

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

Appeal No. 5543 of 2022

Dhanraj Bagrecha	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated November 01, 2022 (received by SEBI on November 01, 2022) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated November 25, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated December 22, 2022 (received by the Office of Appellate Authority on December 23, 2022). 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. **Ground of appeal-** On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent. In view of the submissions made by the appellant in his appeal, I am dealing with the queries and the response provided thereto, in the following paragraphs.
3. **Query number 1-** The appellant, vide query number 1, sought the Certified copy of composite scheme of Arrangement between TCS Limited and TCS-E-Served Limited, approved on October 09, 2013 by the Hon’ble High Court of Judicature at Bombay.
4. The respondent, in response to the aforesaid query, informed that the requested information is not available with SEBI. On consideration, I do not find any reason to disbelieve the said statement of the respondent. Accordingly, I do not find any deficiency in the response.
5. **Queries in the application-** The appellant, vide query numbers 2 and 4, sought the following information-

“2. Under the scheme my brother Sunil Bagrecha allotted 325 TCS shares and Another 325 shares in the year 2018 as Bonus Shares. It is stated by SEBI nodal officers that these shares are

transferred to IEPF. Please provide complete details of such transfer so that he can claim to IEPF. Provide complete details of such transfer in IEPF.

4. If any Dividend transfer to IEPF, please provide the complete details.”

6. The respondent, in response to the aforesaid queries, informed that the response by the Registrar has already been sent to the appellant multiple times. The appellant was also advised to approach MCA or IEPF Authority, as this matter was outside the purview of SEBI. The appellant, in the appeal, has attached a letter dated July 12, 2011 of the TCS RTA and made various submissions regarding alleged fake claim of one Mr. Roy.
7. I have perused the queries and the response provided thereto. On consideration, I find that the respondent has addressed the query by informing that the response of the Registrar has already been sent to the appellant previously. Further, on perusal of the appeal, I note that the appellant has not made any specific submission regarding the said statement of the respondent. The appellant has himself attached the copy of the RTA's letter dated July 12, 2011 and made certain allegations. In view of these observations, I find that the queries have been adequately addressed and no further intervention of this forum is warranted at this stage.
8. **Query number 3-** The appellant, vide query number 3, sought the list of dividend declared by TCS from June 2013 till date.
9. The respondent, in response to the aforesaid query, informed that the information sought is not maintained by SEBI in the normal course of regulation of securities market. Hence, the same is not available with SEBI.
10. I have perused the query and the response provided thereto. On consideration, I do not find any reason to disbelieve the response of the respondent that the requested information is not maintained by SEBI in the normal course of regulation of securities market. In this context, I note that the Hon'ble CIC, in the matter of *Mrigesh Manubhai Thakkar vs. SEBI* (order dated December 28, 2016) observed that “*The Commission observes that the respondents can provide only that information which is existing and available with them and the RTI Act does not mandate it for the respondent authority to create information if it is not collected and collated in the normal course of their duties. The Commission, therefore, does not find any need to intervene in the matter. The appeal is disposed of.*” In view of these observations, I do not find any deficiency in the response.

11. Further, the appellant, in his appeal, *inter alia*, made various allegations and submissions regarding allotment of 650 shares of TCS E-serve to the Mr. Sunil Bagrecha. I note that the same are in the nature of grievance and redressal of the same does not come under the purview of the RTI Act. Accordingly, the said submissions do not warrant consideration at this stage.
12. 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: January 23, 2023

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