



भारतीय प्रतिभूति
और विनियम बोर्ड
Securities and Exchange
Board of India

By Registered Post

Central Public Information Officer
Email: cpio_ho@sebi.gov.in

7500/1
CPIO/NS/157577/2022/7432/1
February 21, 2022

Shri Girish Verma,
R/o. Belbanwa Motihari
Bihar 845401

Sir,

Sub: Compliance to Second Appeal No. CIC/DOFSR/A/2019/157577/DOEAF dated 09-02-2022

This has reference to your RTI application dated July 25, 2019 (received by SEBI on November 8, 2019) in terms of RTI Act, 2005 and in compliance to CIC order dated February 9, 2022, attached herewith is the written submissions dated February 3, 2022 alongwith Annexures 'A' to 'C', total no. of pages – 15).

Yours faithfully,


Santosh Kumar Sharma

Encl : a/a

cc. Mobile Shri Keerabai Samaiya
Central Information Commission
Baba Gangnath Marg, Munirka
New Delhi-110067.



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Email: cpio_ho@sebi.gov.in

CPIO/NS/157577/2022/7432/1
February 21, 2022

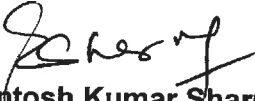
Shri Girish Verma,
R/o. Belbanwa Motihari
Bihar 845401

Sir,

Sub: Compliance to Second Appeal No. CIC/DOFSR/A/2019/157577/DOEAF dated 09-02-2022

This has reference to your RTI application dated July 25, 2019 (received by SEBI on November 8, 2019) in terms of RTI Act, 2005 and in compliance to CIC order dated February 9, 2022, attached herewith is the written submissions dated February 3, 2022 alongwith Annexures 'A' to 'C', total no. of pages – 15).

Yours faithfully,


Santosh Kumar Sharma

Encl : a/a



(1)

BEFORE THE CENTRAL INFORMATION COMMISSION
Written Submissions in the matter of Shri Girish Verma Vs CPIO, SEBI
Hearing on 09-February-2022 at 11:45 AM
File No. CIC/DOFSR/A/2019/157577/DOEAF dated 16.01.2022

1. This has reference to Notice of hearing received by SEBI on 21.01.2022 in the captioned matter.

Vide RTI application dated 25.07.2019 (Annexure-A) received by SEBI on 08.11.2019 through RTI-MIS Portal, the appellant sought the following information:

- a) *Provide the action taken to M/s. Link Intime India Pvt. Ltd from Govt. of India Institution?*
b) *Is it legal and official terrorism from Government of India Institution/Ministry/office/Department etc. based on Tax payer?*

2. Office of CPIO replied on 20.11.2019 (Annexure-B) to the appellant as given below:

Reply to query 1:

The complaint has been uploaded in SCORES as Regn. No. SEBIP/MH18/0006409/1 on 09.11.2019 against Castrol India Ltd. The Action Taken Report is enclosed herewith (7 pages)

Reply to query 2:

Your query is not clear and specific and is in the nature of seeking clarification. Accordingly, the same cannot be construed as "information", as defined u/s 2 (f) of the RTI Act, 2005.

3. The appellant filed an appeal dated 29.11.2019 with the First Appellate Authority (FAA) without making any specific submission with respect to the response of SEBI.
4. First Appellate Authority (FAA), SEBI vide order dated 19.12.2019 (Annexure C) observed that the Action History of the complaint reveals the action taken and the date-wise progress in disposal of the complaint and that, accordingly, query number 1 of both the applications are adequately addressed. Therefore, FAA did not find any reason for interfering with the response.

With respect to query number 2 of application dated July 25, 2019, FAA agreed with SEBI that the query is in the nature of eliciting clarification of SEBI, and the same cannot be construed as information as defined under section 2 (f) of the RTI Act. Consequently, SEBI did not have an obligation to provide such clarification or opinion under the RTI Act, in light of the judgment of Hon'ble Supreme Court in Central Board of Secondary Education & Anr. vs. Aditya Bandopadhyay & Ors (Judgment dated August 9, 2011). Accordingly, FAA did not find any reason to interfere with the response.

In view of the above observations, FAA did not find any deficiency in the response.

5. With regard to the instant second appeal before Hon'ble CIC, our submissions are as follows:

W.r.t query no.1, the appellant was adequately informed that the complaint was uploaded in SCORES as Regn. No. SEBIP/MH18/0006409/1 on 09.11.2019 against Castrol India Ltd. Action taken report of the said complaint also provided to the appellant. The Action History of the complaint reveals the action taken and the date-wise progress in disposal of the complaint.

