

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

Appeal No. 5458 of 2022

Sunil Shah	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated August 15, 2022 (received by SEBI on August 18, 2022) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 16, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated October 14, 2022 (received by the Office of Appellate Authority on October 17, 2022). 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 August 15, 2022, *inter alia*, sought the Investigation Report with respect to his complaint dated August 15, 2022 against NSE.
3. The respondent, in response to the query, informed that the complaint was taken up with NSE and after examination NSE has sent a suitable response to the appellant on September 15, 2022. The respondent also provided copy of the said communication dated September 15, 2022.
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 his appeal, *inter alia*, submitted that the respondent has not investigated his complaint. The appellant also made certain submissions regarding the communication dated September 15, 2022 forwarded by NSE. The appellant also made allegations against the respondent.
5. I have perused the query and the response provided thereto. On consideration, I find that the respondent has clearly informed regarding the action taken by SEBI with respect to the complaint dated September 15, 2022. In my opinion, the respondent has adequately addressed the query by

providing the information available with him. In view of the same, I do not find any deficiency in the response.

6. Further, on perusal of the appeal, it appears that the appellant expected the respondent to conduct investigation in the matter referred to by the appellant in his complaint dated September 15, 2022. The appellant also requested to investigate the respondent. I note that the appellant also has grievance regarding the communication dated September 15, 2022 sent by NSE. In this context, I note that the Hon'ble CIC, in the matter of *Mr. Surendra Vishwakarma vs. President Secretariat* (Order dated April 29, 2016) observed that “5. In this context, we note that the RTI Act cannot be used to make the respondent to do certain things or take certain action for the reason that the Act is not the proper law for redressal of grievances/disputes and there are other appropriate forum(s) for resolving such matters. 6. In view of these observations, we find that if the appellant has any grievance, the remedy for the same would not lie under the provisions of the RTI Act.” In view of the same, I am of the opinion that the said requests of the appellant do not warrant consideration under the provisions of the RTI Act.
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

ANAND BAIWAR

Date: November 14, 2022

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