

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

**Appeal No. 6199 of 2024**

|                    |    |            |
|--------------------|----|------------|
| Aditya Katiyar     | :  | Appellant  |
|                    | Vs |            |
| CPIO, SEBI, Mumbai | :  | Respondent |

**ORDER**

1. The appellant had filed an application dated August 12, 2024 (received by SEBI on August 16, 2024) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 13, 2024, responded to the application filed by the appellant. The appellant filed an appeal dated October 07, 2024 (received by the Office of Appellate Authority on October 14, 2024). The appellant has annexed along with his appeal, a RTI application dated August 08, 2024. From the perusal of the RTI applications, it is seen that contents of RTI application dated August 08, 2024 and RTI application dated August 12, 2024 are identical. 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 August 12, 2024, referred to his three letters sent to SEBI pertaining to M/s. Kuber Planters Ltd. In this regard, vide query no.1 of the application, the appellant has requested to know the details of his complaint as lodged with SEBI on the basis of his three letters (dated 29.01.2024, 05.04.2024 & 22.06.2024) and he also wants to know as to when the above mentioned company or SEBI will refund his money, along with interest, invested by him in M/s. Kuber Planters Limited. Further, appellant, vide query no.2 in his application, requested SEBI to lodge his complaint manually or online with SEBI, on the basis of his letters and provide details of the complaint so lodged.
3. **Reply of the Respondent** - The respondent, in response to the query no.1, informed that SEBI vide order dated December 21, 2000 and order dated July 25, 2000 in the matter of M/s. Kuber Planters Limited issued directions u/s. 11(1), 11(4) and 11B of the SEBI Act read with Regulation 65 of the SEBI (Collective Investment Schemes) Regulation, 1999 to M/s. Kuber Planters Limited to refund

the money collected from the investors within a period of 3 months from the date of order and thereafter file a Winding up Repayment Report (WRR) to SEBI within a period of 15 days. Subsequently, upon non-compliance of the said directions, recovery proceedings (Certificate No. 911 of 2016) have been initiated against M/s. Kuber Planters Limited. Further, Notice of Attachment of Bank Account (AP No. 2543 of 2016) and Notice of Attachment of Demat Account (AP No. 2544 of 2016) has been issued. The appellant has also been informed that recovery proceedings have been initiated in the matter and the process of refund to investors will be initiated after the recovery proceedings are completed. The respondent has informed the appellant that he may refer SEBI website for more details in the matter.

With respect to query no.2, the respondent has informed that SCORES is an online platform which enables investors to lodge their securities market related complaints against listed companies and SEBI registered intermediaries online. Complaints received against listed companies and SEBI registered intermediaries are dealt online on SCORES. For more details, appellant may visit SCORES website. Further, the respondent has also informed that complaint lodged against such activities which are not registered with SEBI are not considered as complaints on SCORES.

4. **Ground of appeal-** On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent. The appellant, in his appeal has submitted that the respondent has provided incomplete, misleading and evasive response.
5. I have perused the aforesaid queries and the response provided thereto. On consideration, I find that the respondent has adequately addressed the query no.1 by providing the information available with him. With regard to the query no.2, I note that information sought is in the nature of seeking action from SEBI. In this context, the Hon'ble Central Information Commission (hereinafter referred to as "**CIC**"), in the matter of *Mohan Kumar Sharma vs. CPIO, Prime Minister's Office* (order dated November 26, 2019), held that "*7. In view of the above, the Commission observes that under the RTI Act the CPIO provides information available with him or held by him. Thus, the appellant cannot expect the respondent to take certain action or initiate action as desired by him.*" Notwithstanding the aforesaid, I note that respondent has provided the information regarding lodging of grievance, if any, on the SCORES portal of SEBI. Accordingly, I do not find any deficiency in the response of the respondent.

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: November 11, 2024**

**RUCHI CHOJER**

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