

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

Appeal No. 5864 of 2023

Sunita Shivhare	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated October 09, 2023 (received by SEBI on October 11, 2023) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated October 30, 2023, responded to the application filed by the appellant. The appellant filed an appeal dated November 29, 2023 (received by the Office of Appellate Authority on December 5, 2023). 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. **Request in the application** - The appellant, in her application dated October 11, 2023, *inter alia*, sought the information regarding action taken by SEBI on her letter dated 03/08/2023 with regard to issuance of shares of Larsen & Toubro Ltd. to the appellant in lieu of shares of Datar Switchgear Ltd. pursuant to the merger of the said companies.
3. **Reply of the Respondent** - The respondent, in response to application, informed that Securities and Exchange Board of India (hereinafter referred to as “**SEBI**”) has not received any kind of communication from the appellant as mentioned in the RTI Application. In view of the same, no information is available with respect to requests pertaining to issuance of shares of Larsen & Toubro Limited. in lieu of shares of Datar Switchgear Limited. However, the respondent informed the appellant that the matter has been taken up as a complaint by SEBI and the same is being forwarded to the concerned RTA for resolution at the earliest under intimation to SEBI.
4. **Ground of appeal-** On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent. The appellant, in her appeal, *inter alia*, has submitted that while the respondent has stated that appellant’s letter dated 03/08/2023 has been taken up as a complaint and forwarded to the concerned RTA. No document regarding the complaint no. and letter issued to

the concerned RTA has been provided to him. Accordingly, the appellant, in her appeal has sought complaint no. registered with SEBI and copy of letter issued by SEBI to RTA in this regard.

5. I have perused the application and the response provided thereto. On consideration, I find that the appellant in her application had sought information pertaining to status of her letter 03/08/2023 sent to SEBI. I note that the respondent, in his reply, has informed that the said letter was not received by SEBI and is now being taken up as a complaint and being forwarded to the concerned RTA. I find that the respondent has adequately addressed the request by providing the information available with him. Accordingly, I do not find any deficiency in the response. However, in the appeal, the appellant has sought documents pertaining to complaint no. and copy of letter issued to the RTA by SEBI with regard to her letter dated 03/08/2023. Hence, the appellant is now seeking new information pertaining to her application. As held by the Hon'ble Central Information Commission 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, I find that the said submissions do not warrant consideration at this stage.
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

B RAJENDRAN

Date: December 18, 2022

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