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

Appeal No. 6015 of 2024

Geeta Khattar : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated March 21, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005("**RTI Act**"). The respondent, by a letter dated April 15, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00104) dated May 21, 2024.

2. I note that under Section 19(1) of the RTI Act, an aggrieved person may prefer the first appeal within thirty days from the receipt of the response from the CPIO of the concerned public authority. In the instant case, the impugned response from the respondent is dated April 15, 2024. The appellant, therefore, should have filed the first appeal on or before expiry of thirty days from the date of receipt of the said response. As noted above, the appellant's first appeal was received on May 21, 2024. The first appeal has been made after the last date permissible under the RTI Act. The appellant neither made a request for condoning the said delay in filing the appeal nor made any submission explaining the reasons which caused the delay. The RTI Act specifies a clear timeline within which appeals must be filed to ensure prompt and efficient redressal of information requested. I note that the appellant has a history of filing multiple RTI applications and appeals in the past, demonstrating familiarity with the procedural requirement and timelines associated with RTI processes. In regard to appellant filing multiple RTI applications, I note that the Hon'ble Central Information Commission 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 Sahni 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. ...." The appellant's previous engagements with the RTI process indicate a thorough understanding and capability to comply with the timelines, which makes the current delay in filing inexplicable and unjustifiable. In light of the above and considering the absence of a request for condoning the delay or any valid reason that prevented the appellant from filing the appeal in time, I consider this appeal as time barred and hence, liable to be dismissed on that count.

3. The Appeal is accordingly dismissed.

Place: Mumbai
Date: June 18, 2024

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