

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

Appeal Nos. 6009 of 2024

Harbans Singh Sahni	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed application dated April 17, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (hereinafter referred to as “**RTI Act**”). The respondent, by letter dated May 16, 2024 responded to the aforesaid application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00098) dated May 17, 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. **Request in the application** -The appellant in his application dated April 17, 2024 sought the following information:

“1.Total Number of complaint launched to sebi against Company Gradiante infotainment as per Record of sebi from 3 RD oct 2017 up till 17 April 2024

2.Total Number of complaint launched to sebi with reference to Company Gradiante involving RTA Karry Computer share private ltd formerly known as kfintechologires pvt ltd from 12 Feb 2018 up till 17 April 2024 as per Record of sebi

3.Total Number of Complaint launched to sebi with reference to company Gradiante infotainment ltd involving New RTA purva share registry From 13 Feb 2022 up till 17 April 2024

4.Case disposed by sebi against company Gradiante infotainment ltd that preatians to non Redressal of investor Grievance from 3RD oct 2017 till 17 April 2024 as per Record of Sebi

5.Case Disposed by sebi company Gradiante infotainment ltd from 3 RD oct 2017 till 17 April 2024 that preatians to a settlement matter as per Record of sebi

6.Caase disposed by sebi that preatians to ownership of shares and shares fraudently transferred from 3RD oct 2017 till 17 April 2024 as per Record of sebi

7.case disposed by sebi with reference to company Gradiante infotainment ltd involving RTA that is karry computer Share private limited formerly known as kfintechologires pvt ltd that preatians under sebi Act provisions on Dec 2010 Consolidated Share was dispatched to Harbans Singh Sabni against complaint launched from 12 Feb 2018 to 17 April 2024

8.Case Disposed by sebi that it preatians to ownership of Shares and illegal transfer of shares with reference to company Gradiante infotainment ltd involving RTA karry computer Share private limited formerly known as kfintechologires pvt ltd from 12 Feb 2018 to 17 April 2024 as per Record of Sebi

9. Case Disposed by sebi with reference to company Gradiante infotainment ltd involving RTA that preatins to a settlement matter from 12 Feb 2018 till 17 April 2024

10. Case Disposed by sebi with reference to voilation of sebi Guidelines done by RTA company Gradiante infotainment ltd that is karry computer Share private limited formerly known as kfintechologires pvt ltd from 21 May 2018 till 17 April 2024

11. Case Disposed by sebi with reference to New RTA of Gradiante infotainment ltd purva share registry with reference to voilation of Sebi Guidelines from 12 Feb 2022 to 17 April 2024

12. case disposed by sebi involving both RTA Gradiante infotainment ltd karry computer Share private limited formerly known as kfintechologires pvt ltd and also New RTA that preatins to settlement matter from 12 Feb 2018 till 17 April 2024”

3. **Reply of the Respondent** - The respondent, in response to the aforesaid application, observed that the appellant’s matter was heard by the Hon’ble Central Information Commission (hereinafter referred to as “CIC”) ten times and orders were passed on various dates during the period from June 04, 2020 to November 10, 2022. Further, the appellant’s third application filed before the Hon’ble CIC was disposed of on December 23, 2021, *inter alia*, with the observation that the CPIO is not obliged to provide clarification/confirmations to the applicant with respect to redressal of his grievances. It was also observed that filing multiple RTI applications pertaining to similar issues will not entitle him to receive the requested information. Further, the Hon’ble CIC, advised and restrained the appellant from filing repeated RTI applications with respect to the similar issues in future. Similarly, the respondent referred to the other orders passed by the Hon’ble CIC in similar matters, wherein the appellant was, *inter alia*, advised to approach appropriate forum to redress his grievances. Accordingly, the respondent advised the appellant to restrain from filing repeated RTI applications with respect to similar issues on the subject matter in future and approach appropriate forum to redress his grievance.
4. **Ground of Appeal** - The appellant filed appeal on the ground that he has been refused access to information requested.
5. I have considered the aforesaid application and the response. I find that the requests are more in the nature of repeated enquiry with respect to the subject matter which is in the nature of grievance. I note that the appellant has been advised multiple times to approach the appropriate court of law with respect to the subject matter of the applications. In this regard, I note that the Hon’ble CIC, vide order dated November 10, 2022 passed in matter of *Harbans Singh Sabni vs, CPIO, SEBI*, observed as under:

“From a perusal of the relevant case records and taking note of the detailed written submissions filed by the CPIO, it is noted that the appellant is in the habit of filing multiple RTI applications and all are meant to seek redressal of his personal grievances related to ownership of some shares. One of such matter was already heard and decided by the same bench on

01.11.2022 vide File No. CIC/SEBIH/A/2021/615241. The CPIO has again brought it to the notice of the Commission that the appellant had filed almost 132 RTI applications from 2018 to 2021, and 79 first appeals. He has also informed that 07 second appeals filed by the same appellant regarding similar issues had already been adjudicated by the Commission wherein the appellant was advised to approach an appropriate forum for redressal of his grievance. The Commission does not find any flaw in the reply given and rather than filing unnecessary RTI applications, the appellant is once again advised to pursue his grievance before the appropriate forum rather than filing similar RTI applications which are devoid of any merit.”

6. Further, I note that the Hon’ble CIC, in a more recent order dated February 7, 2023 passed in matter of *Harbans Singh Sabni vs, CPIO, SEBI*, observed as under:

“From the perusal of case records, it is evident that the appellant has filed multiple RTI applications on the similar subject matter to espouse his financial market grievance. The Commission considers the instant case as an apt example of misuse of the right to information. The Commission opined that filing of repeated frivolous RTI applications undermine the spirit of the RTI Act, 2005. In this regard, it is pertinent to mention the observations of the Hon’ble High Court of Delhi in the case of Rajni Maindiratta- Vs Directorate of Education, W.P.(C) No.7911/2015:

‘8. Though undoubtedly, the reason for seeking the information is not required to be disclosed but when it is found that the process of the law is being abused, the same become relevant. Neither the authorities created under the RTI Act nor the Courts are helpless if witness the provisions of law being abused and owe a duty to immediately put a stop thereto’...”

Accordingly, I do not find any deficiency in the response of the respondent.

7. 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

B RAJENDRAN

Date: May 21, 2024

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