

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

**Appeal No. 6160 of 2024**

|                    |    |            |
|--------------------|----|------------|
| Tejaswi Subramanya | :  | Appellant  |
|                    | Vs |            |
| CPIO, SEBI, Mumbai | :  | Respondent |

**ORDER**

1. The appellant had filed an application dated August 23, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 17, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg.No. SEBIH/A/E/24/00220) dated September 19, 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. **Queries in the application** - The appellant, vide his application dated August 23, 2024 sought the following information:  
  
*“-Smart Owner with its registered office at 8th Floor, Delta Block, Sigma Tech Park, Varthur Main Rd, Varthur Kodi, Palm Meadows, Whitefield, Bengaluru, Karnataka 560066, India. Is this entity offerings regulated by SEBI norms ?  
- pls redirect to right Government entity who regulates products by them if SEBI is not.  
-Is the regulatory authority aware of any malafide actions done by Smart owners towards its customers and steps taken to safeguard investors by you.  
- periodic audit and compliance for entity like SmartOwners.  
- website of SmartOwners is provided below [https:// www.smartowner.com/so/on/about-us.htm](https://www.smartowner.com/so/on/about-us.htm)”*
3. **Reply of the Respondent** - The respondent, in response to the application, informed the applicant that his queries were in the nature of seeking clarification/opinion and cannot be construed as “information”, as defined u/s 2(f) of the RTI Act.

However, with respect to query 1 of the application, respondent additionally informed the applicant that the list of entities registered with SEBI are available on the SEBI website, including the entities registered as a Real Estate Infrastructure Trust (**REIT**) or Small and Medium REIT. The respondent also provided

the relevant path for accessing the same on SEBI website. Further, the respondent informed that list of entities which have applied for registration to SEBI and the status of their applications are available on the SEBI website and also provided the path for accessing the same.

Similarly, with respect to query 2 of the application, respondent additionally informed that if the entity is incorporated as a company, the applicant may approach Ministry of Corporate Affairs.

Additionally, with respect to query 3 of the application, respondent informed that Smart Owner is not registered with SEBI. Further, respondent informed that Smartowner Capital Growth Trust and Smartowner Services India Pvt. Ltd. are registered with SEBI in the capacity of Alternative Investment Funds (**AIF**) and Portfolio Managers (**PMS**) respectively. The appellant was also informed that the actions taken by SEBI is available on the SEBI website and provided the path for accessing the same.

4. I have perused the queries and the response provided thereto. I note that the appellant in his appeal is seeking additional information regarding Smartowner Services India Pvt. Ltd. On consideration, I find that the appellant is now seeking new information pertaining to his 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.
5. 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: October 16, 2024**

**RUCHI CHOJER**

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