

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

Appeal No. 5378 of 2022

Priyansh Jaiprakash Singh	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated July 31, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated August 10, 2022, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/22/00550) dated August 21, 2022. 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 the respondent provided incomplete, misleading or false information. In view of the submissions made by the appellant in his appeal, I am dealing with the queries and the response provided thereto in the following paragraphs.
3. **Query number 1-** The appellant, vide query number 1, *inter alia*, sought the status of action taken/direction issued on letter dated July 12, 2022 and email dated July 11, 2022 regarding revaluation/rechecking of his English descriptive paper SEBI Grade A Officer Assistant Manager- legal exam 2022 Phase II.
4. The respondent, in response to the aforesaid query, informed that the query is in the nature of seeking clarification/opinion and accordingly, the same cannot be construed as seeking “information” as defined under section 2(f) of the RTI Act. The appellant, in his appeal, *inter alia*, submitted that under the RTI Act, “opinion” and “advices” are included within the definition of information and that the respondent has erred in arriving on said conclusion.
5. I have perused the query and the response provided thereto. I note that the appellant has specifically sought information regarding action taken on his letter dated July 12, 2022 and email dated July 11, 2022

forwarded to SEBI regarding revaluation/rechecking of his English descriptive paper (Phase II). On consideration, I find that the query has not been adequately addressed. Accordingly, it would be appropriate to remit the query for reconsideration.

6. **Query number 2-** The appellant, vide query number 2, *inter alia*, sought the number of candidates who attended the interview, Phase III on May 23, 2022 and attendance sheet of interview. The appellant also requested to provide physical inspection of his English descriptive paper Phase II, SEBI Grade A Assistant Manager Legal Exam 2022.
7. The respondent, in response to query number 2, informed the total number of candidates who attended the interview on May 23, 2022. The respondent also informed that the remaining information is personal information of candidates. The appellant, in his appeal, *inter alia*, submitted that the respondent has not provided physical inspection of records as sought by him. The appellant, vide additional submissions made on August 22, 2022, submitted that attendance sheet pertaining to public employment does not fall into personal information of candidates.
8. I have perused query number 2 and the response provided thereto. With respect to first part of query number 2 regarding number of candidates appearing for the interview, I find that the respondent has adequately addressed the same by providing the information available with him. With respect to second part of the query pertaining to attendance sheet, I agree with the response of the respondent that same pertains to personal information of the candidates. Accordingly, the requested information is exempt from disclosure under Section 8(1)(j) of the RTI Act.
9. Further, I note that the appellant, vide query number 2, also sought inspection of his English descriptive paper Phase II, SEBI Grade A Assistant Manager Legal Exam 2022. On consideration, I find that the said query has not been dealt by the respondent. Therefore, the respondent shall reconsider the request and provide an appropriate response thereon.
10. In view of these observations, I remit the application to the respondent for reconsidering query number 1 and also third part of query number 2 pertaining to inspection of appellant's English descriptive paper and to provide a revised response within 15 working days from the date of receipt of this order.

11. The Appeal is accordingly disposed of.

Place: Mumbai

Date: September 21, 2022

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