

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

Appeal No. 6230 of 2024

Geeta Khattar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated October 14, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated November 11, 2024, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00277) dated November 11, 2024. 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. **Ground of appeal** – The appellant has filed the appeal on the ground that she was provided incomplete, misleading or false information.
3. **Query nos. 1, 3 and 5 in the application** - The appellant, vide her query nos. 1, 3 and 5 in the application dated October 14, 2024, sought the following information:

“ A/ On 10/10/2024 & 14/10/2024, Ms. Vandana Rajesh Kumar (dealing officer) & Mr. Krishnanand Raghvan (Appellate officer of SEBI) closed the case with the same (following) Remark, The complainant (Geeta Khattar) has been classified as a chronic complainant by SEBI. In view of the same, the complaint is disposed of.

B/ A copy of the Order along with proof of the ground are not attached/provided in the online portal which could prove that under which Order & against which grounds, The complainant (Geeta Khattar) has been classified as a chronic complainant by SEBI.

Query no. 1/ Provide a Photocopy of the ground against which SEBI classify the investors as chronic complainant.

.....

Query no. 3/ Provide the DATE of Order when SEBI classified the complainant Geeta Khattar as a chronic complainant in the year 2023 & 2024.

.....

Query no. 5/ provide name of the officer along with the name of the department in SEBI that has classified Geeta Khattar as chronic complainant in the year 2022 to 2024.”

4. **Reply of the Respondent** - The respondent, in response to query nos. 1, 3 and 5 in the application, informed that the queries sought by the appellant have been replied to multiple times. The respondent also informed that appellant may refer to the earlier replies.
5. I have perused the queries and the response provided thereto. I note that the said queries pertaining to appellant being classified as a chronic complainant by SEBI has been raised multiple times by the appellant and the respondent has repeatedly provided her the relevant information in this regard through various letters, including letters dated October 13, 2023 (Respondent’s reply to RTI application dated September 22, 2023) August 23, 2022 (Respondent’s reply to RTI application no. SEBIH/R/E/22/01162 dated 29/07/2022) and February 02, 2023 (Respondent’s reply to RTI application no. SEBIH/R/E/23/00091 dated 23/01/2023). The appellant, in her appeal, has *inter alia* stated that RTI application, even if repetitive, has to be responded to. In this regard, from the information available on the RTI Portal, I note that the appellant has filed numerous applications under the RTI Act seeking information with respect to complaints filed by her on various government portals. The aforesaid applications are then followed by numerous appeals filed by the appellant with this forum through the online RTI Portal. I am constrained to state that the appellant has been filing complaints and then following up the same with multiple applications/ appeals on the RTI Portal. I note that most of the applications are repetitive in nature. Further, I note that the Hon’ble CIC, in the matter of *Geeta Khattar vs. CPIO, SEBI* (order dated December 22, 2022) observed that “*The Commission observed that the complainant has been filing multiple RTI applications against the same public authority on the similar queries. The same was decided by the Commission on 06.12.2022 vide File No. CIC/SEBIH/C/2021/640243 and CIC/SEBIE/A/2021/653859. It is also noted that the complainant neither appears during the hearings before the Commission nor receives the postal notices of the Commission. Needless to say, such multiplicity of frivolous RTI applications and appeals arising thereof are clogging the system of the Commission as well as of the public authorities. The Commission placed reliance on the decision of Shail Sabni vs. Sanjeev Kumar & Ors. [W.P. (C) 845/2014], wherein the Hon’ble High Court of Delhi observed:*

“.....Consequently, this Court deems it appropriate to refuse to exercise its writ jurisdiction. Accordingly, present petition is dismissed. This Court is also of the view that misuse of the RTI Act has to be appropriately dealt with, otherwise the public would lose faith and confidence in this “sunshine Act”. A beneficial Statute, when made a tool for mischief and abuse must be checked in accordance with law.” In view of the above, I find that no further intervention of this forum is warranted at this stage.

In view of the above, I find that no further intervention of this forum is warranted at this stage.

6. **Query no. 2 in the application** - The appellant, vide her query no. 2 in the application dated October 14, 2024, sought the following information:

“Query no. 2/ please go through details of attached SCORES/CPGRAMS case no. DOEAF/E/2024/0000823 & provide a copy of another case form i.e. the exact same case & was registered by Geeta Khattar previously.”

7. **Reply of the Respondent** - The respondent, in response to query no. 2 in the application, informed that the annexure attached with the application is not opening. Hence the query sought by appellant cannot be responded to.

8. I have perused the query and the response provided thereto. I note that appellant in her submissions has enclosed a copy of document containing grievance status of case no. DOEAF/E/2024/0000823. However, I am of the view that the said query is vague. It is an established law that the information sought for in order to be disclosable under the RTI Act, must be clear, specific and available in the records of the public authority. In this context, I note that in the matter of *Mr. T. V. Sundaresan vs. CPIO, Securities and Exchange Board of India* (Decision dated November 24, 2021), the Hon’ble Central Information Commission (hereinafter referred to as “**CIC**”) held: *“The framework of the RTI Act, 2005 expects that the information sought is specific and believed to be existing with the public authority in documented or material form as such; which can be shared with the appellant as per the provisions of the RTI Act. Answering to broad, multiple and general queries and presumptive documents that should have been generated as per the expectation of the appellant cannot be furnished under the provisions of the Act.”* In view of the above, I find that no further intervention of this forum is warranted at this stage.

9. **Query no. 4 in the application** - The appellant, vide her query no. 4 in the application dated October 14, 2024, sought the following information:

“Query no. 4/ provide the proof of ground where the investor Geeta Khattar made Securities & GOI laws & against which SEBI has classified the investor Geeta Khattar as Chronic complainant in the year 2022 to 2024.”

Reply of the Respondent - The respondent, in response to query no 4 in the application, informed that appellant's query is vague and not specific. Accordingly, the same cannot be construed as "information", as defined u/s 2(f) of the RTI Act. The respondent in his reply also observed that appellant had filed 578 applications under the RTI Act (both direct and transferred by other authorities) from 01.04.2021 till date seeking similar information in the same matter. In this regard, respondent also informed that Hon'ble CIC in various cases has held that repetitive use of RTI Act for seeking same or similar information is abuse of the RTI Act.

10. I have perused the query and the response provided thereto. On consideration, I concur with the response of the respondent that the query is vague and not specific. I also note that a similar request was sought by the appellant in her earlier RTI application (Reg. No. SEBIH/R/E/24/00465) dated April 21, 2024, for which the respondent had provided reply vide his letter dated May 16, 2024. Further, FAA order dated June 06, 2024 was also passed with respect to the said earlier RTI application in Appeal no. 6016 of 2024. Hence, I find that the aforesaid query is repetitive in nature. Therefore, I do not find any deficiency in the response of the respondent.
11. 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 09, 2024

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