

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

Appeal No. 5944 of 2024

Riya Sharma	:	Appellant
Vs		
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated February 26, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated March 07, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00046) dated March 07, 2024. 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. **Requests in the application** –The appellant, vide her application dated February 26, 2024, sought the following information:

“Under RTI act kindly provide the following information following details against growpital date 29/01/2024

- 1. current status of the order*
- 2. Any fraud / scam deducted in the growpital?*
- 3. Any legal advice available for trapped investor?*
- 4. How to register complaint against the identity as in portal unable to find identity name*
- 5. Is there chance of money recovery for trapped investor?”*

3. **Reply of the Respondent** - The respondent in response to request nos. 1 -2 of the application, informed that SEBI had issued ex-parte ad interim order dated January 29, 2024 in the matter of Growpital Platform and pursuant to the said order, investigation in the matter has been initiated and is under progress. Further, the respondent informed that Securities and Exchange Board of India (hereinafter referred to as “**SEBI**”) conducts examinations and investigations confidentially in a holistic manner. In view of the same, disclosure of details related to the matter may impede the process and is therefore exempt from disclosure in terms of Section 8(1)(h) of the RTI Act, 2005. Additionally, the respondent informed that post investigation, whenever violations are established, appropriate

enforcement actions are taken under the provisions of the SEBI Act, 1992 and Regulations framed thereunder which culminate in the issuance of Orders. Further, these orders are available in public domain and can be assessed from the SEBI website.

In response to request nos. 3, 4 and 5 of the application, the respondent informed that the requests are in the nature of seeking clarification/opinion and hence, the same cannot be construed as "information", as defined u/s 2(f) of the RTI Act, 2005.

In response to request no. 4 of the application, the respondent informed that an investor can lodge complaints against unregistered entities in physical form by writing to SEBI.

4. **Ground of appeal** - The appellant, in her appeal, has requested information regarding time line prescribed for time bound inquiry under process and details regarding public meeting grievance hours set by SEBI for general public meeting.
5. I have perused the application and the response provided thereto. I note that the appellant, in her appeal has not submitted any ground of appeal in respect to her aforesaid application. However, the appellant, in her appeal has sought information regarding time line prescribed for time bound inquiry under process and details regarding public meeting grievance hours set by SEBI for general public meeting. I note that the appellant is now seeking new information pertaining to her aforesaid application. As held by the Hon'ble Central Information Commission (hereinafter referred to as "**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 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

Date: April 4, 2024

B RAJENDRAN

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