

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

Appeal Nos. 6294 & 6295 of 2025

Harish Chandra	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated November 29, 2024 (received by SEBI on December 02, 2024) under the Right to Information Act, 2005 (“**RTI Act**”). The appellant has filed two appeals; one dated January 07, 2025 (received by the Office of Appellate Authority on January 13, 2025) and the other dated January 20, 2025 (received by the Office of Appellate Authority on January 24, 2025) with respect to his application.
2. I note that appellant, in his appeal dated January 07, 2025, has submitted he had not received any response/ reply to his application dated November 29, 2024 made under the RTI Act. In this regard, I note that the appellant’s application was received by SEBI on December 02, 2024. Based on the records made available, I note that the respondent replied to appellant’s application on December 11, 2024, through registered post. However, the reply returned undelivered; with the reason that there was no such person in the address. Thereafter, it is learnt that the respondent once again sent his response to the appellant on January 14, 2025, vide speed post and email, after telephonically confirming the address. The reply was once again sent to the same address. The said reply was successfully delivered to the appellant. Subsequently, the appellant had filed an appeal dated January 20, 2025, disputing the response dated December 11, 2024. I, therefore, find that nothing survives in the appeal dated January 07, 2025 and the same has become infructuous.
3. On perusal of the appeal dated January 20, 2025, it appears that the appellant is not satisfied with the response provided by the respondent.

4. **Queries in the application-** The appellant, in his application dated November 29, 2024, has sought following information regarding a purported letter sent by SEBI to OANDA Financial Services:

1. *“Where and who is dealing this matter ?*
2. *What actions has been taken till date ?*
3. *What is going on?*
4. *What is status?*
5. *How long it will take ?*
6. *How and when I get my money ?”*

5. **Reply of the Respondent** - The respondent, in response to the queries in the application, informed that the entity OANDA Financial Services is not registered with SEBI in any capacity and hence, the information sought by him is not available with SEBI. Further, the respondent has informed that the details of SEBI registered intermediaries are available on SEBI website and provided the path for accessing the same on SEBI website. The respondent has also informed that to report any complaint regarding an unregistered activity relating to securities market, the respondent can submit his complaint on the email id sebi@sebi.gov.in or approach any of the registered offices of SEBI along with relevant details.

6. I have perused the application and the response provided thereto. I note that the respondent has categorically stated that OANDA Financial Services is not registered with SEBI in any capacity and hence, the information sought by him is not available with SEBI. I note that the respondent can only provide information that is available in the records. In this context, I note that the Hon’ble Central Information Commission (hereinafter referred to as “**CIC**”) in the matter of *Sh. Pattipati Rama Murthy vs. CPIO, SEBI* (Decision dated July 8, 2013), held: “... if it (SEBI) does not have any such information in its possession, the CPIO cannot obviously invent one for the benefit of the Appellant. There is simply no information to be given.” Accordingly, I do not find any deficiency in the response of the respondent.

7. Further, I note that appellant’s application is in the nature of seeking redressal 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 CIC, 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.” Notwithstanding the aforesaid, I note that the respondent has

appropriately guided the appellant regarding procedure for registering complaint with respect to unregistered activity relating to securities market.

8. In view of the above observations, I find that there is no need to interfere with the decision of the respondent. The appeals are accordingly dismissed.

Place: Mumbai

Date: February 10, 2025

RUCHI CHOJER

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