

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

Appeal No. 5620 of 2023

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

ORDER

1. The appellant had an application dated February 07, 2023 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, vide letter dated March 08, 2023, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00054) dated March 09, 2023 against the said response. 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. **Queries in the applications**– The appellant, vide his application, *inter alia*, sought information regarding the subject matter pertaining to allotment of shares of Gradiente Infotainment Ltd.
3. The respondent, in response to the aforesaid application, observed that the appellant’s matter was heard by the Hon’ble CIC ten times and orders were passed on various dates during the period from June 04, 2020 to November 10, 2022. The respondent also referred to the remarks made by the Hon’ble CIC while dismissing few of the second appeals filed by the appellant. In the said orders passed by the Hon’ble CIC, the appellant was advised to approach the 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 the appropriate forum to redress his grievance.
4. **Grounds of appeal**- On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent. The appellant, in his appeal, *inter alia*, sought information pertaining to the company Gradiente Infotainment Ltd. and also alleged forgery and misrepresentation done by the RTA concerned.
5. I have considered the 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 application. Further, I note that the Hon'ble CIC, vide a recent order dated November 10, 2022 passed in matter of *Harbans Singh Sabni vs, CPIO, SEBI*, observed that: *"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."* In view of these observations, I do not find any deficiency in the response.

6. Further, I note that the appellant has made certain submissions/allegations in his appeal against the RTA concerned. On perusal, it appears that the said submissions of the appellant have been made for the first time in this appeal and the same are in the nature of grievance. In this regard, I note that the Hon'ble CIC, in the matter of *Sh. Triveni Prasad Babuguna vs. LIC of India, Lucknow* (Decision dated September 6, 2012), held: *"The Appellant is informed that ... redressal of grievance does not fall within the ambit of the RTI Act rather it is up to the Appellant to approach the correct grievance redressal forum..."*. I note that a similar view was taken by the Hon'ble CIC in the matter of *Yogesh Malhotra vs. PIO, Delhi Police* (order dated May 28, 2021). Further, as held by the Hon'ble CIC in *Harish Prasad Divedi vs. Bharat Petroleum Corporation Limited* (decided on January 28, 2014), an information seeker cannot be allowed to expand the scope of his RTI enquiry at appeal stage. Accordingly, I find that the said submissions/allegations do not warrant consideration at this stage.
7. In view of the above observations, I find no interference is warranted at this stage. The appeal is accordingly dismissed.

Place: Mumbai
Date: April 06, 2023

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