

**OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : KP(M).720/2013
Complainant/ appellant : Md Rekibur Zaman
Respondent : Chief General Manager (D), APDCL (LAR), Guwahati
Date of hearing : 29. 12.2015
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
29.12.2015

The Public Authority is represented by Shri Bimal Kr. Choudhury, SPIO and CEO, Guwahati Electrical Circle- II, APDCL. The Petitioner Md. Rekibur Zaman is absent. However, he has sent an email dtd December 28, 2015 praying for another date for hearing of his Second Appeal petition dtd 21.11.13.

From perusal of the case records it is seen that the RTI applicant vide his application dtd 3.6.13 wanted copies of answer sheets of written test held on 8.1.12 together with marks obtained in viva voce/interview and computer proficiency test held on 26.4.12 of 34 numbers of candidates including himself. The SPIO present today submitted that the candidates mentioned in the RTI application appeared in the written test and interview for the posts of Meter Readers and Bill Clerks. The SPIO further submitted that APDCL had written to the candidates seeking their consent to disclose the information sought for. Twenty nine candidates had objected to disclosure of the information including furnishing copies of the answer sheets. Four others did not reply.

This Commission is of the view that except for his own answer script, the answer scripts of other candidates are third party information.

This Commission therefore, directs the SPIO to take a decision by following the provisions laid down u/s 11, and give notice in writing communicating his decision to the third party as is required u/s 11 (3) of the RTI Act, 2005 within 15 days from the date of receipt of this order.

This Commission further directs the SPIO to furnish a copy of the answer script of the written test of the RTI applicant himself and the marks scored by all the 34 candidates in the written test, in the interview/ viva voce and in the computer proficiency test to the RTI Applicant within 15 days from the date of receipt of this order.

If the Applicant wants to prefer an appeal against the decision of the SPIO with regard to the third party information mentioned above, he may then file an appeal as provided u/s 19 (2) of the RTI Act, 2005.

With the above order, the application dtd 21.11.13 is disposed of.

Sd/-
(H. S. Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam State Information Commission

Memo No. KP(M).720/2013/

Dtd. 29.12.2015

Copy to: 1. The SPIO and Chief Executive Officer, Guwahati Electrical Circle-II, APDCL(LAR), Jalukbari, Guwahati-781 014 for information and necessary action.
2. Md. Rekibur Zaman, Vill- Garigaon (Rongamati), PO- Garigaon, Dist. Kamrup (M), Assam, PIN- 781 012 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam State Information Commission