

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

Appeal No. 5141 of 2022

Srikanth Sreedhar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated May 24, 2022 (transferred by Central Bureau of Investigation through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated June 15, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated June 16, 2022, against the said response dated June 15, 2022. 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, in his application dated May 24, 2022, *inter alia*, referred to the NSE co-location matter and sought information whether the name of Motilal Oswal is among the list of brokers with access to the Premises of the stock exchange. The appellant also made certain allegations against staff of Motilal Oswal.
3. The respondent, in response to the application, informed that the name of trading member Motilal Oswal does not figure in the list of brokers shortlisted by SEBI for investigation in the co-location matter.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that the information provided was incomplete, misleading or false. The appellant, in his appeal, *inter alia*, submitted that the respondent failed to provide the list of brokers with access to the SEBI premises. The appellant also requested to direct the respondent to disclose the document containing the said list of brokers.
5. I have perused the query and the response provided thereto. On consideration, I find that the respondent has responded in affirmative with respect to the query raised by the appellant. In my opinion,

the respondent has adequately addressed the query by providing the information available with him. Accordingly, I do not find any deficiency in the response.

6. Further, I note that the appellant, in his appeal, *inter alia*, sought the document containing the list of Brokers with access to SEBI Premises. I note that the said request is not clear. Notwithstanding the same, I find that this 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, I find that the said request does 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: July 15, 2022

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