

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

Appeal No. 5796 of 2023

P M Soneji	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated August 17, 2023 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated August 30, 2023, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00196) dated September 16, 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 her application August 17, 2023, sought the following information regarding Exit Order issued by SEBI to the erstwhile Ahmedabad Stock Exchange Ltd., vide order No. WTM/MPB/MRD/160 /2018 dated April 02, 2018:

“I request you to kindly provide me the information about to whom a complainant lodge their grievance or complaint for non-compliance of any of the conditions by the erstwhile Ahmedabad Stock Exchange, if Stock Exchange has (a) either concealed the information to be submitted in the undertaking given to SEBI and/or the conditions stipulated in the Exit Order by SEBI vide various clauses stipulated therein under Clause 10 and Clause 3 (c) (iv) of the Exit Order are not complied with or violated. As it is the inherent powers vested in the authorities and Courts where the orders issued by such authorities and/or Courts are not complied with, the concerned issuing authorities and/or Courts can ensure its enforcement. Thus, it is assumed that such powers of enforcement of the conditions laid down in the Exit Orders continue to be with SEBI and on receiving any complaint in writing, SEBI can pass an appropriate execution order against the defaulting intermediary.

Yet, in order to have the correct information about lodging a complaint, I make this application to provide me with full details of communication address, email address and contact number, more so as the Exit Order has not specified the name and address of the authority to whom the complaint be lodged for any non-compliance or concealment of the information submitted in the undertaking to SEBI, relying on which such exist order is issued by SEBI.”

3. The respondent, in response to the aforesaid query, informed that the query is in the nature of seeking clarification and accordingly, the same cannot be construed as seeking “information”, as defined under section

2(f) of the RTI Act. 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 access to the requested information was refused. The appellant, in her appeal, *inter alia*, referred to various provisions of the RTI Act and submitted that her application has been casually disposed of. The appellant also submitted that the requested information has been denied by taking a very simplistic view.
5. I have perused the query and the response provided thereto. On consideration, I find that the query of the appellant is in the nature of seeking clarification/guidance from the respondent regarding lodging of complaint in case of non-compliance of conditions mentioned in the Exit Order. The query also appears to be hypothetical in nature. I note that the respondent is not supposed to create information; or to interpret information; or to furnish clarification/guidance to the appellant under the ambit of the RTI Act. Notwithstanding the same, I note that the respondent has appropriately guided the appellant to refer to the SCORES website for lodging her 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: October 04, 2023

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