

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

Appeal No. 5811 of 2023

Keshav Kumar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated August 29, 2023 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (hereinafter referred to as “**RTI Act**”). The respondent, by a letter dated September 22, 2023 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00208) dated September 29, 2023. 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. **Query in the application** - The appellant, vide his application dated August 29, 2023 sought the following information:

“NSE has been requested by SEBI to submit case documents wrt SEBIE/MH23/0007078/1. Since NSE has been misleading me for a very long time without giving proper answers, I am hereby requesting SEBI to provide what actually NSE is sharing to SEBI as case documents.”
3. **Reply of the Respondent** - The respondent, in response to the query, informed that all documents pertaining to complaints are uploaded by National Stock Exchange (hereinafter referred to as “**NSE**”) in NSE Nice Plus application which can be viewed by complainants by logging into the same.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that information provided was incomplete, misleading or false information. The appellant, in his appeal, has sought certain documents like emails and sms details sent to his father vouched by NSE.
5. I have perused the query and the response provided thereto. On consideration, I find that the appellant, in his application, has, inter alia, sought the case documents pertaining to his complaint as submitted by

NSE to Securities and Exchange Board of India (hereinafter referred to as “SEBI”). In this regard, I note that the respondent has informed the appellant that all documents pertaining to complaints are uploaded by NSE, in NSE Nice Plus application and can be viewed by the complainants by logging into the same. On consideration, I find that the respondent has appropriately guided the appellant to access the requested information/documents pertaining to his complaints which are made available by NSE on its aforementioned application.

6. Further, I note that the appellant, in his appeal, has, *inter alia*, sought certain documents like emails and sms details sent to his father vouched by NSE. While the aforesaid documents sought by the appellant appears to be pertaining to the appellant’s complaint in question, however, I note that these documents are being sought for the first time. Hence, the appellant is now seeking new information pertaining to his complaint in question. 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.
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: October 17, 2023

ANAND BAIWAR

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