

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

**Appeal No. 5578 of 2023**

|                    |    |            |
|--------------------|----|------------|
| Kumar Amritanshu   | :  | Appellant  |
|                    | Vs |            |
| CPIO, SEBI, Mumbai | :  | Respondent |

**ORDER**

1. The appellant had filed an application dated January 06, 2023 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated January 30, 2023, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00029) dated February 01, 2023. 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, vide his application dated January 06, 2023, sought the following information:

*“1. When SEBI GRADE A notification will be out?*

*2. What is the eligibility of final year student for applying for the exam in general stream and legal stream?*

*3. If I am in final year of my B.A., LLB graduation, would I be eligible of applying for the exam if I will be able to produce my degree during the time of interview.”*
3. The respondent, in response to the aforesaid queries, informed that the queries are 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.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that the information provided was incomplete, misleading or false. The appellant, in his appeal, *inter alia*, submitted that the information sought by him is covered under the definition of section 2(f) of the RTI Act.

5. I have perused the queries and the response provided thereto. On consideration, I am of the opinion that the queries are in the nature of seeking clarification/ opinion from the respondent regarding a future event, which cannot be construed as an information available on record. Further, I note that the respondent is not supposed to create information; or to interpret information; or to furnish clarification to the appellant under the ambit of the RTI Act. In this context, reference is made to the matter of *Vineet Pandey vs. CPIO, United India Insurance Company Limited* (Judgment dated January 21, 2021), wherein similar observations were made by the Hon'ble CIC. In view of these observations, 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.
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: February 14, 2023**

**ANAND BAIWAR**

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