

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

Appeal No. 5965 of 2024

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

ORDER

1. The appellant had filed an application dated March 02, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated March 22, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00062) dated March 22, 2024. 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. **Requests in the application** –The appellant, vide his application dated March 02, 2024, sought the following information:

*“1. Total number of Complaint launched in sebi against company Gradiente infotainment Ltd including its RTA Pan India corporation Karvy computer share private Ltd Purva Share Registry
2. Total number of Complaint Disposed by sebi that preatians to a settlement matter while disposing off complaint
3. Total number of Complaint Disposed by sebi that preatians to ownership of shares and shares frauduently transferred
4. Total number of Complaint Disposed by Sebi that preatians to non Redressal of investor Grievance
5. Total number of Complaint Disposed by sebi that preatians not under preview of sebi”*
3. **Reply of the Respondent** – The respondent, in response to the aforesaid request informed that the information sought is not clear and specific. Accordingly, the same cannot be construed as "information", as defined u/s 2(f) of the RTI Act, 2005. Further, the respondent 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.

4. **Grounds of appeal-** The appellant filed the appeal on the ground that he has been refused access to information requested.
5. I have perused the request, the response provided thereto. On consideration, I agree with the response of the respondent that the request is not clear and specific. Further, I note that the respondent's requests do not provide any time period for which the information is sought. It is an established law that the information sought for in order to be disclosable under the RTI Act, must be clear, specific and available in the records of the public authority. In this context, I note that in the matter of *Mr. T. V. Sundaresan vs. CPIO, Securities and Exchange Board of India* (Decision dated November 24, 2021), the Hon'ble Central Information Commission (hereinafter referred to as "**CIC**") held: "*The framework of the RTI Act, 2005 expects that the information sought is specific and believed to be existing with the public authority in documented or material form as such; which can be shared with the appellant as per the provisions of the RTI Act. Answering to broad, multiple and general queries and presumptive documents that should have been generated as per the expectation of the appellant cannot be furnished under the provisions of the Act.*" In view of these observations, I find that the request cannot be construed as seeking "information", as defined under section 2(f) of the RTI Act.
6. 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: April 16, 2024

B RAJENDRAN

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