

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

Appeal No. 5294 of 2022, Appeal No. 5295 of 2022, Appeal No. 5296 of 2022, Appeal No. 5297 of 2022, Appeal No. 5298 of 2022, Appeal No. 5299 of 2022, Appeal No. 5300 of 2022, Appeal No. 5301 of 2022, Appeal No. 5302 of 2022, Appeal No. 5303 of 2022, Appeal No. 5304 of 2022, Appeal No. 5305 of 2022, Appeal No. 5306 of 2022, Appeal No. 5307 of 2022, Appeal No. 5308 of 2022, Appeal No. 5309 of 2022, Appeal No. 5310 of 2022, Appeal No. 5311 of 2022, Appeal No. 5312 of 2022, Appeal No. 5313 of 2022, Appeal No. 5314 of 2022, Appeal No. 5315 of 2022, Appeal No. 5316 of 2022, Appeal No. 5317 of 2022, Appeal No. 5318 of 2022, Appeal No. 5319 of 2022, Appeal No. 5320 of 2022, Appeal No. 5321 of 2022, Appeal No. 5322 of 2022, Appeal No. 5323 of 2022, Appeal No. 5324 of 2022, Appeal No. 5325 of 2022, Appeal No. 5326 of 2022, Appeal No. 5327 of 2022, Appeal No. 5328 of 2022, Appeal No. 5329 of 2022, Appeal No. 5330 of 2022; Appeal No. 5331 of 2022 and Appeal No. 5332 of 2022

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

ORDER

1. The appellant had filed 39 applications (during the period from April 06, 2022 to July 26, 2022) of which 17 applications were directly received by the respondent through RTI MIS portal and 22 applications were transferred from various other public authorities under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, vide various letters responded to the applications filed by the appellant. The appellant filed 39 appeals (Appeal No. SEBIH/A/E/22/00503 dated August 10, 2022; Appeal No. SEBIH/A/E/22/00507 dated August 12, 2022; Appeal Nos. SEBIH/A/E/22/00514; SEBIH/A/E/22/00515; SEBIH/A/E/22/00516; SEBIH/A/E/22/00517; SEBIH/A/E/22/00518; SEBIH/A/E/22/00519; SEBIH/A/E/22/00520; SEBIH/A/E/22/00521; SEBIH/A/E/22/00522; SEBIH/A/E/22/00523; SEBIH/A/E/22/00524; SEBIH/A/E/22/00525; SEBIH/A/E/22/00526; SEBIH/A/E/22/00527; SEBIH/A/E/22/00528 and SEBIH/A/E/22/00529 dated August 18, 2022; Appeal No. SEBIH/A/E/22/00530; SEBIH/A/E/22/00531; SEBIH/A/E/22/00532; SEBIH/A/E/22/00533; SEBIH/A/E/22/00534; SEBIH/A/E/22/00535; SEBIH/A/E/22/00536;

SEBIH/A/E/22/00537; SEBIH/A/E/22/00538; SEBIH/A/E/22/00539; SEBIH/A/E/22/00540; SEBIH/A/E/22/00541; SEBIH/A/E/22/00542; SEBIH/A/E/22/00543; SEBIH/A/E/22/00544; SEBIH/A/E/22/00545 and SEBIH/A/E/22/00546 dated August 20, 2022; Appeal Nos. SEBIH/A/E/22/00551; SEBIH/A/E/22/00552 and SEBIH/A/E/22/00553 dated August 21, 2022; and Appeal No. DOREV/A/E/22/00058 dated June 20, 2022 transferred by Directorate of Enforcement and received by the Office of Appellate Authority on July 29, 2022) against the various responses provided by the respondent. Since these matters pertain to the same party, the appeals are clubbed together for disposal. I have carefully considered the applications, the responses and the appeals and find that the matters can be decided based on the material available on record.

2. **Queries in the application** –The appellant, vide above mentioned fifteen applications, *inter alia* sought information regarding complaints filed on various government portals and SCORES Portal. The appellant also sought online portal names/ forms and formats uploaded by SEBI, website link for accessing government documents uploaded on various complaint portals etc. The appellant also sought clarification regarding previous responses provided by the respondent. The appellant also sought information regarding letter having Reference No. KS/COMPLIANCE/NSE/CORR/2016-17/RB/081, issued by NSE.
3. The respondent, in response to the applications, provided point wise information available with him. The respondent also informed that similar queries have been addressed in the past and the appellant was advised to refer to the information already provided by the respondent.
4. **Ground of appeal-** The appellant has filed the appeals on the ground that the information provided was incomplete, misleading or false. On perusal of the appeals, it appears that the appellant is not satisfied with the response provided by the respondent. The appellant, in his appeals, made various allegations against the respondent.
5. I have perused the applications and the response provided thereto. On consideration, I find that point wise reply has been provided to the queries raised by the appellant. Further, I find that the respondent has adequately addressed the applications by providing the information available with him and also advising the appellant to refer to the information already provided with respect to previous applications filed by the appellant. I find that no further intervention of this forum is warranted at this stage. However, from the information available on the RTI Portal, I note that the appellant has filed 444 applications as on date under the RTI Act seeking information with respect to numerous complaints

filed by her in various government portals. Further, the appellant has filed 219 appeals with this forum. I am constrained to state that the appellant has been filing complaints with various organizations 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. In the context of filing multiple complaints and then following the same with the RTI applications, I note that in the matter of *Public Information Officer, Registrar (Administration) vs. B. Bharathi*, (Order dated 17.09.2014 in W.P. No. 26781/2013), the Hon'ble High Court of Madras held as under-

"... The action of the second respondent in sending numerous complaints and representations and then following the same with the RTI applications; that it cannot be the way to redress his grievance; that he cannot overload a public authority and divert its resources disproportionately while seeking information and that the dispensation of information should not occupy the majority of time and resource of any public authority, as it would be against the larger public interest..." The Hon'ble CIC, in the matter of *Samir Sardana vs. CPIO, Mormugao Port Trust* (order dated March 01, 2021) also referred to the said observations made by the Hon'ble High Court, while dismissing the appeal.

6. Further, I note that the Hon'ble Supreme Court in *Advocate General, Bihar vs. M.P. Khair Industries* (AIR 1980 SC 946) has termed *"....filing of frivolous and vexatious petitions as abuse of the RTI process. Some of such abuses specifically mentioned by the Apex Court include initiating or carrying on proceedings which are wanting in bona-fides or which are frivolous, vexatious or oppressive. The Apex Court also observed that in such cases the Court has extensive alternative powers to prevent an abuse of its process by striking out or staying proceedings or by prohibiting taking up further proceedings."* I also note that the Hon'ble CIC, in the matter of *Ajay Gupta v. PIO and others* (order dated February 25, 2021) observed that *"Before parting with these Second Appeals/ Complaint, the Commission observes that the Appellant has resorted to filing multiple RTI applications on issues which essentially pertain to his personal grievance. Even if the Commission were to reluctantly acknowledge that this is an attempt on the Appellant's part to fight corruption, the means adopted by him stifles and defeats the very purpose of the RTI Act. As much as a CPIO has a statutory responsibility of complying with the provisions of the RTI Act, it is also expected of the RTI Applicant/s to not undermine the spirit of the RTI Act by clogging the system with such a barrage of RTI applications, merely claiming that these are aimed at combatting corruption."*

7. In view of the above observations, no further intervention of this forum is warranted in the above appeals. The appellant is advised not to file repetitive, frivolous and vexatious applications and appeals under the RTI Act, in the future. Accordingly, the appeals are dismissed.

Place: Mumbai

Date: August 25, 2022

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