

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

**Appeal No. 1634 of 2013**

|                    |     |            |
|--------------------|-----|------------|
| Bharat Vora        | :   | Appellant  |
|                    | Vs. |            |
| CPIO, SEBI, Mumbai | :   | Respondent |

**ORDER**

1. The appellant had filed an undated application (which was received at SEBI on January 11, 2013) under the Right to Information Act, 2005 (hereinafter referred to as "**RTI Act**"). The respondent vide letter dated February 20, 2013, responded to the appellant. The appellant has filed this appeal vide an e-mail dated March 5, 2013, against the said response. 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. From the appeal, I note that the appellant is aggrieved by the respondent's response to his application wherein he had sought information through the following query, viz. -  
  
*"I would like to have information about Mr. Nitin Narke and his company Blue Chip Corporation Pvt. Ltd (hereinafter referred to as "**Blue Chip**") against whom legal action by SEBI has (been) taken. He and his company (were) found guilty for running a scam against his clients."*
3. In his response, I note that the respondent had informed the appellant that as per the ATR (Action Taken Report) database of the concerned departments of SEBI, no action had been taken against Mr. Nitin Narke and Blue Chip.
4. In this appeal, the appellant has submitted *"I am amazed how come SEBI has not taken any action against such a stock broker who has fooled or is fooling number of people in and around Pune region with his fraudulent action... Provide me information regarding what SEBI is doing against the mentioned company and the director of the company to safeguard the interest of investors"*.
5. I note that the appellant was clearly informed by the respondent that no action had been taken against Mr. Nitin Narke and Blue Chip, as per the ATR database of the concerned departments of SEBI. In view of the same, I find that the requisite information as available with SEBI in respect of the query raised by the appellant, had been provided by the respondent. I therefore find no deficiency in the response provided by the respondent to the appellant.

6. Without prejudice to the foregoing, upon a consideration of the appellant's submission in this appeal in light of the query raised in his application, it would appear that he has a grievance against Mr. Nitin Narke and Blue Chip for alleged fraudulent activities. 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), had held that: "*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...*". Further, in the matter of *Hari Shri Matloob Ahmed vs. Delhi Police, East District* (Decision dated January 11, 2013), the Hon'ble CIC had held that: "*The RTI Act cannot be used to make the respondent to do certain things or to take certain action*". In *Mr. H. K. Bansal vs. CPIO & GM (OP), MTNL* (Decision dated January 29, 2013), the Hon'ble CIC had held that: "*The RTI Act is not the proper law for redressal of grievances/disputes and there are other appropriate forum(s) for resolving such matters.*" 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. For this purpose, the appellant is free to approach such forum that may have the power to address the grievance and not the authorities under the RTI Act.
7. In view of the above, I find that there is no need to interfere with the decision of the respondent. The appeal is accordingly dismissed.

**Place: Mumbai**  
**Date: March 12, 2013**

**S. RAMAN**  
**APPELLATE AUTHORITY**  
**SECURITIES AND EXCHANGE BOARD OF INDIA**