

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

Appeal No. 5074 of 2022

Abhishek Kumar Tripathi	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated March 25, 2022 (received by SEBI on March 30, 2022) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated April 26, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated May 20, 2022 (received by the Office of Appellate Authority on May 25, 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. 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 numbers 1 and 2-** The appellant, vide query number 1 of his application dated March 25, 2022, *inter alia*, sought the information regarding the states and their departments to which the copies of the SEBI order dated July 11, 2019 in the matter of Togo Retail Marketing Ltd., were forwarded. Vide query number 2, the appellant sought information as to which Superintendents of Police / Police Stations / Outpost, were the copies of the said order forwarded.
4. The respondent, in response to the aforesaid queries, informed that the registered Office of Togo Retail Marketing Ltd Company is in Delhi. Hence, the copy of the order dated July 11, 2019 was sent to Government of NCT of Delhi for information.
5. I have perused the queries and the response provided thereto. I find that the respondent has adequately addressed the queries by providing the information available with him. Hence, no further intervention is warranted at this stage.

6. Further, the appellant, in his appeal, *inter alia*, queried as to how a copy of the said order dated July 11, 2019 can be sent to the company's administrative office and field office for the protection of the investors/ agents working there. The appellant also sought information regarding appropriate steps taken by SEBI. I find that these requests were made 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.
7. **Query number 3-** The appellant, vide query number 3, *inter alia*, sought information regarding appropriate provisions made by SEBI for the protection of investors of Togo company.
8. The respondent, in response to the aforesaid queries, informed that SEBI had passed order dated June 27, 2019 and July 11, 2019 against the company and its directors. The respondent also informed that the information about any enforcement action taken by SEBI against the company, is available on the SEBI website, which is in the public domain. The respondent also provided the link for accessing the said website. The appellant, in his appeal, *inter alia*, submitted that the respondent has misled the appellant by not clearly describing the information sought by him.
9. On consideration, I find that answer to such query can be found out by the appellant by accessing the information available in the public domain. Irrespective of the same, I note that the respondent has provided information regarding the orders passed by SEBI in the matter of Togo Retail Marketing Ltd. I find that the respondent has adequately addressed the query by providing the information available with him and also guiding the appellant to access the SEBI website. Accordingly, no further intervention of this forum is warranted at this stage.
10. 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 20, 2022

ANAND BAIWAR

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