

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

Appeal No. 6208 of 2024

Prerit Kailash Misra	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated October 10, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated October 21, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00259) dated October 22, 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, vide his application dated October 10, 2024, sought the following information:

“SEBI has stated in a Reply to a Complaint PMOPG/E/ 2022/0120xxx,Dt 19/05/2022 (same attached), with the Subject: DOEAF & DEACM complaints ...in the matter of Varun Resources Limited (VRL) and Varun Global Limited (VGL)- that SEBI met Officials of the above mentioned Companies VRL and VGL several times.

Provide SEBI Records of the above stated Meetings”
3. **Reply of the Respondent** - The respondent, in response to the request in the application, informed that the query is vague and not specific. Accordingly, the same cannot be construed as “information”, as defined u/s 2(f) of the RTI Act.
4. **Ground of appeal** – The appellant has filed the appeal on the ground that he has been refused access to information requested.

5. I have perused the aforesaid request and the response provided thereto. I note that similar request was sought by the appellant in his earlier RTI application (Reg. no. SEBIH/R/E/24/01077) dated August 30, 2024, for which the respondent had already provided the reply vide his letter dated September 10, 2024. Further, FAA order dated October 08, 2024 was also passed with respect to the said earlier RTI application in Appeal no. 6153 of 2024. Hence, I find that the said request is repetitive in nature. In the context of filing repetitive requests under RTI Act, the Hon'ble Central Information Commission (hereinafter referred to as "**CIC**") in the matter of *Sbri Ramesh Chand Jain vs. Delhi Transport Corporation, GNCTD, Delhi* (File No. CIC/AD/A/2013/001326–SA decided on June 25, 2014) held that *"The universal principles of civil justice also recognized 'constructive res judicata', which in the RTI context means when an applicant uses an opportunity of obtaining information on a particular subject as per law, he is expected to seek all the related information in that first ever opportunity itself. He cannot file another application for a bit or piece which he forgot to ask, or not advised by his lawyer, or for any other reason. He should ask all possible aspects of information about that subject matter, in the first ever available opportunity. Even if he does not, it is presumed by law that he asked for that and was refused after due trial..... Thus, once information is given, applicant shall not seek the same once again in the guise of different form or language. If the applicant seeks information again and again, the PIO, the First Appellate Authority and the Commission would be forced to spend their time on this repeated application, and in the process the authorities would lose that much time to address the other RTI applications or performing their general duties in their public office. Repeated RTI applications will amount to clogging the office of public authority and CPIO would be justified in refusing the same with intimation of reasons. Because the repeated RTI application has an effect of clogging the public offices, it would amount to obstructing the free flow of information to deserving and genuine RTI applicants, besides preventing the officers from performing their general duties attached to their office"*. In view of the above, I find that no further intervention of this forum is warranted at this stage.
6. 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: November 19, 2024

RUCHI CHOJER

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