

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

Appeal No. 5895 of 2024

Abdul Vahab Chakkadi : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated January 03, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated January 16, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00006) dated January 16, 2024. 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. **Requests made in the application** - The appellant, vide his application dated January 03, 2024 sought the following information:

“I am writing to request information under the Right to Information (RTI) Act regarding the non-functioning of Faze Three Auto Fab Share in my trading portfolio. I am facing difficulties in accessing and managing my investment due to this issue.

Details for reference:

- Unique Client ID: 79...68
- DP No.: 120...676
- Grownw Complaint Ticket No.: 12007219 dated 03.01.2024

I seek the following information:

1. Detailed status and reasons for the non-functioning of Faze Three Auto Fab Share in trading sessions.
2. Actions taken or planned by Grownw to address and resolve the mentioned issue.
3. Any communication or correspondence related to my complaint ticket (No.: 12007219).”

3. **Reply of the Respondent** - The respondent in response to the application informed that the information sought is not maintained by Securities and Exchange Board of India (hereinafter referred to as “SEBI”) in normal course of regulation of securities market. Hence, the same is not available with SEBI. Further, the respondent provided information regarding lodging of grievance, if any, on the SCORES portal of SEBI and tracking the status of the same. The respondent also provided the toll free helpline numbers launched by SEBI to facilitate replies to various queries of the general public on matters related to securities market. The appellant was also advised to refer to the FAQs on “Investor Grievances- SCORES”, available on the SEBI website. The respondent also provided the link for accessing the said FAQs.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that information provided was incomplete, misleading or false information. Further, the appellant in his appeal has, *inter alia*, submitted that the requests in his application are specific in nature and hence, his application may be reconsidered.
5. I have perused the application and the response provided thereto. I note that the respondent has categorically stated that the requested information is not available with SEBI. I note that the respondent can only provide information that is available in the records. In this context, I note that the Hon’ble Central Information Commission (hereinafter referred to as “CIC”), in the matter of *Lakshminarayanan R vs. SEBI* (order dated February 09, 2023) observed that “*Keeping in view the facts of the case, the Commission observed that the information sought by the appellant regarding Central Depository Services Ltd. was not maintained by the respondent authority in the normal course of regulation of securities market. It is an established law that the information sought for in order to be disclosable under the RTI Act, 2005 must be existent and available in the records..... In the instant case, the desired information was not available in the records of the respondent authority...*” In view of these observations, I do not find any deficiency in the response of the respondent. Further, I find that the request of the appellant is more in the nature of grievance. I note that redressal of grievance does not come under the purview of the RTI Act. In this context, I note that the Hon’ble CIC, in the matter of *Mr. Surendra Vishwakarma vs. President Secretariat* (Order dated April 29, 2016) observed that “*In this context, we note that the RTI Act cannot be used to make the respondent to do certain things or take certain action for the reason that the Act is not the proper law for redressal of grievances/ disputes and there are other appropriate forum(s) for resolving such matters.*” Notwithstanding the same, I note that the respondent has appropriately guided the appellant to refer to the SCORES website for lodging his grievance, if any, and also provided helpline service numbers launched by SEBI, to facilitate replies to various queries of the general public on matters relating to securities market. I note that SCORES is an online platform designed to help investors to

lodge their complaints, pertaining to securities market, with SEBI against listed companies and SEBI registered intermediaries. In view of the same, I find that the application has been adequately addressed and no further intervention is warranted 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: February 01, 2024

B RAJENDRAN

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