

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

Appeal No. 7093 of 2026

Vishnu Mohan Pathak : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated nil (received by SEBI on July 30, 2026) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated August 14, 2026, responded to the application filed by the appellant. The appellant filed an appeal dated September 14, 2026 (Reg. No. SEBIH/A/P/26/0065, received by the Office of Appellate Authority on September 18, 2026). I have perused the application, the response of the respondent 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, sought the following information:

“Kindly provide the following information from the official records:

1. Information regarding interview marking structure:

Kindly provide a certified copy of the official administrative guidelines, circulars; instructions, scoring rubrics, or manuals issued to the interview board/panel members governing the allocation of the total marks during the Phase III personal interview for this specific stream.

2. Information regarding experienced-based marking (If applicable):

If any specific subset of marks within the interview evaluation was structurally reserved for "Post-Qualification Work Experience" or "Higher Academic Qualifications", kindly provide the exact number of marks awarded to me under that specific sub-category along with the criteria used for this evaluation.

3. Information regarding the marks matrix of other candidates:

Kindly provide a copy of the final, consolidated interview tabulation sheet containing the marks obtained in the Phase III interview round by all candidates who were shortlisted and appeared for the interview in my stream. Keeping the personal contact/identity profiles redacted as per standard RTI protocols.

4. Information regarding panel composition criteria:

Kindly provide the official document detailing the authorized designation and professional capacity of the board/panel members who conducted the interview for my specific panel. (Note: Names Of the individuals are not required, only their official designations/professional categories)."

3. **Reply of the Respondent** – The respondent, in response to query no. 1, informed that the information sought pertains to the internal functioning of SEBI and relates to the systems and procedures followed at SEBI. In view of the same, respondent stated that the requested information is exempt u/s 8(1)(a) of the RTI Act. Notwithstanding the aforesaid, the respondent informed that the relevant information pertaining to SEBI Recruitment Exercise 2025 has been published on SEBI website.

With regard to query no. 2, the respondent informed that the query 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.

With regard to query no. 3, the respondent informed that the relevant information pertaining to SEBI Recruitment Exercise 2025 has been published on SEBI website. Notwithstanding the aforesaid, the respondent informed that the candidates can access their respective interview marks by entering the credentials. The respondent informed that the marks secured by 135 selected candidates has been published on SEBI website.

With regard to query no.4, the respondent informed that the information sought pertains to the internal functioning of SEBI and relates to the systems and procedures followed at SEBI. In view of the same, the respondent informed that the information sought is exempt u/s 8(1)(a) of the RTI Act.

3. **Ground of appeal** – On perusal of the appeal, it appears that the appellant is not satisfied with the response of the respondent.
4. I have perused the application and the response provided thereto. With regard to query no. 1, I concur with the response of the respondent that the information sought pertains to the internal functioning of SEBI and relates to the systems and procedures followed at SEBI. In this context, I note that in *ICAI v. Shaunak H.*

Satya, [(2011) 8 SCC 781], the Hon'ble Supreme Court held that: - "*The competent authorities under the RTI Act will have to maintain a proper balance so that while achieving transparency, the demand for information does not reach unmanageable proportions affecting other public interests, which include efficient operation of public authorities and the Government, preservation of confidentiality of sensitive information and optimum use of limited fiscal resources.*" In view of these observations, I concur with the response of the respondent that the requested information is exempt from disclosure under section 8(1)(a) of the RTI Act. Accordingly, I do not find any deficiency in the response of the respondent.

5. With regard to query no. 2, I find that the appellant's query is in the nature of seeking clarification/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 under the RTI Act. In this context, reliance is placed on matter of *Azad Singh vs. CPIO, Oriental Insurance Company Limited* (order dated March 23, 2021) wherein Hon'ble Central Information Commission(**CIC**) 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. With regard to query no.3, I note that the respondent has informed that the relevant information pertaining to SEBI Recruitment Exercise 2025 including marks secured by 135 selected candidates has been published on SEBI website. In light of the aforesaid, I find that no further intervention of this forum is warranted.
7. With regard to query no.4, I note that the details of interview panel such as designation and professional capacity is exempted from disclosure as per Section 8(1)(g) of the RTI Act. In this context, I find it pertinent to note that Hon'ble Supreme Court in the matter of *Central Board of Secondary Education and Anr. v. Aditya Bandopadhyay and Ors* (Civil Appeal No. 6454 of 2011) has held: "'28. the information as to the names or particulars of the examiners/coordinators/scrutinisers/head examiners are therefore exempted from disclosure under Section 8(1)(g) of RTI Act, on the ground that if such information is disclosed, it may endanger their physical safety. Therefore, if the

examinees are to be given access to evaluated answer-books either by permitting inspection or by granting certified copies, such access will have to be given only to that part of the answer-book which does not contain any information or signature of the examiners/co-ordinators/scrutinisers/head examiners, exempted from disclosure under Section 8(1)(g) of RTI Act." It is also pertinent to note that Hon'ble High Court of Delhi in the matter of *Mukesh Kumar vs. Chief Information Commission, CIC, W.P.(C) 10691/2016 dated 19.09.2017* has held "15. Insofar as handwritten marks awarded by interview panel is concerned, those obviously from a part of the working papers of the interview panel and cannot be disclosed; disclosure of such handwritten record would also inevitably disclose the identity of the members of the interview panel, which as stated above cannot be disclosed to the petitioner." Accordingly, I find that no further intervention of this forum is warranted.

8. 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: October 12, 2026

RUCHI CHOJER

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