

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

Appeal No. 4902 of 2022

Javed Shaikh	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated March 06, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated March 29, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated April 06, 2022. I have carefully considered the application, the response provided by 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, vide his application dated March 06, 2022, sought information about the Green Ray International Ltd. case status, which was going on with Bombay High court/respective court or CBI.
3. The respondent in response to the aforesaid query, informed that the query is generic in nature and roving in nature. Accordingly, the same cannot be construed as seeking “information”, as defined under Section 2(f) of the RTI Act, 2005. However, the respondent provided information regarding SEBI order dated February 03, 2014 passed in the matter of Green Ray International Limited and the prosecution case filed before the 5th Special Court, Bankshall, Kolkata, for non-compliance of the said order. The respondent also informed regarding the recovery proceedings initiated against Green Ray International Limited and its directors/ promoters. Further, the respondent informed regarding the prohibitory order issued for attaching all movable and immovable properties of the defaulters and also for prohibiting them from disposing, transferring, alienating or charging in respect of the same. The respondent also guided the appellant to access the recovery certificates/ notices issued in the matter, which are available on the SEBI website.

4. **Ground of appeal-** The appellant has not mentioned any specific ground for filing the appeal. The appellant, in his appeal, referred to an adjudication order passed by SEBI in 2018 in the matter of Green Ray International Limited. The appellant sought clarification as to which is the recent order or action taken against Green Ray International Limited. The appellant also queried that if the refund/ recovery proceedings have started then how to get refund and from where.
5. I have perused the query raised in the application and the response provided thereto. On consideration, I find that the query is not specific and also roving in nature. In this regard, I note that the Hon'ble CIC, in the matter of *Nutan Thakur vs. PIO/Dy. Secretary, Establishment and Ors.*, (order dated September 03, 2020), held that “41. In the light of the above discussion, the Commission notes that the query raised by the appellant is untenable per se because it suffers from ambiguity and refers to a huge amount of generic data, spanning over six years for 29 States of the country. Most of the relevant information about appointment of Governors is already available in the public domain for every citizen to access and the appellant has not specified which document has been sought by her. The appellant has also failed to establish how disclosure of this vague information will serve larger public interest. The Commission cannot support this roving and fishing query and in the considered opinion of the Commission, the instant appeal cannot be entertained as such. The appeal is disposed off with no further orders.” In view of these observations, I find that the query cannot be construed as seeking information under Section 2(f) of the RTI Act.
6. Notwithstanding the same, I note that the respondent has provided the information available with him regarding the matter of Green Ray International Limited. Accordingly, I do not find any deficiency in the response.
7. Further, I note that the appellant, in his appeal, sought clarification as to which is the recent order or action taken against Green Ray International Limited. The appellant also queried that if the refund/ recovery proceedings have started then how to get refund and from where. I find that these requests were raised by the appellant for the first time in this appeal. 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 requests do not warrant consideration at this stage.

8. 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: May 02, 2022

**S V MURALI DHAR RAO
APPELLATE AUTHORITY UNDER THE RTI ACT
SECURITIES AND EXCHANGE BOARD OF INDIA**