

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

Appeal No. 5969 of 2024

Kanwal Jit Singh : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated February 14, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated March 12, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00065) dated March 26, 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. **Ground of appeal** - The appellant has filed the appeal on the ground that he has been provided incomplete, misleading and false information. The appellant, in his appeal, has raised dissatisfaction only with respect to the reply to request nos. 1- 3 of his application.
3. **Requests nos. 1-3 of the application** –The appellant, vide requests nos. 1-3 of his application dated February 14, 2024, sought the following information regarding his email dated December 07, 2023 sent to SEBI:
 1. *The action taken by each of the addressees of the email along with file notings, and directions given, if any.*
 2. *The subsequent decisions taken, if any.*
 3. *Copy of the policy document of SEBI that prescribes the action to be taken on such emails received from an investor.*
4. **Reply of the Respondent** – The respondent, in response to requests nos. 1-3 of the application, informed the appellant to refer to Public Notice dated August 11, 2020 available on SEBI website, wherein it is mentioned that complaints against listed companies, registered intermediaries and recognized Market Infrastructure Institutions sent on sebi@sebi.gov.in or on any official ID of SEBI officers will not be processed.

Further, the respondent, *inter alia*, informed that with regards to his SCORES complaint mentioned in his email dated December 07, 2023, the relevant SCORES ATR and reply of the entity was forwarded to the appellant vide email dated December 08, 2023 and December 19, 2023, respectively, as the same was not visible to him on SCORES Portal. The respondent also forwarded the copies of the aforesaid emails along with details of action taken on his complaint reference no SEBIP/MH23/00...1/1 to the appellant.

5. I have perused the aforesaid requests and the response provided thereto. I note that the appellant, in his appeal, has submitted that he has received incomplete reply from the respondent as the annexures to the reply dated March 12, 2024 of the respondent has not been uploaded on the RTI portal. In this regard, I note that the respondent, vide his email dated March 12, 2024, has clearly informed the appellant that the annexures could not be uploaded on RTI portal due to its volume and hence, the same was forwarded to the appellant via the said email. Accordingly, I do not see any deficiency in the response of the respondent.
6. Further, I note that the appellant, in his appeal, has submitted that his complaint referred in his application has been registered through email sent on sebi@sebi.gov.in. It appears that the appellant is questioning the correctness of the information provided by the respondent. In this context, it is observed that the Hon'ble High Court of Delhi in *Hansi Rawat & Anr. vs Punjab National Bank & Ors.* (LPA No. 785/2012-decision dated January 11, 2013) held that "*The question, as to what inference if any is to be drawn from the response of the PIO of the respondent Bank to the RTI application of the appellants, is to be drawn in the said proceedings and as aforesaid the proceedings under the RTI Act cannot be converted into proceedings for adjudication of disputes as to the correctness of the information furnished.*" The said judgement was also relied upon by the Hon'ble CIC, in the matter of *Naresh Luthra vs. CPIO, IGNOU, Student Evaluation Division* (order dated December 01, 2021). On consideration, I find that the respondent has adequately addressed the said requests by providing the information available with him. Hence, I do not find any deficiency in the response of the respondent. Further, Accordingly, no further intervention of this forum is warranted.

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 23, 2024

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