W.r.t query no.2, the information sought is in the nature of eliciting clarification of SEBI, and the same cannot be construed as information as defined under section 2 (f) of the RTI Act. Consequently, SEBI did not have an obligation to provide such clarification or opinion under the RTI Act, in light of the judgment of Hon'ble Supreme Court in Central Board of Secondary Education & Anr. vs. Aditya Bandopadhyay & Ors (Judgment dated August 9, 2011).

In view of the above, it is humbly requested that the appeal against SEBI may be dismissed.

A copy of this written submission as endorsed to Hon'ble CIC office is sent by speed post on 03.02.2022 to the appellant at the address as given in RTI application dated 25.07.2019.

Date : February 03, 2022
Place: Mumbai


Office of Central Public Information Officer
Securities & Exchange Board of India

NR/1774/19
08/11/19

RTI REQUEST DETAILS

Registration No. :	SEBIH/R/2019/80122	Date of Receipt :	08/11/2019
Transferred From :	Department of Economic Affairs on 08/11/2019 With Reference Number : DOEAF/R/2019/00568		
Remarks :	This matter is being transferred under section 6(3) of RTI Act.		
Type of Receipt :	Electronically Transferred from Other Public Authority	Language of Request :	English
Name :	Girish Verma	Gender :	Male
Address :	C -101, 24f Park, LBS mARG, Vikhroli , Pin:400083		
State :	Uttar Pradesh	Country :	Details not provided
Phone No. :	Details not provided	Mobile No. :	Details not provided
Email :	Details not provided		
Status(Rural/Urban) :	Rural	Education Status :	Graduate
Letter No. :	Details not provided	Letter Date :	Details not provided
Is Requester Below Poverty Line ? :	No	Citizenship Status :	Indian
Amount Paid :	0 (RTI fee is received by Department of Economic Affairs (original recipient))	Mode of Payment :	Details not provided.
Does it concern the life or Liberty of a Person ? :	No(Normal)	Request Pertains to :	
Information Sought :	Rti Application Attached		
Original RTI Text :	Rti Application Attached		
<input type="button" value="Print"/> <input type="button" value="Save"/> <input type="button" value="Close"/>			

(4)

To
CPID
Ministry of finance,
Department of Economic Affairs
North Block, New Delhi

Date: 25 July 2019
By Regd. post

Subject :- Provide the information about the action

taken to M/s. Link Intime India Pvt Ltd. C-101,
2nd Floor, B-8, Marg, Vikhroli (West)
Mumbai - 400 083. On 06/03/2019.

On 06/03/2019, the following information was received on F.No. 12/02/2019-PM
(1) 2000 copies of the report and 2000 copies enclosed
(2) 2000 copies of the report and 2000 copies enclosed
(3) 2000 copies of the report and 2000 copies enclosed
(4) 2000 copies of the report and 2000 copies enclosed

statement to vide letter NO. 3067 dated
03.07.2019 from High Court Legal Services
Committee, Patna. (2000 copy enclosed)
Under the Right to Information Act, 2005.

Nexus The Prime Minister of India, South Block,
New Delhi. which has submitted by hand delivery
to Retainers Lawyer on dated 06-March-2019.

Six/Madan

This application contains TEN pages



(29)

(a) Provide the action taken to M/s. Link
Intime India Pvt. Ltd. from Govt. of India Institution?

(b) Is it legal and official terrorism
from Govt. of India Institution/Ministry/office/
Department etc. based on TAX payers?

IPM NO 49F 145001 R8 101

5

- 2 -

Encl:-
Postal Order
Rs. 10/-
49F 145001.

Yours faithfully,



Girish Verma

Agent to the Government of NEPAL
(Registration No. 1591 dated 2074-1-19
by office of the president of Nepal,
Sheetal Niwas, Kathmandu-44600
Tel: 01-4446001/2/3/4/7 Ext.138)
R/O. Belbanwa, Motihari-845401
(INDIA)

