

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

Appeal No. 3966 of 2020

Yogesh B. Kanpariya : Appellant
Vs.
CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated October 10, 2020 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated November 03, 2020, responded to the application filed by the appellant. The appellant filed an appeal dated November 05, 2020, against the said response dated November 03, 2020. 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 incomplete, misleading or false information was provided. On perusal of the appeal, it appears that the appellant is not satisfied with the replies to query numbers 1 and 5. In light of the submissions made in the appeal, the said queries of the appellant and the responses thereto are discussed in the following paragraphs.
3. **Queries in the application** –The appellant, vide his application dated October 10, 2020, sought the following information pertaining to Sahara housing bond:

1. I had applied for refund of Sabara housing bond on march 2018 and then given me ref. no. 2013/...../ 19347 name Kanpariya Dhrubiben Yogeshbbhai (attached ref.no. letter by SEBI). when will I receive refund of ref. No. 19347 approximate date give me.

5. Give all communication done with ref. no 19347 by mail or letter or phone calls give details.

4. The respondent, in response to query numbers 1 and 5, informed that during the process of the appellant's application for refund, discrepancy was observed which was communicated to the appellant vide letter dated February 10, 2020 and reminder letter dated March 13, 2020. Further, the respondent stated that the requisite document was submitted by the appellant vide letter dated March 31, 2020. It was also informed that during further scrutiny of the application, it was observed that the signatures were not matching with the records of Saharas. Further, vide email dated October 27, 2020, SEBI had advised the appellant to submit a Banker Certificate attesting his signatures, for enabling SEBI to process his application.

5. **Query number 1-** On perusal of the appellant's query number 1, regarding specific date when the investor would get refund in the matter, I find that the same is in the nature of eliciting a clarification or opinion regarding a future event, which cannot be construed as an information available on record. Consequently, the respondent did not have an obligation to provide such clarification or opinion under the RTI Act. In this context, I note that the Hon'ble CIC, in the matter of *Sbri Shantaram Walavalkar vs. CPIO, SEBI (Decision dated January 17, 2013)* 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...".

2. **Query number 5-** I have perused the query and the response. I note that the respondent had provided the details of the letters/email sent to the appellant. 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.

3. Further, the appellant, in his appeal, sought reasons for not responding to all of his communications. On perusal of the application dated October 10, 2020, I find that this request did not form part of the said application. I also find that the said request was raised by the appellant for the first time in this appeal. As held by the Hon'ble CIC in *Harish Prasad Divedi vs. Bharat Petroleum Corporation Limited* (decided on January 28, 2014), an information seeker cannot be allowed to expand the scope of his RTI enquiry at appeal stage. Accordingly, the said submission does not warrant consideration in this appeal.

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: December 03, 2020

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