

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

Appeal No. 6371 of 2025

Rajat Digambar Rane : Appellant
Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated April 11, 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 29, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00080) dated April 29, 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 April 11, 2025, sought the following information:

“In the three notifications, Recruitment of Officer Grade A (Assistant Manager) - 2020, 2022 and 2024, for the post of Assistant Manager General stream, kindly provide the question papers along with their answer keys for Phase 1 (both paper 1 and paper 2) and Phase 2 (both paper 1 and paper 2).”
3. **Reply of the Respondent** –The respondent, in response to queries in the application, informed that the online examination for recruitment of SEBI Grade A Officer is conducted by Institute of Banking Personnel Selection (IBPS), an autonomous body, within the terms of MoU, as per which only IBPS is in possession of the test / question papers and their answer key which are not shared with SEBI. Hence, the same is not available with SEBI.
4. **Ground of appeal** – The appellant has filed the appeal on the ground that he was refused access to the information requested.

5. I have perused the application and the response provided thereto. On consideration, I note that the respondent has categorically stated that the question paper and answer keys are not shared by IBPS, which is an autonomous body, with SEBI. In this context, reliance is placed on the decision of Hon'ble Central Information Commission (**CIC**) in the matter of *Mrigesh Manubhai Thakkar vs. SEBI* (order dated December 28, 2016), wherein it was observed that "*The Commission observes that the respondents can provide only that information which is existing and available with them and the RTI Act does not mandate it for the respondent authority to create information if it is not collected and collated in the normal course of their duties. The Commission, therefore, does not find any need to intervene in the matter. The appeal is disposed of.*" Further, it is pertinent to note that Hon'ble CIC in a similar matters in *Abhijit Bhimgonda Bhikkappa Patil vs. CPIO, SEBI* (Date of Decision: 27.12.2022), *Devesh Singh vs. CPIO, SEBI*, (Date of Decision: 07.11.2022 and *Bhavesh Silawat v CPIO, SEBI* (Date of Decision: 28.10.2022), wherein question papers/answers sheets with respect to SEBI Grade A recruitment exam has been sought, has accepted the contention of the respondent that as SEBI do not have access to the information sought, no information could be given. 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 23, 2025

RUCHI CHOJER

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