

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

Appeal No. 5960 of 2024

Deblina Chowdhury	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated February 02, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated February 26, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00057) dated March 21, 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 in the application** –The appellant, vide his application dated February 02, 2024, sought the following information:

“Please provide information relating to the details of Merger of FMC (Forward Market Commission) into SEBI and the details process followed in encadrisation of the existing incumbents of FMC into SEBI.

Please provide the details of notings, letters and Correspondence exchanged thereon amongst the Offices, Ministries and DoPT, if any.”

3. **Reply of the Respondent** – The respondent, in response to the aforesaid request, informed that the information sought pertains to the internal functioning of SEBI and disclosure of which may hamper the decision making by SEBI in its supervisory and regulatory role. In view of the above, the information sought is exempt u/s 8(1)(a) of RTI Act, 2005. However, the respondent informed the appellant that regarding merger of FMC with SEBI, SEBI has issued press release and placed a memorandum before SEBI Board. The respondent provided the relevant link to access the aforesaid on SEBI website.

4. **Ground of appeal** - On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent.

5. I have perused the application and the response provided thereto. I note that the appellant, in her appeal has requested that she may be provided with information which are not strategic in nature. In this regard, I note that the respondent has categorically informed the appellant that the information sought is strategic in nature and the information sought is exempt u/s 8(1)(a) of RTI Act, 2005. I do not have any reasons to disbelieve the said response of the respondent. Notwithstanding the above, I also note that the respondent has informed that certain information regarding the merger of FMC with SEBI are published on SEBI website and he has aptly guided the appellant to access the same. On consideration, I find that the respondent has adequately responded to the application of the appellant.
6. Further, on perusal of the appeal, I note that the appellant has sought some specific and additional information regarding the merger of FMC with SEBI. I note that the appellant is now seeking new information pertaining to her aforesaid application. As held by the Hon'ble Central Information Commission (hereinafter referred to as "**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 submissions do 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: April 8, 2024

B RAJENDRAN

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