

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

Appeal No. 6029 of 2024

	:	Appellant
Vikas		
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated May 21, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated June 06, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00116) dated June 09, 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. **Request in the application** - The appellant, vide his application dated May 21, 2024, sought the following information:

*“Urgent Investigation Required ORIS MLM Scheme Ponzi Fraud
The ORIS MLM scheme promoting its cryptocurrency ORIS is listed on Lbank and offers a staggering 10% monthly dividend on investments a clear indicator of fraudulent operations I urge SEBI to delve into this matter promptly to safeguard investors and maintain the integrity of financial markets if binance is Ban in india why Lbank still running since last 6 month i was following this issue”*
3. **Reply of the Respondent** - The respondent, in response to the request informed that the subject matter of the RTI Application does not fall under the purview of SEBI. Further, the respondent informed that the information sought 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, 2005.
4. **Ground of appeal** - The appellant has filed the appeal on the ground that the information provided is incomplete, misleading and false information.
5. I have perused the request and the response provided thereto. I note that the respondent has informed the appellant that the subject matter of the information sought is not under the purview of SEBI.

Further, I concur with the response of the respondent that the application of the appellant is more in the nature of a complaint and seeking action from SEBI. Hence, the same cannot be construed as “information”, as defined u/s 2(f) of the RTI Act. In this regard, I note that in the matter of *Shri Matloob Ahmed v. Delhi Police, East District* (Decision dated January 11, 2013), the Hon'ble Central Information Commission (hereinafter referred to as “CIC”) held: "*The R.T.I. Act cannot be used to make the respondent to do certain things or to take certain action.*" Accordingly, I do not find any deficiency in the response of the respondent.

6. Further, I note that the appellant in his appeal has sought further information and clarification pertaining to his application. As held by the Hon'ble 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.
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

Date: June 19, 2024

B RAJENDRAN

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