BEFORE THE APPELLATE AUTHORITY
(Under the Right to Information Act, 2005)
SECURITIES AND EXCHANGE BOARD OF INDIA
Appeal No. 6367 of 2025

Manisha Thakur	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated April 09, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 ("**RTI Act**"). The respondent, by a letter dated April 22, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00077) dated April 22, 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. **Query in the application** - The appellant, in her application dated April 09, 2025, sought the following information:

"I am writing this application under the Right to Information Act, 2005 to seek clarification regarding the eligibility criteria for the SEBI Grade A (Assistant Manager) recruitment.

As per the notification issued for SEBI Grade A recruitment, candidates who have qualified professional qualifications like CA/CS/CMA are eligible to apply under certain streams.

I would like to seek information on the following point:

Am I eligible to apply for the SEBI Grade A examination under the CA/CS/CMA category if I have qualified all the exams of either CA/CS/CMA but am currently undergoing the mandatory training/internship required by the respective professional body for obtaining full membership?

Kindly provide a clarification on whether such candidates who have passed all the exams but have not yet completed training are considered eligible to apply."

3. **Reply of the Respondent** –The respondent, in response to the application, informed that the information sought by the appellant is 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.

4. **Ground of appeal** – The appellant has filed the appeal on the ground that she was refused access to the information requested. The appellant, in her appeal, has contended that definition of information under the RTI Act includes any advice and opinion.

5. I have perused the application and the response provided thereto. On consideration, I agree with the response of the respondent that the appellant's query is in the nature of seeking clarification/opinion/confirmation from the respondent. I find that the said query 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 or confirmation 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/advices 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 of the respondent.

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: May 20, 2025

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