

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

Appeal No. 4321 of 2021

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

ORDER

1. The appellant had filed an application dated May 15, 2021 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated June 10, 2021, responded to the application filed by the appellant. The appellant filed an appeal dated June 16, 2021, against the said response dated June 10, 2021. 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 her application dated May 15, 2021, *inter alia*, sought the following information:
 1. *What is the role and duty of Office of Investor Assistance and Education in SEBI. For information kindly upload a copy and also provide official web link of SEBI where detailed information can be accessed on SEBI website.*
 2. *Under what laws and rules/under which laws and regulations are disposed of by the investors at SEBI's Complaint Portal SCORES.*
 3. *Which department/official of SEBI receives the complaints of investors through SCORES portal after the investors register the complaints on SEBI's complaint portal SCORES and how their/ he/ she/ investors' complaints are escalated to the specified points And also provide SEBI official web link where detailed information can also be seen on SEBI's online website.*
 4. *An investor can send his/her complaint to the firm/which department of SEBI on the SCORES Portal of SEBI. Kindly mention here the names of those / all departments of SEBI who can receive complaints from investors through SCORES portal.*
 5. *In addition to the Scores Portal of SEBI, investors can access their grievances through official online portals other than Government of India and other departments other than SEBI, please refer to the names of those / that Government of India online portal through which investors can reach their grievances to different departments other than SEBI.*

6. *If the stock broker after receiving the complaint on SEBI's online complaint portal does not send/upload the relevant details and supporting documents to the investor within the stipulated time, then in that case what legal action is taken against the broker.*
 7. *Why does SEBI send a notification of resubmitted and the second new registration number to investor?.*
3. The respondent, in response to the query numbers 1,2,3,5,6 and7, observed that the queries are in the nature of seeking clarification/opinion and accordingly, cannot be construed as, “information”, as defined under section 2(f) of the RTI Act, 2005. In response to query number 4, the respondent informed that the appellant should refer to SCORES FAQs. The respondent also provided the weblink for accessing the same.
 4. **Ground of appeal-** The appellant has filed an appeal on the ground that access to the requested information was refused. The appellant, in her appeal, has reiterated the queries raised in her application.
 5. **Query numbers 1, 2, 3, 5, 6 and 7-** On consideration, I agree with the observation of the respondent that the queries are 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 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 CIC. Further, in the matter of *Shri 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...*”. In view of the said observations, I do not find any deficiency in the response.
 6. **Query number 4-** On perusal of the query and the response provided thereto, I find that the respondent has adequately guided the appellant for accessing the information which is available in the public domain. I find that the query has been adequately addressed. 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: July 14, 2021

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