

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

Appeal Nos. 6218 & 6219 of 2024

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

ORDER

1. The appellant had filed two applications (Reg. No. SEBIH/R/E/24/01288 and Reg. No. SEBIH/R/E/24/01274) dated October 09, 2024 and October 06, 2024 respectively (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (here in after referred to as “**RTI Act**”). The respondent, by a common letter dated November 04, 2024, responded to the aforesaid applications filed by the appellant. The appellant filed two appeals (Reg. No. SEBIH/A/E/24/00267 dated November 5, 2024 and Reg. No. SEBIH/A/E/24/00266 dated November 4, 2024) against the said response dated November 04, 2024. I have carefully considered the applications, the responses and the appeals and find that the matter can be decided based on the material available on record.

2. **Request in the application bearing Reg. No. SEBIH/R/E/24/01288** - The appellant, in his application, sought the following information:

“Information under RTI Act

Kindly provide the reply provided By RTA karry computer share private with reference to 3RD Oct 2017 Complaint Ref SEBIP/AP17/0000189/1

Kindly provide the reply provided by RTA karry computer share private Ltd with reference to Bonus shares complaint Ref SEBIE/DH18/0000143/1”

3. **Request in the application bearing Reg. No. SEBIH/R/E/24/01274** - The appellant, in his application, sought the following information:

“ Kindly Provide the reply provided By Company Gradiente infotainment Ltd involvement with RTA ksfintecnologies pvt ltd with reference to allotted shares dispatched on Dec 2010 against Complaint Reference SEBIP/AP17/0000189/1

Kindly provide the reply provided By Company Gradiante infotainment involvement with RTA ksfintechologies pvt ltd with reference to Bonus shares not Dispatched Complaint Ref SEBIE/DH18/0000143/1”

4. **Reply of the Respondent** - The respondent, in common response to queries in both of the applications, informed that responses to complaints nos. SEBIP/AP17/0000189/1 and SBIE/DH18/0000143/1 were provided by the Company and the RTA in 2018 itself. Therefore, the said information is already available with the appellant. The respondent also informed that information sought by the appellant is in the nature of grievance. Further, respondent informed that taking action or resolution of grievance does not qualify as information under provisions of section 2(f) of RTI Act.

The respondent further observed that the appellant’s matter was heard by the Hon’ble Central Information Commission (hereinafter referred to as “CIC”) ten times and orders were passed on various dates during the period from June 04, 2020 to November 10, 2022. Further, the appellant’s third application filed before the Hon’ble CIC was disposed of on December 23, 2021, *inter -alia*, with the observation that the CPIO is not obliged to provide clarification/confirmations to the applicant with respect to redressal of his grievances. It was also observed that filing multiple RTI applications pertaining to similar issues will not entitle him to receive the requested information. Further, the Hon’ble CIC, advised and restrained the appellant from filing repeated RTI applications with respect to the similar issues in future. Similarly, the respondent referred to the other orders passed by the Hon’ble CIC in similar matters, wherein the appellant was, *inter alia*, advised to approach 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 appropriate forum to redress his grievance.

5. **Ground of appeal-** The appellant has filed the appeals on the ground that he was refused access to the information requested.
6. I have perused the applications and the responses provided thereto. I note that both the applications contain similar requests. On consideration, I find that the requests 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). In view of the same, I find that the requests cannot be construed as seeking “information” as defined under section 2(f) of the RTI Act. Notwithstanding the above, I note that the respondent has informed the

appellant that responses to complaints nos. SEBIP/AP17/0000189/1 and SBIE/DH18/0000143/1 were provided by the Company and the RTA in 2018 itself. In view of these observations, I do not find any deficiency in the response.

7. 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: December 02, 2024

RUCHI CHOJER

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