

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

Appeal No. 6574 of 2025

Omkar Mukund Darunkar : Appellant
Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated August 07, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 03, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00257) dated September 24, 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 August 07, 2025, sought the following information:

“Whether the reservation benefits provided to Persons with Benchmark Disabilities (PwBD) in SEBI Grade A and Grade B examinations are available to candidates having a temporary disability that qualifies as a benchmark disability (i.e., 40 percent or more) at the time of application.

Does SEBI require the benchmark disability to be permanent in nature, or are candidates with temporarily disabling conditions which cross the 40 percent benchmark considered eligible under the PwBD quota?

Is there any specific notification, rule, guideline, or circular issued by SEBI that prevents persons with benchmark disabilities who hold a temporary disability certificate from availing reservation benefits?

Is there any specific notification, rule, guideline, or circular issued by SEBI or adopted by SEBI from the Department of Empowerment of Persons with Disabilities or DoPT regarding the recognition of temporary benchmark disabilities for reservation in recruitment?”

3. **Reply of the Respondent** –The respondent, in response to queries in the application, informed that the queries are 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 he was refused access to information requested.
5. I have perused the application and the response provided thereto. On consideration, I find concur with the response of the respondent that the appellant’s queries are in the nature of seeking clarification/opinion/confirmation from the respondent. 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 or confirmation 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 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: October 10, 2025

RUCHI CHOJER

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