

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

**Appeal No. 5663 of 2023**

**Appeal No. 5664 of 2023**

|                    |    |            |
|--------------------|----|------------|
| Geeta Khattar      | :  | Appellant  |
|                    | Vs |            |
| CPIO, SEBI, Mumbai | :  | Respondent |

**ORDER**

1. The appellant had filed 2 applications (Reg. No. SEBIH/R/E/23/00132 dated January 31, 2023 and Reg. No. SEBIH/R/E/23/00144 dated February 01, 2023 received by the respondent through RTI MIS portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, responded to the said applications vide letters dated February 27, 2023. Thereafter, the appellant filed 2 appeals (Appeal No. SEBIH/A/E/23/00085 dated May 03, 2023 and SEBIH/A/E/23/00103 dated May 22, 2023) against the responses provided by the respondent. I have perused the applications and the appeals and find that the matter can be decided based on the material available on record. Since these matters pertain to the same party, the appeals are clubbed together for disposal.
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 responses from the respondent are dated February 27, 2023. The appellant, therefore, should have filed the first appeals on or before expiry of thirty days from the date of receipt of the said responses. As noted above, the appellant’s first appeals were received on May 03, 2023 and May 22, 2023. The first appeals have been made after the last date permissible under the RTI Act. The appellant has neither made a request for condoning the said delay in filing the appeals nor made any submission explaining the reasons which caused the delay. Considering the absence of a request for condoning the delay and any valid reason that prevented the appellant from filing the appeals in time, I consider the appeals as time barred and hence, liable to be dismissed on that count.

3. Notwithstanding the above observation, I am considering the appeals on merit. I have perused the applications and the appeals and find that the matters can be decided based on the material available on record.
4. **Queries in the application** –The appellant, vide application dated January 31, 2023, *inter alia*, sought information regarding complaint no. SEBIE/DH16/00...62/1 and the dealing officer of SEBI. The appellant also sought information regarding rules and regulations under which the said SCORES case was dealt. The appellant sought details of salary paid to the CPIO and Appellate Authority. The appellant, vide application dated February 01, 2023, *inter alia*, sought copy of service termination letter. The appellant also sought website details where copy of BSE email dated January 30, 2023 is electronically saved.
5. The respondent, in response to the aforesaid applications, provided point wise information with respect to the queries raised by the appellant. The respondent, in his response to the application dated January 23, 2023, *inter alia*, provided the complaint details of complaint no. SEBIE/DH16/00...62/1 and informed that the information regarding dealing officer relates to personal information and the same is exempt from disclosure under section 8(1)(g) of the RTI Act. Further, the respondent also informed that certain queries were vague and not specific. With respect to the application dated February 01, 2023, the respondent, *inter alia*, informed that the requested information is not available with SEBI.
6. **Ground of appeal-** The appellant has filed the appeals on the ground that the information provided was incomplete, misleading or false. On perusal of the appeals, it appears that the appellant is not satisfied with the response provided by the respondent.
7. I have perused the applications and the responses provided thereto. On consideration, I find that point wise reply has been provided to the queries raised by the appellant. Further, I find that the respondent has adequately addressed the applications by providing the information available with him. I find that no further intervention of this forum is warranted at this stage. However, from the information available on the RTI Portal, I note that the appellant has filed numerous applications under the RTI Act seeking information with respect to complaints filed by her in various government portals. Further, the appellant has filed 275 appeals as on date with this forum through the online RTI Portal. I am constrained to state that the appellant has been filing complaints with various organizations and then following up the same with multiple applications/ appeals on the RTI Portal. In the context of filing multiple complaints and then following the same with the RTI applications, I 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.

8. I note that the Hon'ble CIC, 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 Sabni 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. ...."*

9. In view of the above observations, no further intervention of this forum is warranted in these appeals. The appellant is advised not to file repetitive, frivolous and vexatious applications and appeals under the RTI Act, in the future. Accordingly, the appeals are dismissed.

Place: Mumbai

ANAND BAIWAR

Date: June 01, 2023

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