

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

**Appeal No. 6600 of 2025**

Harbans Singh Sahni : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

**ORDER**

1. The appellant had filed an application dated October 10, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated October 27, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00280) dated October 27, 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. **Queries in the application** - The appellant, in his application dated October 10, 2025, sought the following information:  
  
*“KINDLLY PROVIDE THE CERTIFIED COPY WITH REFERENCE TO FOLIO NUMBER GRL0000317 RTA KFINTECHNOLOGIES AND PURVA SHARE REGITRY RTA OF GRADIENTE INFOTAINMENT LTD WAS MAINTAINING TWO SETS OF RECORDS 18454 TO 18483 AND SECOND SET OF RECORD 66577 WITH REFERENCE TO CONSOLIDATED SHARES  
  
KINDLY PROVIDE ACTION TAKEN BY RTA FOR MAINTAINING TWO SETS OF RECORD FROM 12 DEC 2010”*
3. **Reply of the Respondent** –The respondent, in response to queries in the application, informed that the information sought is not maintained by SEBI in normal course of regulation of securities market. Hence, the same is not available with SEBI.

Further, respondent informed that for redressal of grievance against SEBI registered intermediary/Listed Company/Recognised MII, a complaint may be lodged on the online platform SCORES.

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. I note that the respondent has categorically stated that the requested information is not available with SEBI. I note that the respondent can only provide information that is available in the records. In this context, I note that the Hon'ble Supreme Court of India in *Central Board of Secondary Education & Anr. vs. Aditya Bandopadhyay & Ors* (Judgment dated August 9, 2011) held that *"The RTI Act provides access to all information that is available and existing. This is clear from a combined reading of section 3 and the definitions of 'information' and 'right to information' under clauses (f) and (j) of section 2 of the Act. If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in section 8 of the Act. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non-available information and then furnish it to an applicant."* Further, I note that the Hon'ble Central Information Commission (**CIC**) in the matter of *Sh. Pattipati Rama Murthy vs. CPIO, SEBI* (Decision dated July 8, 2013), held: *"... if it (SEBI) does not have any such information in its possession, the CPIO cannot obviously invent one for the benefit of the Appellant. There is simply no information to be given."* Accordingly, I do not find any deficiency in the response of the respondent.
6. Further, on perusal of the appeal, it appears that the appellant is questioning the correctness of the information provided by the respondent. In this context, it is observed that the Hon'ble High Court of Delhi in *Hansi Rawat & Anr. vs Punjab National Bank & Ors.* (LPA No. 785/2012-decision dated January 11, 2013) held that *"The question, as to what inference if any is to be drawn from the response of the PIO of the respondent Bank to the RTI application of the appellants, is to be drawn in the said proceedings and as aforesaid the proceedings under the RTI Act cannot be converted into proceedings for adjudication of disputes as to the correctness of the information furnished."* The said judgement was also relied upon by the Hon'ble CIC, in the matter of *Naresh Luthra vs. CPIO, IGNOU, Student Evaluation Division* (order dated December 01, 2021).
7. Additionally, I note that the appellant has been filing repeated/similar RTI applications pertaining to his grievance against the Company viz. Gradiente Infotainment Ltd and its RTA. I also find that present application is also on the same subject matter. In the context of filing repetitive requests under RTI Act,

the Hon'ble CIC in the matter of *Shri 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"*.

8. I also note that the appellant has been advised multiple times to approach the appropriate court of law with respect to the subject matter of his applications. In this regard, I note that the Hon'ble CIC in the matter of *Harbans Singh Sabni vs. CPIO, SEBI* (order dated September 09, 2024) observed that *"The Commission after adverting to the facts and circumstances of the case, hearing both parties and perusal of records, observes that the appellant filed repeated and multiple RTI application based on the similar subject matter which is in the nature of grievance and purely against the spirit of the RTI Act, 2005. Further, the Commission has through various orders advised and restrained him from filing repeated and similar RTI applications in future..... Further, the findings of the Commission in the instant set of matters largely point towards a misuse of the RTI Act being perpetuated by the Appellant."*
9. 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 20, 2025**

**RUCHI CHOJER**

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