

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

**Appeal No. 6547 of 2025**

Tarun Kumar Bera	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

**ORDER**

1. The appellant had filed an application dated July 05, 2025 (received by SEBI on July 14, 2025) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated August 05, 2025, responded to the application filed by the appellant. The appellant filed an appeal dated August 29, 2025 (received by the Office of Appellate Authority on September 09, 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, vide his application dated July 05, 2025, sought the following information:

*“ 1. Is the entity/group 'Pimco Win Win Community' or its admins registered with SEBI as a stock advisory firm or investment advisor?*

*2. Provide whether SEBI has received any prior complaints against this WhatsApp group or its associated phone numbers or fake trading platform.*

*3. Is it a violation under SEBI regulations to operate investment advice groups without SEBI registration via WhatsApp?*

*4. If SEBI has taken any enforcement action, please provide details or links to public disclosures.*

*5. Does SEBI have any official advisory or alert issued to investors regarding such fake WhatsApp stock groups?*

6. *Kindly provide name, designation, and contact of SEBI official or grievance team dealing with such online financial frauds or illegal advisory cases."*

3. **Reply of the Respondent** - The respondent, in response to query no. 1 in the application, informed that the appellant can refer to SEBI website for SEBI registered entities.

The respondent, in response to query nos. 2, 3, 4 and 5, respondent informed that the 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.

Notwithstanding the aforesaid, with respect to query nos. 2 and 4, respondent also informed that complaints received by SEBI are examined in a confidential manner, and action taken, if any, pursuant to examination is available at SEBI website. Further, with respect to query no. 5, respondent additionally informed SEBI had issued press release dated April 11, 2025 and May 21, 2025 cautioning investors against fraudulent/ manipulative activities on Social Media Platforms (SMPs) related to securities market and that the same can be accessed at SEBI website .

The respondent, in response to query no. 6, informed that the details of unregistered activity in securities market may submitted to the email id [sebi@sebi.gov.in](mailto:sebi@sebi.gov.in). The respondent also informed that applicant can approach any of the registered offices of SEBI along with relevant details of the complaint.

4. **Ground of appeal** – On perusal of the appeal, it appears that the appellant is not satisfied with the response of the respondent.
5. I have perused the application and the response provided thereto. With regard to query no.1, the respondent has informed that the requested information can be accessed by the appellant from SEBI website. Hence, I find that the requested information is available on public domain. In this context, I note that the Hon'ble Delhi High Court, in the matter of *Registrar of Companies & Ors. Vs. Dharmendra Kumar Garg & Anr.* and the Hon'ble Central Information Commission (CIC), in the matter of *Shri K Lall vs. Shri M K Bagri* (CIC/AT/A/2007/00112, order dated April 12, 2007), *inter alia*, observed that if the relevant information is available in the public domain, the same cannot be said to be information held by the public authority and consequently, there is no obligation to provide such information to an applicant under the RTI Act. In view of these observations, I find that the respondent cannot be obliged to research and compile the information which is already available in the public domain and

then provide the same to the appellant. Accordingly, I do not find any deficiency in the response of the respondent.

6. With regard to query nos. 2, 3, 4 and 5, I concur with the response of the respondent that the queries are in the nature of seeking clarification/opinion/confirmation from the respondent. 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 matter of *Azad Singh vs. CPIO, Oriental Insurance Company Limited* (order dated March 23, 2021) wherein Hon'ble 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 of the respondent.
7. Further, with regard to query nos. 2, 4 and 5, I note that respondent had provided additional information to the appellant. The appellant, may be guided by the same.
8. With regard to query no. 6, 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.

9. 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 03, 2025**

**RUCHI CHOJER**

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