

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

Appeal No. 6263 of 2025

Nitin Goel	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated nil (received by SEBI on November 05, 2024) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated December 02, 2024, responded to the application filed by the appellant. The appellant filed an appeal dated nil (received by the Office of Appellate Authority on December 19, 2024). The appeal is being taken up for consideration and disposal today due to personal exigency and intervening holidays. 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. **Query in the application-** The appellant, in his application, sought following information regarding certain emails sent to SEBI:

“ A-1) Copy of Statement of action taken by xxxxxx@sebi.gov.in , xxxxx@sebi.gov.in , asksebi@sebi.gov.in on my subject email.”
3. **Reply of the Respondent -** The respondent, in response to the query no. (A-1) informed that the CPIO, SEBI vide letter no. CPIO/BS/1108/24-25/28734/1 dated September 09, 2024 had already provided the information regarding the matter raised by appellant vide his emails. The copy of the aforementioned letter was also enclosed along with his response.
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 query and the response provided thereto. I note that appellant has specifically sought information regarding action taken w.r.t to emails (particularly email dated October 19, 2024) sent by the appellant to SEBI. I find that the request has not been adequately addressed by the respondent and the same warrants reconsideration.
6. Further, on perusal of the appeal, it appears that the appellant requested to initiate penal action against the respondent under the RTI Act. Further, the appellant also requested to grant him costs/ special costs and exemplary costs. In this regard, I note that as per Section 20(1) and 20(2) of the RTI Act, the Central Information Commission or the State Information Commission has the powers to impose a penalty or recommend disciplinary action against the Central Public Information Officer or the State Public Information Officer respectively, while deciding on a complaint or a second appeal. Hence, I find that these requests are beyond the purview of the First Appellate Authority, SEBI.
7. Considering the above observations, I remit the application to the respondent for *de novo* consideration of query in the application and sending appropriate response to the appellant in terms of RTI Act, within 15 working days from the date of receipt of this order.
8. The appeal is accordingly disposed of.

Place: Mumbai

Date: January 20, 2025

RUCHI CHOJER

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