Mobile: 8210 420242

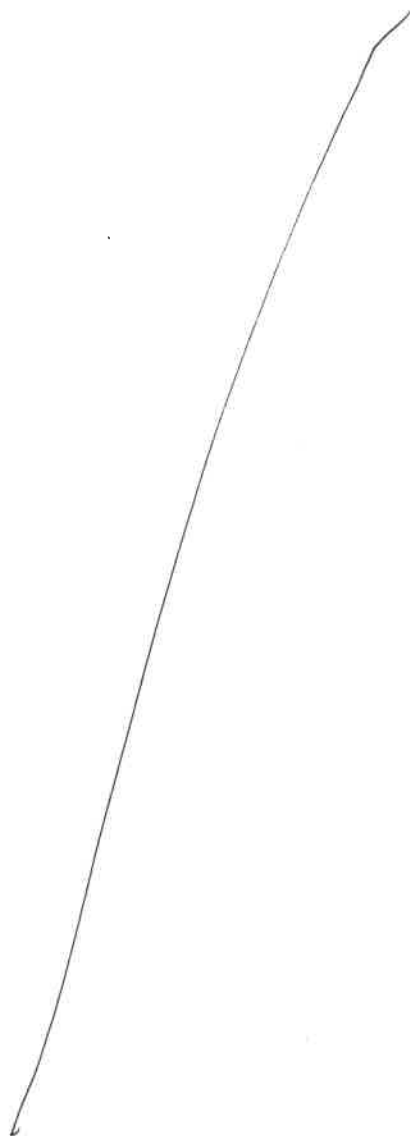
Yours official Records:-

ID. NO. 2/33553/RTI/2014
dated 19-02-2014,

Computerized RECORD NO. 982518
dated 15-NOV-2018

addressed to Mr. Arun Jethly,
(Public Servant) The Union Minister
to Finance, Govt. of India, M/O. Finance,
North Block, New Delhi

Copy to:- Secretary General,
SAARC SECRETARIAT,
Taxidevi Marg, Kathmandu.





(6)

ANNE XURE-B
uploaded on 22/11/19

भारतीय प्रतिभूति
और विनियम बोर्ड

Securities and Exchange
Board of India

Read Post AD
By RTI MIS Portal

Central Public Information Officer

Email: cpio_ho@sebi.gov.in

CPIO/GPG/NR/1774-2019/30928
November 20, 2019

Shri Girish Verma,
R/o Belbanwa,
Motihari – 845 401.
BIHAR

Sir,

Sub: Information sought under Right to Information Act, 2005 (RTI Act).

This has reference to your RTI application No. SEBIH/R/2019/80122 dated 08.11.2019 forwarded by Department of Economic Affairs on 08.11.2019 with reference No. DOEAF/R/2019/00568 and received by SEBI through RTI MIS Portal. Our reply is as under:

Reply to query 1: The complaint has been uploaded in SCORES as Regn. No. SEBIP/ MH18/ 0006409/1 on 09.11.2019 against Castrol India Ltd. The Action Taken Report is enclosed herewith (7 pages).

Reply to query 2: Your query is not clear and specific and is in the nature of seeking clarification. Accordingly, the same cannot be construed as "information", as defined u/s 2(f) of the RTI Act, 2005.

In case you are not satisfied with the reply, you may appeal to **First Appellate Authority – Shri Anand Rajeshwar Baiwar, Executive Director SEBI, SEBI Bhavan, Plot No.C-4A, G-Block, Bandra Kurla Complex, Bandra (East), Mumbai - 400 051** or appellateauthority@sebi.gov.in within thirty days of the receipt of this letter.

Yours faithfully,

G.P. Garg

Encl.: 8 pages

सेबी भवन, प्लॉट सं. सी 4-ए, "जी" ब्लॉक, बांद्रा-कुर्ला कॉम्प्लेक्स, बांद्रा (पूर्व), मुंबई - 400 051.
दूरभाष : 2644 9950 / 4045 9950 (आई.बी.आर.एस.), 2644 9000 / 4045 9000 फैक्स : 2644 9019 से 2644 9022 वेब : www.sebi.gov.in

SEBI Bhavan, Plot No. C4-A, "G" Block, Bandra-Kurla Complex, Bandra (E), Mumbai - 400 051.
Tel : 2644 9950 / 4045 9950 (M/R/S) 2644 9000 / 4045 9000 Fax : 2644 9019 to 2644 9022 Web : www.sebi.gov.in

Action HistoryRegistration
No:

