



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

Case No. : SIC/DHR.59/2017  
Appellant : Md. Komor Uddin  
Respondent : The SPIO, O/o the Mission Director, National Health Mission, Assam  
Date of hearing : 03.08.2017  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
03.08.2017

Shri Ashim Kumar Chetia, SPIO/Special Consultant and Shri Pranjit Kumar Roy, PIO, National Health Mission, Assam present along with three other colleagues for assistance. A Written Statement dated 03.08.2017 has been submitted by the SPIO.

The Appellant, Md. Komor Uddin is present.

Perused the case record. It is seen that the Appellant had filed his Second Appeal dated 29.05.2017 regarding information he had sought for through his RTI Application dated 15.03.2017 on appointment of ANMs in Dhubri district by the Mission Director, NHM, Assam through an order dated 04.03.2017. The information sought for was copies of Online Application in respect of specific Roll Nos., total marks obtained by selected/appointed candidates and members of the Interview Boards with allotment of marks by them individually in the Skill Test and interview of the selected/appointed candidates. Through his letter dated 12.04.2017, the SPIO informed the Appellant that the views of the Standing Counsel of NHM had been sought before furnishing the information. Subsequently, the SPIO responded to the Appellant with reference to his First Appeal dated 24.04.2017 that as the information sought for related to third party, consent was being sought from the parties U/S 11(1) of the RTI Act, 2005 and the information should be provided after receiving the written consent.

Heard the Appellant. He reiterated the contents of his Second Appeal and submitted that although he was not the candidate himself, his daughter was one. He added that he needed the information urgently in connection with a writ petition he had filed in the Hon'ble High Court.

Heard the SPIO and his colleagues and perused the Written Statement. It was submitted that 24 of the 25 persons gave a written response in respect of third party consent, and of them 23 conveyed their objections to furnish the information relating to their personal details to the Appellant. The First Appeal had been disposed of with the direction to obtain consent of candidates. It has been submitted that no information was denied and that provisions of the RTI Act had been complied with.

After a careful consideration of the facts and circumstances brought out above, the Commission concludes that the information relating to candidates in a selection process for jobs cannot be said to be exempted information U/S 8 of the RTI Act, 2005, once the results are finalized and made public. In other words, once the results have been made public, the information relating to candidates is a matter of record/information to be held by the Public Authority. Such information being in the public domain, these are liable to be furnished to information seekers under the said Act. The only exclusion would relate to the marks allotted

to the candidates by individual members of the Interview Board so as to protect the privacy and personal safety of the members concerned. However, the total marks obtained in the interview by candidates are liable to be furnished.

In view of the facts brought out above, the Commission hereby orders that the SPIO/Mission Director, NHM, Assam shall furnish the information sought for by the Appellant through his RTI Application dated 15.03.2017 excepting the marks given by the members of the Interview Board individually in respect of the Skill Test and interview of the selected/appointed candidates. The information may be furnished, free of cost, within 10 days of receipt of this order.

The Second Appeal is hereby disposed of.

Sd/-  
Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-  
Joint Registrar  
Assam State Information Commission

Memo No. SIC/DHR.59/2017

Dtd.03.08.2017

Copy to:

1. The SPIO, O/o the Mission Director, National Health Mission, Christian Basti, Guwahati-5, Assam for information and necessary action.
2. The First Appellate Authority/Mission Director, National Health Mission, Christian Basti, Guwahati- 5, Assam for information.
3. The Appellant, Md. Komor Uddin, S/o- Samser Ali Bepari, Vill- Khalilpur (Aambagan), Oppo. U.H.F. Tower, PO- Jhagarpar, Dhubri, Pin- 783 325 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam State Information Commission







