

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

Appeal No. 6323 of 2025

Sachin Yadav : Appellant
Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated January 23, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated February 13, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00038) dated February 26, 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 January 23, 2025, sought the following information:

"I recently appeared for the SEBI 2024 legal exam in the OBC-NCL category. My roll number and registration number were 13710XXXXXX and 4760XXXXXX, respectively. I successfully cleared the phase II exam but was not able to clear the phase III and missed the cutoff table by around 0.6 marks. I have a few questions, which I would like to clarify through this RTI. They are as follows:

1. *How many marks did I score in legal objective and legal descriptive, respectively?*
2. *Which score was the highest in legal objective and descriptive collectively?*
3. *I got 8.5 marks in the interview, are my experience marks also included in that as I have above 2 years of post-qualification work experience?*
4. *Did I get 8.5 marks in the interview after adding 3.75 marks of experience to them?*
5. *How many marks did the selected candidate get in the interview in the OBC-NCL category?*

6. How many candidates had post-qualification work experience of 2 or more than 2 years in the OBC-NCL category?

7. Did the selected candidate have work experience of 2 or more than 2 years?."

3. **Reply of the Respondent** - The respondent, in response to query no.1 in the application, informed that respondent has scored 63.25 out of 70 marks in Objective Paper in SEBI Grade A- Phase II, Exam.

The respondent, in response to query no. 2, informed that the query is vague and not specific and is in the nature of seeking clarification/explanation. 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. 3, 4, 6 and 7, informed that appellant's queries are 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. 5, informed that the information related to marks of candidates is available on SEBI website under "careers" section. The respondent also provided the link for accessing the same.

4. **Ground of appeal** – The appellant has filed the appeal on the ground that the information provided is incomplete, misleading or false information.
5. I have perused the application and the response provided thereto. With respect to query no. 1, I note that appellant has sought information regarding marks scored by him in both legal-objective and legal descriptive paper. However, I note that respondent has only provided the information regarding the marks scored by the appellant in legal objective paper. I find that the marks scored by him in legal descriptive paper was not provided to him. Therefore, I find that the said query has not been adequately addressed.
6. Further, with respect to query no. 2, I find that from March 13, 2025, the marks (Paper 1, Paper 2, Total Phase II score etc.) obtained by candidates who qualified for interview in SEBI Grade A 2024-25 Examination is made available on SEBI website. For the benefit of the appellant, the link and path for accessing the aforesaid information is given hereunder:

<https://www.sebi.gov.in/sebiweb/other/careerdetail.jsp?careerId=386>

Home » About SEBI » Functions of Departments / Divisions » Human Resources Department (HRD)» Careers » Marks obtained by candidates who qualified for Interview

The appellant may be guided by the above path/link.

7. With regard to query nos. 3, 4, 6 and 7, I concur with the response of the respondent that the queries are in the nature of seeking clarifications/opinion. 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 the matter of *Azad Singh vs. CPIO, Oriental Insurance Company Limited* (order dated March 23, 2021), wherein, Hon'ble Central Information Commission 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.
8. Further, with regard to query no. 5, I note that the applicant has sought the marks scored by the selected candidates in the interview in the OBC-NCL category. I note that the link shared by the respondent with the appellant discloses the marks obtained by candidates in the interview only after inputting personal details like roll number, registration number and date of birth. Thus, in effect, a candidate is able to view only his own marks and not the marks of the selected candidates. Therefore, I find that the aforesaid request has not been adequately addressed. Accordingly, it would be appropriate to remit the query no. 5 for reconsideration.
9. Considering the above observations, I remit the application to the respondent for *de novo* consideration of query nos. 1 and 5 and sending appropriate response to the appellant in terms of RTI Act, within 30 days from the date of receipt of this order.

10. The appeal is accordingly disposed of.

Place: Mumbai

Date: March 26, 2025

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