

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

Appeal No. 5671 of 2023

Viswanathan B	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated March 21, 2023 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated April 20, 2023, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00091) dated May 11, 2023. I have carefully considered the application, the response 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 21, 2023, sought the following information:

“I had requested vide my letter to the Chairperson of SEBI on 10th January 2023 for taking cognizance of certain violations done by Coimbatore Stock Exchange Limited now known as Coimbatore Enterprises and Holdings Limited in respect of the Exit Order passed by SEBI in April 2013 and the undertakings given by the company in this regard and taking stringent actions against the company and its Board. I have not received any reply in this regard.”
3. The respondent, in response to the aforesaid application, informed that the query is the nature of asking questions rather than seeking “information”. Accordingly, the same cannot be construed as seeking “information”, as defined under section 2(f) of the RTI Act.
4. **Ground of appeal-** The appellant has not mentioned any specific ground for filing the appeal. The appellant, in his appeal, *inter alia*, sought information about the officer in SEBI who would be handling the grievance.

5. I have perused the application and the response provided thereto. I note that the appellant has made mere statements in his application with respect to his letter sent to SEBI. On consideration, I find that the appellant has not sought any information through the extant application. Further, I find that the application is more in the nature of grievance. In this regard, I note that the Hon'ble CIC, in the matter of *Sh. Triveni Prasad Babuguna vs. LIC of India, Lucknow* (Decision dated September 6, 2012), held: "*The Appellant is informed that ... redressal of grievance does not fall within the ambit of the RTI Act rather it is up to the Appellant to approach the correct grievance redressal forum...*". I note that a similar view was taken by the Hon'ble CIC in the matter of *Yogesh Malhotra vs. PIO, Delhi Police* (order dated May 28, 2021). In view of the same, I agree with the response provided by the respondent that the query cannot be construed as seeking "information" as defined under section 2(f) of the RTI Act.
6. Further, I note that the appellant, in his appeal, requested to provide information regarding the officer in SEBI who would be handling his grievance. On perusal, it appears that the said request has been 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 query does not warrant consideration at this stage.
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: June 09, 2023

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