

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

Appeal No. 3934 of 2020

Dhanraj Bagrecha : Appellant

Vs.

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated July 16, 2020 (received by SEBI on July 22, 2020) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated August 14, 2020, responded to the application filed by the appellant. The appellant filed an appeal dated September 22, 2020 (received by the Office of Appellate Authority on October 02, 2020), against the said response dated August 14, 2020 (received by the respondent on September 08, 2020). 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, in his application dated July 16, 2020, has enclosed copies of various letters/complaints/correspondences regarding non-receipt of shares of Tata Consultancy Services Limited (TCS) and the dividend pertaining to those shares. The appellant has also stated the following-
 1. *Our two share certificates of 650 Tata Consultancy Services Limited (TCS) shares must be released immediately so that we can dematerialize the same.*
 2. *Our illegally detained dividend approx.. Rs. 1,60,000/- must be paid along with interest @15%*
 3. *Due to illegally withholding, we were deprived from participating in Buy Back as well as Trading so atleast Rs. 10 Lakh must be immediately paid as opportunity loss.*
 4. *For last more than 11 years we are mentally and economically harassed by TCS management and their RTA . A compensation of Rs. 10Lakh must be immediately paid.*
 5. *In the matter we have incurred expenditure of approx.. Rs. 2 Lakh must be reimbursed.”*

3. The respondent, in response to query numbers 1 and 2, informed that there are 49 complaints lodged in SCORES against TCS, out of which 46 complaints are redressed successfully and 3 are pending with the company for its comments. The respondent also informed that it was stated by the company vide letter dated March 12, 2020, that the 325 equity shares of the company along with 325 bonus shares and the outstanding dividends will be released upon receipt of indemnity, duly complete in all respect. With respect to query numbers 3, 4 and 5, the respondent observed that no information was sought.
4. **Grounds of appeal-** On perusal of the appeal, it appears that the appellant is not satisfied with the response of the respondent. The appellant, in his appeal, has stated that his application was dated July 12, 2020, instead of July 16, 2020 as mentioned in the impugned response. The appellant, in his appeal, stated that he had sought information regarding details of despatch from TCS E-Serve Ltd., copy of transfer deed and share certificate lodged by Mr. Sanjeeb Roy, Copy of application under Section 108(1) of the Companies Act, 1956, copy of any other correspondence of Mr. Sanjeeb Roy after 2011, certified copy of Court approved Scheme.
5. I have perused the material available on record and I find that the respondent had specifically provided response to the appellant's application dated July 16, 2020, which was received by the respondent on July 22, 2020.
6. On consideration of the application dated July 16, 2020, the same appears to be vague. I find that no information, as defined under section 2(f) of the RTI Act, has been sought by the appellant. I note that in the matter of *Shri S. C. Sharma vs. CPIO, Securities and Exchange Board of India* (Decision dated August 30, 2012), the Hon'ble CIC had held that: "*Since the Appellant had not clearly stated what exact information he wanted, the CPIO could not have provided any specific information to him. We would like to advise the Appellant that he might like to specify the exact information he wants from the SEBI and prefer a fresh application before the CPIO*". In view of these observations, I find that the respondent is not obliged to provide a response where the information sought is not clear and specific. Notwithstanding the same, respondent has addressed the queries by providing the information available with him.
7. Further, the appellant, in his appeal, has stated that he had sought information regarding details of despatch from TCS E-Serve Ltd., copy of transfer deed and share certificate lodged by Mr. Sanjeeb Roy, Copy of application under Section 108(1) of the Companies Act, 1956, copy of any other correspondence of Mr. Sanjeeb Roy after 2011 and the certified copy of Court approved Scheme. On perusal of the application dated July 16, 2020, I find that these requests did not form part of the said

application. I also find that the said requests were raised by the appellant 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.

8. On perusal of the appeal, it appears that the appellant has grievance regarding non-receipt of shares and dividend of TCS. In this context, I note that the Hon'ble CIC, in the matter of *Sb. Triveni Prasad Babuguna vs. LIC of India, Lucknow* (Decision dated September 6, 2012), held: "*The Appellant is informed that ... redressal of grievance does not fall within the ambit of the RTI Act rather it is up to the Appellant to approach the correct grievance redressal forum...*". In view of these observations, I find that if the appellant has any grievance, the remedy for the same would not lie under the provisions of the RTI Act.
9. 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: November 03, 2020

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