

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

Appeal No. 6702 of 2026

Geeta Khattar : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated December 04, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated January 02, 2026, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/26/00024) dated January 18, 2026. 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. **Ground of appeal** – The appellant has filed the appeal on the ground that she was provided incomplete, misleading or false information.
3. **Query nos. 1 to 14 in the application:** The appellant, in her present application, once again sought information pertaining to query nos. 1 to 14 in her earlier RTI application SEBIH/R/E/25/01557 dated December 04, 2025. I note that the respondent had already provided his reply to the aforementioned queries vide his letter dated January 02, 2025. Further, FAA order dated February 02, 2026 was also passed with respect to the said earlier RTI application in Appeal No. 6681 of 2026. Hence, I find that the said queries are repetitive in nature. In the context of filing repetitive requests under RTI Act, the Hon’ble Central Information Commission(**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". In view of the above, I find that no further intervention of this forum is warranted at this stage.

4. **Query nos. 15, 18 and 19:** - The appellant, vide query nos. 15, 18 and 19, sought the following information:

" 15. Under which Section of the RTI Act, 2005, or other Act, the CPIO of SEBI is provided a PA/PS.

18. Under which Act & Section of the same Act, the CPIO, SEBI cannot seek clarification and escape from the queries & disposed of the RTI application without seeking clarification & without providing information.

Query no. 19. provide the dated since when the SEBI provided that CPIO, SEBI may use the following email ID AND he may not use the registered email ID which is available on the SEBI directory."

5. **Reply of the Respondent** –The respondent, in response to query no. 15, 18 and 19 , informed that the queries are hypothetical in nature and 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.
6. I have perused the queries and the response provided thereto. On consideration, I concur with the response of the respondent that the information sought is in the nature of hypothetical query. I find that the said query cannot be construed as seeking ‘information’ as defined under section 2(f) of the RTI Act. In this context, I note that the Hon’ble CIC, in the matter of *V R Srinivasan vs. CPIO, SEBI* (Order dated January 19, 2023), held that, *“The Commission opined that the appellant has not sought any material information as defined in section 2(f) of the RTI Act, 2005 and his queries were totally based upon a hypothetical situation, therefore, the denial of information was proper.”* I also note that the said queries are also in the nature of seeking clarification/opinion from the respondent. I find that the said queries 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 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 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.

7. **Query no. 16: & 17:** The appellant vide query nos. 16 & 17, sought the following information:

16. Provide the name of the PA/PS appointed to the CPIO, SEBI.

17. Provide information regd. per month salary that the GOI has been paying to the PA / PS appointed to the CPIO, SEBI.

8. **Reply of the respondent-** The respondent, in response to query nos. 16 & 17, informed that the information sought is available on SEBI website. The respondent also provided the link and path for accessing the same from SEBI website.
9. I have perused the queries and the response provided thereto. On consideration, I find that the requested information is available on SEBI website and hence, is in public domain. With regard to query no. 1, I note that the respondent has clearly informed that the requested information can be accessed from SEBI website and hence, the requested information is in the public domain. In this context, I note that the Hon'ble Delhi High Court in *Registrar of Companies & ors. Vs. Dharmendra Kumar Garg & anr.* and the Hon'ble CIC in *Shri K Lall vs. Shri M K Bagri* (CIC/AT/A/2007/00112, order dated April 12, 2007) held that if the relevant information is available in the public domain, the same cannot be said to be information held by the public authority and consequently, there is no obligation to provide such information to an applicant under the RTI Act. Notwithstanding the aforesaid, I find that the respondent has provided appropriate guidance to the appellant in obtaining the requested information. Accordingly, I do not find any deficiency in the said response of the respondent.

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: February 10, 2026

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