

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

Appeal No. 6339 of 2025

Aditya Sahariya : Appellant
Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated February 13, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated March 13, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00053) dated March 14, 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 February 13, 2025, sought the following information:

“Please provide name along with category of the candidate selected under Page SEBI Recruitment of Officers Grade A (Assistant Manager) 2024 –“
3. **Reply of the Respondent** - The respondent, in response to the application, informed that the information sought relates to personal information of aspirants, the disclosure of which has no relation to any public activity or interest. In view of the above, the information sought is exempt u/s 8(1)(j) of the RTI Act. However, the respondent also informed that the details of number of candidates, selected category and streams wise is available on SEBI website. The respondent also provided the link for accessing the same.
4. **Ground of appeal** – The appellant has filed the appeal on the ground that he was refused access to the information requested. The appellant, in his appeal, has submitted that the information sought is of public nature and cannot be considered personal information of selected candidates. The appellant has also

contended that knowing the name of people selected for a public employment is constitutional right of every citizen. The appellant has also submitted that the list of selected candidates along with their category is provided publicly by UPSC.

5. I have perused the application and the response provided thereto. I note that respondent has denied the name and category of selected candidates on the ground that the same are personal information of aspirants, the disclosure of which has no relation to any public activity or interest and the same is exempt under section 8(1)(j) of the RTI Act. On consideration, I find that the names and category are personal information of the selected candidates. In this context, reference is made to the judgment of the Hon'ble Supreme Court of India in the matter of *Central Public Information Officer, Supreme Court of India Vs. Subhash Chandra Agarwal* in Civil Appeal No. 10044 of 2010 with Civil Appeal No. 10045 of 2010 and Civil Appeal No. 2683 of 2010 (judgement dated November 13, 2019) wherein "personal information" envisaged under Section 8(1)(j) of RTI Act has been exemplified in the context of earlier ratios laid down by the same Court in other matter(s). The Hon'ble Supreme Court held that: *"59. Reading of the aforesaid judicial precedents, in our opinion, would indicate that personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as personal information. Similarly, professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings, etc. are all personal information. Medical records, treatment, choice of medicine, list of hospitals and doctors visited, findings recorded, including that of the family members, information relating to assets, liabilities, income tax returns, details of investments, lending and borrowing, etc. are personal information. Such personal information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied. This list is indicative and not exhaustive..."*
6. Such personal information is protected from unwarranted invasion of privacy, and conditional access is available when the stipulation of larger public interest is satisfied. In this context, I note that the Hon'ble Supreme Court in the matter of *Bihar Public Service Commission vs. Saiyed Hussain Abbas Rizwi* (Judgement dated December 13, 2012) had held that:

"22. The expression "public interest" has to be understood in its true connotation so as to give complete meaning to the relevant provisions of the Act. The expression "public interest" must be viewed in its strict sense with all its exceptions so as to justify denial of a statutory exemption in terms of the Act. In its common parlance, the expression "public interest", like "public purpose", is not capable of any precise definition. It does not have a rigid meaning, is elastic and takes its colour from the statute in which it occurs, the concept varying with time and state of society and its needs (State of Bihar v. Kameshwar Singh [MANU/SC/0020/1952 : AIR 1952 SC 252]). It also means the general welfare of the public

that warrants recognition and protection; something in which the public as a whole has a stake [Black's Law Dictionary (8th Edn.)].

23. The satisfaction has to be arrived at by the authorities objectively and the consequences of such disclosure have to be weighed with regard to the circumstances of a given case. The decision has to be based on objective satisfaction recorded for ensuring that larger public interest outweighs unwarranted invasion of privacy or other factors stated in the provision."

7. I note that the list of selected candidates (roll no. wise) and the number of selected candidates (category and streams wise) are available on SEBI website. I also note that the names of all the employees of SEBI is available publicly on SEBI website along with their date of joining in SEBI. In light of the aforesaid disclosures, I find that no further intervention of this forum is necessary.
8. With regard to the category of selected candidates requested by the appellant, I concur with the response of the respondent that the information sought relates to personal information of candidates, the disclosure of which has no relation to any public activity or interest and the same is exempt u/s 8(1)(j) of the RTI Act. Further, on perusal of the appeal, I note that the appellant has failed to provide any submissions as to how the disclosure of the aforementioned information is justified by larger public interest. In this context, I find it pertinent to place reliance on the decision of Hon'ble Central Information Commission (CIC) in *Shyam Singh Salvi Vs. Central Public Information Officer, Rajasthan Marudhara Gramin Bank* (Date of decision : 11.01.2017; CIC/SH/A/2015/002317, CIC/SH/A/2015/002318 and CIC/SH/A/2015/002319), wherein it was held:

"We have examined the RTI application dated 10.1.2015 submitted by the Appellant and note that at point No. 1, he has sought information regarding the names, designation and category (SC/ST/General/OBC) of the officials of the bank under the Regional Office. In this connection, we note the following observations made by the High Court of Delhi in the judgment dated 8.11.2013 in UPSC v. Pinki Ganerwal [W.P. (C) No. 5812/2010]:-

"In the present case, the information such as date of birth, institution and year of passing graduation, field experience and caste is personal information of the selected candidates. There is no finding by the Commission that it was in larger public interest to disclose the aforesaid personal information of the recommended candidates. Even in his application seeking information, the respondent did not claim that any larger public interest was involved in disclosing the aforesaid information. In the absence of such a claim in the application and a finding to this effect by the Commission, no direction for disclosure of the aforesaid personal information could have been given."

The Appellant has not established any larger public interest for disclosure of the above information. Therefore, the information sought at point No. 1 cannot be provided to him"

Accordingly, I do not find any deficiency in the response of the 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: April 07, 2025

RUCHI CHOJER

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