

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

Appeal No. 6249 of 2025

A K Asthana, Udaybhansinhji Regional Institute of Cooperative Management	:	Appellant
Vs		
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated October 19, 2024 (received by SEBI on October 21, 2024) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated November 14, 2024, responded to the application filed by the appellant. The appellant filed an appeal dated November 30, 2024 (received by the Office of Appellate Authority on December 09, 2024). I note that the appellant has clearly mentioned his name i.e. A K Asthana, in the application and it appears that the application has been filed on behalf of Udaybhansinhji Regional Institute of Cooperative Management. 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, in his application dated October 19, 2024, sought following information:

Q 1: While depositing TDS as given in table 2 which PAN was used at your end ? Pl provide information in column 5.

Table 2

<i>Sr no.</i>	<i>Received Payment from SEBI (In Rs)</i>	<i>Payment Details</i>	<i>TDS and IGST TDS Details</i>	<i>PAN in which TDS is deposited by SEBI</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>
1	Rs. 94543/-	29/11/2022 NEFT*BKID0000122* BKIDY22333549394*Securities	Total 04 programmes as on 04/07/2022,05/07/2022,06/07/2022,09/06/2022	
2	RS. 26252/-	17/11/2022 NEFT *BKID0002035*BKIDY22321425959*Securities	TDS - Rs.13422 IGST TDS - RS.0	

*Q2: If TDS is deposited not in PAN *****3477B What corrective action was taken at your end to rectify fault at your end.*

3. **Reply of the Respondent** - The respondent, in response to the query no. 1, informed that the query is in the nature of seeking clarification/opinion. Accordingly, the same cannot be construed as “information”, as defined u/s 2(f) of the RTI Act. With respect to query no. 2, respondent informed that the same is in the nature of seeking action from SEBI. Hence, the same cannot be construed as “information”, as defined u/s 2(f) of the RTI Act.
4. **Ground of appeal-** On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent.
5. I have perused the queries and the response provided thereto. With respect to query no. 1, I note that said query is very specific and hence, the response provided by the respondent does not appear to be adequate. In my view, the respondent was obliged to ascertain availability of the requested information with SEBI and whether the same may be provided to the appellant in accordance with

the provisions of the RTI Act. On consideration, I find that the aforesaid query has not been adequately addressed.

6. With respect to query no.2, I concur with response of the respondent that the appellant's query seems to be in nature of seeking action. In this context, I note from the perusal of appeal and the application that the appellant has grievance with respect to a payment made by SEBI to him. I note that redressal of grievance does not come under the purview of the RTI Act. In this context, I note that the Hon'ble Central Information Commission, in the matter of *Mr. Surendra Vishwakarma vs. President Secretariat* (Order dated April 29, 2016) observed that "*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.*" Accordingly, I do not find any deficiency in the response of respondent w.r.t query no.2.
7. Considering the above observations, I remit the application to the respondent for *de novo* consideration of query no. 1 in the application and sending appropriate response to the appellant in terms of RTI Act, within 15 working days from the date of receipt of this order.
8. The appeal is accordingly disposed of.

Place: Mumbai

Date: January 06, 2025

RUCHI CHOJER

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