

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

Appeal No. 6703 of 2026

Geeta Khattar : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated December 11, 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/26/00025) dated January 19, 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. **Queries in the application** - The appellant, in her application dated December 11, 2025, sought the following information:

“1. Please provide a copy of the circular under which officials of the Office of Investor Assistance and Education (OLAE) have been authorized by SEBI to handle secondary market or DP related applications involving amounts above Rs. 2 crore.

2. Please specify which SEBI department/officials have been authorized to handle secondary market or DP related applications involving amounts above Rs. 2 crore.

3. Please provide the designation/rank of the SEBI officials who have been authorized to handle secondary market or DP related applications involving amounts above Rs. 2 crore.

4. Please provide the steps or navigation path through which I can access the Delegation of Power (General Order) issued by SEBI.

5. Please provide details of any General Orders, Special Orders, rules, regulations, guidelines, or circulars issued by SEBI that have not been publicly disclosed on SEBI's website.

(6.A) Please provide the designation/rank of SEBI officials who have been permitted to handle investor applications in a discretionary or arbitrary or non transparent manner and who can also close investor applications without proper handling.

(6.B) Please provide the General Order, Special Order, rule, regulation, guideline, or circular (as applicable) under which such permissions have been granted.

7. Please provide the designation/rank of SEBI officials who have been authorized to repeatedly handle investor applications relating to the secondary market or DP related applications.

8. If applications are closed arbitrarily by officers at the DGM or CGM level, please clarify the further three ranks/designations of the officials to whom an investor may further escalate the matter.

(9.A) Please inform since when the Chief Vigilance Officer (CVO) of SEBI has been permitted to close complaints on the CVC portal/website without uploading a copy of the Action Taken Report (ATR).

(9.B) Also provide the name of the department who has issued the such permission to CVO, SEBI.

10. Please provide the dates on which the SEBI Act, 1992 has been amended or updated since 01.01.2023.

11. Under Section 11 of the RTI Act, 2005, please provide the registered email ID that has been recorded with CDSL for my account since the year 2023.”

3. **Reply of the Respondent** – The respondent, in response to query nos. 1, 2, 3 and 7 in the application, stated that the information sought has been replied multiple times earlier also. The respondent has also informed that the Central Information Commission (**CIC**) in various cases has held that repetitive use of RTI Act, for seeking same or similar information is abuse of the RTI Act. The respondent, further, stated that an applicant is expected to seek all requisite information in single RTI and that an applicant does not have the right to repeat the same or similar request of information under the Act.

The respondent, in response to query no. 4, informed that the Delegation of Power (General Order) issued by SEBI is available on public domain and can be accessed from SEBI website. The respondent has also provided the path to access the same on SEBI website.

The respondent, in response to query nos. 5, 6A, and 6B, 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.

The respondent, in response to query no. 8, informed that the query is vague and not specific. Accordingly, the same cannot be construed as "information", as defined u/s 2(f) of the RTI Act.

The respondent, in response to query nos. 9A and 9B, informed that in terms of CVC circular dated June 28, 2024, the investigation report is to be uploaded on CMS portal for the complaints which are forwarded to CVO concerned for investigation and submission of report to the Commission. Further, the respondent informed that para 4.3.1 (iv) of CVC Circular no. 25/12/21 dated December 24, 2021, *inter alia*, states that CVO should update the status of complaints sent for necessary action on the Commission's website.

The respondent, in response to query no. 10, informed that the Securities and Exchange Board of India Act, 1992 ('SEBI Act'), and amendments thereto are available in public domain.

The respondent, in response to query no. 11, 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. The respondent has also informed that as the information sought pertains to the depository, the appellant can contact the concerned depository participant in the matter.

4. **Ground of appeal** – The appellant has filed the appeal on the ground that she was provided incomplete, misleading or false information.
5. I have perused the application and the response provided thereto. With regard to query nos. 1, 2, 3 and 7 in the application, I note that the respondent has mentioned that the information sought has previously been replied to by him. On consideration, I note that similar information was sought by the appellant vide her RTI applications bearing reference no. SEBIH/R/E/25/01398 and SEBI/H/R/E/25/ 1402, both dated October 26, 2025. I note that the respondent had provided his reply to the said queries vide letters dated November 18, 2025 and November 17, 2025, respectively. Hence, I note that the queries are repetitive in nature. 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". In view of the above, I find that no further intervention of this forum is warranted at this stage.

6. With regard to query nos. 5, 6A, and 6B, I concur with the response of the respondent that the information sought is in the nature of hypothetical/situational queries. I find that the said queries 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.*" Accordingly, I do not find any deficiency in the response of the respondent.
7. With regard to query nos. 4, 9A, 9B and 10, I find that the respondent has adequately addressed the queries by providing the information available with him. Accordingly, I do not find any deficiency in the response of the respondent.
8. With regard to query no. 11, the respondent has 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. 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 in the matter of Laksbminarayanan R vs. SEBI (order dated February 09, 2023) observed that “Keeping in view the facts of the case, the Commission observed that the information sought by the appellant regarding Central Depository Services Ltd. was not maintained by the respondent authority in the normal course of regulation of securities market. It is an established law that the information sought for in order to be disclosable under the RTI Act, 2005 must be existent and available in the records..... In the instant case, the desired information was not available in the records of the respondent authority...”. Accordingly, I do not find any deficiency in the response of respondent.

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: February 11, 2026

RUCHI CHOJER

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