

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

Appeal No.5833 of 2023

Gajendra Nagpal	:	Appellant
Vs		
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated August 30, 2023 (received by SEBI on September 05, 2023) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 26, 2023, responded to the application filed by the appellant. The appellant filed an appeal dated October 11, 2023 (received by the Office of Appellate Authority on October 16, 2023). 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. **Query in the application** - The appellant, in his application dated August 30, 2023, *inter alia*, sought status of his application dated May 23, 2023 addressed to Chairperson, Securities and Exchange Board of India (hereinafter referred to as “**SEBI**”), with regard to dropping of criminal complaint filed by SEBI qua the applicant.
3. **Reply of the Respondent** - The respondent, in response to the query, vide letter dated September 26, 2023 informed that the appellant’s letter dated May 23, 2023 addressed to Chairperson, SEBI was examined and then closed as per concurrence of the Competent Authority.
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, *inter alia*, submitted that “*The term ‘closed’ used by CPIO, SEBI is misleading as the same does not indicate any conclusion whether the prayer requested in the application dated 23.05. 2023 addressed to Chairperson, SEBI was allowed or declined.*”
5. I have perused the query and the response provided thereto. On consideration, I find that the appellant in his application had sought status of his letter May 23, 2023 sent to SEBI. I note that the respondent, in his reply, has provided the status of the said letter. In view of the same, I do not find

any deficiency in the response. However, in the appeal, the appellant has sought information pertaining to whether the prayer requested in the said letter of the appellant, was allowed or declined by SEBI. Hence, the appellant is now seeking new information pertaining to his query. As held by the Hon'ble Central Information Commission 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.

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 8, 2023

ANAND BAIWAR

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