

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

Appeal No. 5472 of 2022

Nikhil N Sayta	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated October 09, 2022 (Reg. No. SEBIH/R/P/22/01844 received by SEBI on October 11, 2022) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated October 18, 2022, responded to the said application filed by the appellant. The appellant filed an appeal dated October 24, 2022 (received by the Office of Appellate Authority on October 31, 2022). 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. **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 respondent has not provided information/ inspection of records/ certified copies as sought by the appellant. The appellant also submitted that he had not asked for resolution of grievance. In view of the submissions made by the appellant, I am dealing with the queries and the response provided thereto, in the following paragraphs.
3. **Query raised in the application-** The appellant, in his application dated October 09, 2022, *inter alia*, stated that he had filed an urgent application for certified copies of public documents under section 74 and 76 of the Indian Evidence Act on September 19, 2022 and that the respondent has failed to provide the same. The appellant also stated that the respondent is liable to prosecution for failure to do so. Further, the appellant stated that he had required certified copies of clauses under which NSDL Depository Participants can freeze/ block the demat accounts.
4. The respondent, in response to the aforesaid application, informed that the application is in the nature of grievance. The respondent also informed that taking action or resolution of grievance does not come under the provisions of the RTI Act and therefore, it does not qualify as “information”

under section 2(f) of the RTI Act. However, the respondent informed regarding the SEBI circular under which certified copies may be obtained from SEBI.

5. I have perused the application and the response provided thereto. I note that the appellant, in his application, has alleged that the respondent has failed to provide the information requested by him on September 19, 2022. I note that the appellant has not sought any specific information vide his application dated October 09, 2022. On perusal of the application, it appears that the appellant has grievance. In my opinion, if the appellant has any grievance, he may approach the appropriate grievance redressal forum. I note that redressal of grievance does not fall within the ambit of the RTI Act. Similar observations were made by the Hon'ble CIC in the matter of *Sh. Triveni Prasad Babuguna vs. LIC of India, Lucknow* (Decision dated September 6, 2012). On consideration, I agree with the response of the respondent that the information sought is in the nature of a grievance and accordingly, the same cannot be construed as seeking "information" under the RTI Act.
6. Notwithstanding the above, I note that the respondent has provided the link to the appellant to access the relevant SEBI Circular dealing with procedure for obtaining certified copies. The appellant may be guided accordingly.
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: November 28, 2022

A SUNIL KUMAR

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