SEBIP/MH18/0006409/1

As on:19/11/2019

S.No.	Action	Date of Action	Remarks	From	To	Lodged by
1	RECEIVED THE COMPLAINT	20 Nov 2018	Recieved New Complaint by Division Chief	INVESTOR	IGRD	INVESTOR
2	FORWARD TO DEALING OFFICER	20 Nov 2018	Forwarded To Dealing Officer	IGRD	IGRD	--
3	FORWARD TO SUBORDINATE ORGANISATION	20 Nov 2018	For necessary action. The company is also advised to refer to SEBI Circular No. CIR/OIAE/1/2014 dated December 18, 2014 regarding timelines for redressal of investor grievances through SCORES.	IGRD	Castrol India Ltd	--
4	FORWARD TO SUBORDINATE ORGANISATION	22 Nov 2018	complaint being forwarded to RTA for further necessary action	Castrol India Ltd	LINK INTIME INDIA PVT. LTD.	--
5	REMINDER RECEIVED FROM INVESTOR	10 Dec 2018	Reminder as on 10/12/2018.	INVESTOR	LINK INTIME INDIA PVT. LTD.	View Details

S.No.	Action	Date of Action	Remarks	From	To	Lodged by
6	EXAMINE AT OUR LEVEL	18 Dec 2018	Examine at our level	LINK INTIME INDIA PVT. LTD.	LINK INTIME INDIA PVT. LTD.	—
7	SEEK CLARIFICATION FROM SUBORDINATE ORGANISATION	02 Jan 2019	ATR may be provided on urgent basis	IGRD	Castrol India Ltd	View Details
8	SEND ACTION TAKEN REPORT	14 Jan 2019	Mr. Girish Verma, claiming to be a debenture holder holding part B category of non convertible debentures issued by Indrol Lubricants & Specialities Limited (presently Castrol India Limited subsequent to change of name of the Company from Indrol Lubricants and Specialities Limited to Castrol India Limited in the year 1990) in the year 1988 (Category B Debentures), has allegedly complained against non-receipt of redemption amount of these	LINK INTIME INDIA PVT. LTD.	IGRD	View Final ATR

S.No.	Action	Date of Action	Remarks	From	To	Lodged by
			<p>Category B Debentures. The Category B Debentures for which this alleged claim pertains to have been redeemed and extinguished in the year 1995 and there are no pending payments as per the records of the Company. Moreover the issue is completely time barred. The details provided by the complainant are very vague and incomplete. The complainant has lodged similar such complaints with SEBI (Ref No. 2006 0021646 01 dated 27.06.2006) and with the Ministry of Corporate Affairs (vide his letter dated 25.04.2006) and the said complaints were disposed off on the grounds (i) of insufficiency of details being provided by the</p>			

(10)

SECRET

S.No.	Action	Date of Action	Remarks	From	To	Lodged by
			complainant (ii) that the Company had redeemed its debt securities in the year 1995 itself. Also an appeal on the said matter was also made before the Appellate Authority of Securities and Exchange Board of India which was dismissed by the Appellate Authority on grounds of appeal not being clear and specific in nature. On the basis of the above and also considering the ambiguous nature of the complaint, we request you to close the complaint.			

S.No.	Action	Date of Action	Remarks	From	To	Lodged by
9	SEEK CLARIFICATION FROM SUBORDINATE ORGANISATION	17 Jan 2019	Please confirm if the mentioned clarification details have been communicated to the complainant,. If any, provide the details. Else company may communicate the same to the complainant and submit the ATR accordingly.	IGRD	Castrol India Ltd	View Details
10	SEND ACTION TAKEN REPORT	04 Feb 2019	Please find enclosed the letter addressed to the shareholder as requested by you	Castrol India Ltd	IGRD	View Final ATR
11	CASE DISPOSE OF	04 Feb 2019	The company/RTA has stated that the complainant is claiming to be a debenture holding part B category of non convertible debentures issued by Indrol Lubricants & Specialities Limited (presently Castrol India Limited in the year 1988 (Category B Debentures) and has allegedly	IGRD	INVESTOR	View Final Status

12

S.No.	Action	Date of Action	Remarks	From	To	Lodged by
			complained against non-receipt of redemption amount of these Category B Debentures. The company has clarified that the Category B Debentures for which this alleged claim pertains to have been redeemed and extinguished in the year 1995 and there are no pending payments as per the records of the Company. Further, the details provided by the complainant are very vague and incomplete. Hence, the complaint is closed. However, the complainant may lodge a fresh complaint along with necessary supporting documents (towards being a debenture holder of the company) to take up the matter further.			

