2024 (received by SEBI on October 17, 2024) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated November 07, 2024, responded to the application filed by the appellant. I note from the available records that the aforementioned letter was delivered to the appellant on December 02, 2024. The appellant filed an appeal dated December 27, 2024 (received by the Office of Appellate Authority on January 02, 2025). 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 October 14, 2024, sought following information regarding recovery proceedings in the matter of Sanghi Plantations Ltd:
 1. *What is the principal amount due from the defaulter Company?*
 2. *How this outstanding amount has been paid and by whom?*
 3. *What is the crystallized Interest amount payable by the said company and methodology of calculation?*
 4. *What are the other terms and conditions which are yet to be complied with by the defaulter company viz. Sanghi Plantation Limited.*
 5. *What is the additional time frame given to the Company to settle the interest component and to comply with the other conditions as per WTM order.*

3. **Reply of the Respondent** - The respondent, in response to the query no. 1 informed that in terms of Recovery Certificate no. 3168 of 2020 dated December 03, 2020, the principal amount due from the defaulter is Rs. 2,07,26000/-.

Further, the respondent, in response to query nos. 2 and 5, informed that appellant's queries 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, in response to query no. 3, informed that appellant's query is vague and not specific and 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, in response to query no. 4, informed that the terms and conditions to be complied by the defaulter are specified in SEBI order bearing reference no. WTM/GM/EFD/65/2017-18 dated 17/10/2017. The respondent further stated that the principal and the interest thereon has been paid.

4. **Ground of appeal**- On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent.
5. I have perused the queries and the response provided thereto. With respect to query no. 1, I find that the respondent has adequately addressed the query by providing the information available with him. Accordingly, I do not find any deficiency in the response of the respondent.
6. Further, with respect to query nos. 2 and 5, I concur with the response of the respondent that the information sought 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 queries 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 or confirmation under 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.

7. With respect to query no. 3 regarding crystallised interest payable, I note that respondent has mentioned in his reply that aforementioned query is vague and not specific. However, it is noted that in the reply to query no.4, respondent has mentioned that "*principle and interest thereon has been paid.*" I find the aforesaid response to be contradictory to the response provided to query no.3. In light of the aforementioned contradiction, I find the query nos. 3 and 4 warrant reconsideration.
8. Considering the above observations, I remit the application to the respondent for *de novo* consideration of query nos. 3 and 4 in the application and sending appropriate response to the appellant in terms of RTI Act, within 15 working days from the date of receipt of this order.

Place: Mumbai

Date: January 29, 2025

RUCHI CHOJER

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