

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

Appeal No. 5891 of 2024

Vishnu Gangadhar Dhawale	:	Appellant
Vs		
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated January 04, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated January 09, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00004) dated January 11, 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 his application dated January 04, 2024 sought the following information:

“please show the AUTHORITY. Sir, my client code LU...46 Angel One Ltd AND MY is name Vishnu Gangadhar Dhawale. on 31 Oct 2023, when I tried to place order of Buy 19000 PE 26 Dec 24 but order not executed or rejected and flashing as RMS blocking. RMS Blocking. on query with Angel one staff (GUJRAT BRANCH OF ANGEL ONE LTD). they said this is our policy. but Sir, just few months before in year 2023. the ESO of Angel one ltd placing order beyond 06 months. but now they are refusing my orders to place. You are requested to forward a copy of Authority for not placing these type of orders beyond 06 months which is changed after 01 Oct 2023. Please show the Authority for the same please.”

3. **Reply of the Respondent** - The respondent, in response to the request, informed that the information sought is in the nature of grievance. Hence, the same cannot be construed as “Information”, as defined u/s 2(f) of the RTI Act. Further, the respondent provided information regarding lodging of grievance, if any, on the SCORES portal of Securities and Exchange Board of India (hereinafter referred to as “**SEBI**”) and tracking the status of the same. The respondent also provided the toll free helpline

numbers launched by SEBI to facilitate replies to various queries of the general public on matters related to securities market. The appellant was also advised to refer to the FAQs on “Investor Grievances-SCORES”, available on the SEBI website. The respondent also provided the link for accessing the said FAQs.

4. **Ground of appeal-** The appellant has filed the appeal on the ground that information provided was incomplete, misleading or false information.
5. I have perused the application and the response provided thereto. On consideration, I concur with the response of the respondent that the application is in the nature of grievance. 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.”* Further, I find that the request in the application also appears to be in the nature of seeking clarification/opinion. It is understood that the respondent is not supposed to create information; or to interpret information; or to furnish clarification to the appellant under the ambit of the RTI Act. I find that the said requests cannot be construed as seeking ‘information’ as defined under section 2 (f) of the RTI Act. Consequently, the respondent did not have an obligation to provide such clarification/opinion under the RTI Act. In this context, reliance is placed on matter of *Shri Shantaram Walavalkar vs. CPIO, SEBI* (Decision dated January 17, 2013), wherein the Hon’ble CIC held: *“... we would also like to observe that, under the Right to Information (RTI) Act, the citizen has the responsibility to specify the exact information he wants; he is not supposed to seek any opinion or comments or clarifications or interpretations from the CPIO...”*. Accordingly, I do not find any deficiency in the response of the respondent. Notwithstanding the above, I note that the respondent has guided the appellant to refer to the SCORES website for lodging his grievance, if any.

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: January 30, 2024

B RAJENDRAN

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