(13)

LINK Intime

Link Intime India Pvt
CIN : U67100MH1999PTC11
G-101, 247 Park, L. B. S. Ma
Vikhrol (West), Mumbai - 401
Tel : +91 22 4918 8000
Fax : +91 22 4918 8080
Email : mumbai@linkintime.c
Website : www.linkintime.co.in

February 1, 2018

Ref: SEBI/MH38/DD06409/1 - CASTROL

Mr. GIRISH VERMA
BELBANWA
MOTIHARI
Bihar - 846401
India

Dear Sir,

This in reference to your complaint lodged with SEBI, we would like to inform you that you are claiming to be a debenture holder holding part B category of non-convertible debentures issued by Indrol Lubricants & Specialties Limited (presently Castrol India Limited subsequent to change of name of the Company from Indrol Lubricants and Specialties Limited to Castrol India Limited in the year 1996) in the year 1996 (Category B Debentures) & allegedly complained against non-receipt of redemption amount of these Category B Debentures.

Further please note that the Category B Debentures for which this alleged claim pertains to have been redeemed and extinguished in the year 1996 and there are no pending payments as per the records of the Company. Moreover the issue is completely time barred. The details provided by you are very vague and incomplete.

Similar such complaints were lodged by you earlier with SEBI (Ref. No. 2008 DD21646 01 dated 27.06.2008) and with the Ministry of Corporate Affairs (vide your letter dated 25.04.2008) and the same were disposed off on the grounds (i) of insufficiency of details being provided by you (ii) the Company had redeemed its debt securities in the year 1996 itself. Also an appeal on the said matter was also made before the Appellate Authority of Securities and Exchange Board of India which was dismissed by the Appellate Authority on grounds of appeal not being clear and specific in nature.

Thanking You,
Yours faithfully
For LINK INTIME INDIA PVT. LTD.


1590
Authorized Signatory

14

ANNEXURE-C

Appeal No. 3631 of 2019

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

Appeal No. 3631 of 2019

Girish Verma	:	Appellant
	Vs.	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed two applications dated July 25, 2019 and August 15, 2019 (received by the respondent on November 8, 2019 and October 29, 2019, respectively, from the Department of Economic Affairs, through RTI MIS portal), under the Right to Information Act, 2005 ("RTI Act"). The respondent, by letters dated November 20, 2019 and November 18, 2019, responded to the applications filed by the appellant. The appellant filed a common appeal dated November 29, 2019 against the said responses dated November 20, 2019 and November 18, 2019. I have carefully considered the applications, the responses 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 responses to his applications.
3. **Queries in the application** – The appellant, vide query number 1 in his applications dated July 25, 2019 and August 15, 2019, has *inter alia* requested the respondent to take action with respect to his dividend amount based on complaint number SEBIP/MH18/0006409/1 against Castrol India Ltd. Additionally, the appellant, at query number 2 in his application dated July 25, 2019, sought the following information-

"Is it legal and official terrorism from Government of India Institution/Ministry/office/Department etc. based on Tax payer?"
4. The respondent, in response to query number 1 in both the applications, provided the copy of the Action Taken Report with respect to the complaint referred therein. With respect to

query number 2 of application dated July 25, 2019, the respondent observed that the query is in the nature of seeking clarification, and accordingly cannot be construed as "information" as defined in section 2(f) of the RTI Act.

5. **Grounds of Appeal** – The appellant has filed the appeal without making any specific submission with respect to the response of the respondent. Notwithstanding the same, I consider the appeal on merit.
6. I have perused the response of the respondent in light of the grievance raised in the Appeal and my observations are as under –
7. It is observed that the Action History of the complaint reveals the action taken and the date-wise progress in disposal of the complaint and that, accordingly, query number 1 of both the applications are adequately addressed. Therefore, I do not find any reason for interfering with the response.
8. With respect to query number 2 of application dated July 25, 2019, I agree with the respondent that the query is in the nature of eliciting clarification of the respondent, and the same cannot be construed as information as defined under section 2 (f) of the RTI Act. Consequently, the respondent did not have an obligation to provide such clarification or opinion under the RTI Act, in light of the judgment of Hon'ble Supreme Court in *Central Board of Secondary Education & Anr. vs. Aditya Bandopadhyay & Ors* (Judgment dated August 9, 2011). Accordingly, I do not find any reason to interfere with the response.
9. In view of the above observations, I do not find any deficiency in the responses dated November 18, 2019 and November 20, 2019. The Appeal is accordingly dismissed.

Place: Mumbai
Date: December 19, 2019

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