

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

**Appeal No. 3967 of 2020**

R D Lukad	:	Appellant
Vs.		
CPIO, SEBI, Mumbai	:	Respondent

**ORDER**

1. The appellant had filed an application dated October 17, 2020 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated November 06, 2020, responded to the application filed by the appellant. The appellant filed an appeal dated November 09, 2020, against the said response dated November 06, 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, vide his application dated October 17, 2020, sought the following information:
  1. *Copy of circular issued by SEBI for allowing BSE to charge Reinstatement Fees instead of earlier practice of Reinstatement Penalty.*
  2. *Copy of circular issued by SEBI for allowing BSE to change nomenclature of penalties to fees and vice-versa at its own discretion and demand the same from listed Companies.*
3. The respondent, in response to the queries, provided the link for accessing the Circular dated December 19, 1994, issued by SEBI with respect to fees for reinstatement of listing.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that incomplete, misleading or false information was provided by the respondent. The appellant, in his appeal, has inter alia submitted that BSE has now changed its nomenclature and started charging reinstatement fees. Further, the appellant also sought the correct circulars issued by SEBI in line with current trends of reinstatement fees charged by BSE.

5. I have perused the application and the response and I note that the respondent has provided the link for accessing the circular dated December 19, 1994, vide which all the stock exchanges (except BSE) were informed of the decision of The Stock Exchange, Bombay (now BSE Ltd.), to impose a fee on companies whose securities are readmitted to dealing on the exchange after they had been removed or suspended from the list for any reason and for any period of time. I find that the respondent has adequately addressed the queries by providing the information available with him.
6. Further, the appellant, in his appeal, has challenged 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 proceedings under the RTI Act cannot be converted into proceedings for adjudication of disputes as to correctness of the information furnished.*” In view of the above observations, I am not inclined to interfere with the response of the respondent.
7. On perusal of the submissions made in the appeal, it appears that the appellant has grievance regarding the reinstatement fees charged by BSE. In this context, I note that the Hon'ble CIC, in the matter of *Sh. 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.
8. 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: December 04, 2020

ANAND BAIWAR

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