

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

Appeal No. 6444 of 2025

Nitin Goradia : Appellant
Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated May 28, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated June 20, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00143) dated June 20, 2025. 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. **Query in the application** - The appellant, in his application dated May 28, 2025, sought the following information:

“Has the SEBI Chief Mr. Tuhin Kanta Pandey been informed about the impending corruption case against XXX XXXX of MIRSD-SEC6. XXXX XXXX has been caught red handed taking side of Depository Participant Bank of Maharashtra for blatant regulatory violations.”
3. **Reply of the Respondent** –The respondent, in response to query in the application, informed that the query is not clear and specific and is in the nature of seeking clarification/opinion. 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 was refused access to the information requested.
5. I have perused the application and the response provided thereto. On consideration, I find that the appellant’s query is in the nature of seeking clarification/opinion/confirmation from the respondent. I

find that the said query cannot be construed as seeking ‘information’ as defined under section 2(f) of the RTI Act. Consequently, the respondent did not have an obligation to provide such clarification or opinion or confirmation under the RTI Act. In this context, reliance is placed on matter of *Azad Singh vs. CPIO, Oriental Insurance Company Limited* (order dated March 23, 2021) wherein Hon’ble Central Information Commission (CIC) observed that “7. The Commission, after hearing the submissions of both the parties and after perusal of records, observed that some queries of the appellant are in the nature of seeking explanation/opinion/advice/confirmation/clarification from the CPIO and he has expected that the CPIO firstly should analyze the documents and then provide information to the appellant. But the CPIO is not supposed to create information; or to interpret information; or to compile information as per the desire of the appellant under the ambit of the RTI Act. As per Section 2(f) of the RTI Act, the reasons/opinions/advice can only be provided to the applicants if it is available on record of the public authority. The CPIO cannot create information in the manner as sought by the appellant. The CPIO is only a communicator of information based on the records held in the office and hence, he cannot be expected to do research work to deduce anything from the material therein and then supply it to him.” Accordingly, I do not find any deficiency in the response of the respondent.

6. Additionally, I also concur with the response of the respondent that the query is vague and not specific. 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 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.” Accordingly, I do not find any deficiency in the response of the respondent.
7. It is noted that the appellant had previously filed 4 RTI applications (bearing Reg. No. SEBIH/R/E/25/00657, Reg. No. SEBIH/R/E/25/00658 both dated May 27, 2025, Reg. no. SEBIH/R/E/25/00647 and Reg. No. SEBIH/R/E/25/00648 both dated May 26, 2025) with SEBI. It is also noted that the appeals filed against the reply of respondent to the aforementioned applications have been dismissed by the instant forum as no deficiency was found in the response of the respondent. The appellant, vide aforementioned applications, had, *inter alia*, raised allegations against certain officials of SEBI (including the one mentioned in the present application) and had sought information regarding procedure for filing complaint against said officials of SEBI. From perusal of the appeals and emails

received by the instant forum, it is noted that appellant has a grievance against the said officials for their handling of his complaints/representations against his depository participant. In spite of SEBI having an investor grievance redressal portal i.e. SCORES, the appellant had been sending numerous repetitive emails to SEBI officials with regard to his grievance. Thus, I find that the appellant had filed the aforementioned RTI applications and also the present RTI application with SEBI in this context. I am of the view that such repetitive filing of RTI applications amounts to misuse of RTI Act. In this context, I find it pertinent to note that Hon'ble CIC in its decision in *Ramesh Chandra Jain v. Delhi Transport Corporation (DTC), Government of National Capital Territory of Delhi (GoNCT of Delhi)*; (Decision No. CIC/AD/A/2013/001326-SA dated 25.06.2014), observed as follows:

"5. The Commission considers this case as the case of repetitive use of RTI Act, assuming the proportion of harassment to the Public Authority and thus, abuse of RTI Act, by a disgruntled employee.

6. The respondent officers made fervent appeals to the Commission that they were compelled to spend most of the time in answering harassingly repeated questions about the same subject matter repeatedly asked from different angles; and about individual officers, whom, the applicant assumed to be responsible for the grievance. The Commission found that the applicant was one of the four disgruntled employees against whom action was taken or their claims were denied....."

8. I also 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.

9. Further, 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.”

10. 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: July 18, 2025

RUCHI CHOJER

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