

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

Appeal No. 5593 of 2023

Dheeraj Rai	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated January 13, 2023 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated February 07, 2023, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/R/E/23/00047) dated February 12, 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 his application dated January 13, 2023, sought the following information:

“I had an karry account with demat ac no E0.....12 DP no 130.....16. I have brought Bank of Baroda 50 shares and ashok leyland 50 shares but after some time my karry ac got blocked. I do not know where my shares, kindly tell and how I will get it back. Name: Dheeraj Rai Pan : BB.....7M.”
3. The respondent, in response to the aforesaid application, informed that the declaration of a Stock Broker as a defaulter is done by Stock Exchanges, as per their bye-laws. Further, the respondent informed that Karvy Stock Broking Limited has been declared as a defaulter by NSE on November 23, 2020 and BSE on November 24, 2020. The respondent also mentioned that if a registered Stock Broker is declared as defaulter, the client can claim compensation from Investor Protection Fund (IPF)/Customer Protection Fund (CPF), which are maintained by the Stock Exchanges.

4. **Ground of appeal-** The appellant has filed the appeal on the ground that the information provided was incomplete, misleading or false. The appellant, in his appeal, *inter alia*, submitted that he has not received any clear response from the respondent regarding getting back his invested amount.
5. I have perused the query and the response provided thereto. I note that the respondent has provided the information available with him regarding Karvy Stock Broking Ltd. The respondent has also informed regarding claiming of compensation from IPF/ CPF in case broker is declared as a defaulter. In my opinion, the application has been adequately addressed. Accordingly, I do not find any deficiency in the response.
6. Further, the appellant, in his appeal, *inter alia*, queried whether his investment made through Karvy Stock Broking, is safe. The appellant also sought clear procedure for each and every step for claiming his investment. I find that these queries were raised for the first time in this appeal. As held by the Hon'ble 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 requests 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: February 23, 2023

A SUNIL KUMAR
APPELLATE AUTHORITY UNDER THE RTI ACT
SECURITIES AND EXCHANGE BOARD OF INDIA