

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

Appeal No. 5897 of 2024

Naved Khan	:	Appellant
Vs		
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated January 09, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated January 18, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00008) dated January 19, 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 January 09, 2024 sought the following information:

“Kindly confirm to me if my deceased father (details below) holds any active/dormant mutual fund(s) at any government or private mutual fund company in India, the accumulated amount of which is yet to be withdrawn. If yes, then please share details.”
3. **Reply of the Respondent** - The respondent in response to the application informed that the information sought is not maintained by SEBI in normal course of regulation of securities market. Hence, the same is not available with SEBI. The respondent advised the appellant to contact the concerned Mutual Funds for any holdings related information.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that he was refused access to information requested.
5. I have perused the application and the response thereto. I note that the respondent has categorically stated that the requested information is not available with SEBI. I note that the respondent can only

provide information that is available in the records. In this context, I note that the Hon'ble Central Information Commission (hereinafter referred to as "CIC"), in the matter of *Lakshminarayanan R vs. SEBI* (order dated February 09, 2023) observed that *"Keeping in view the facts of the case, the Commission observed that the information sought by the appellant regarding Central Depository Services Ltd. was not maintained by the respondent authority in the normal course of regulation of securities market. It is an established law that the information sought for in order to be disclosable under the RTI Act, 2005 must be existent and available in the records..... In the instant case, the desired information was not available in the records of the respondent authority..."* Further, I find that the request of the appellant is more in the nature of grievance. I note that redressal of grievance does not come under the purview of the RTI Act. In this context, I note that the Hon'ble CIC, in the matter of *Mr. Surendra Vishwakarma vs. President Secretariat* (Order dated April 29, 2016) observed that *"In this context, we note that the RTI Act cannot be used to make the respondent to do certain things or take certain action for the reason that the Act is not the proper law for redressal of grievances/ disputes and there are other appropriate forum(s) for resolving such matters."* Notwithstanding the above, in regard to any grievance related to securities market, the appellant may lodge complaint on the SCORES portal of SEBI. It is understood that SCORES is an online platform designed to help investors to lodge their complaints, pertaining to securities market, online with SEBI against listed companies and SEBI registered intermediaries. The said platform enables investors to lodge and follow up their complaints and track the status of redressal of such complaints online from the SCORES website. The link for accessing the same is provided below-

<https://www.scores.gov.in>

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: February 6, 2024

B RAJENDRAN

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