

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

Case No. : SIC/DRN.23/2018  
Appellant : Md. Masood Iqbal  
Respondent : The SPIO, O/o the Assam Public Service Commission,  
Jawaharnagar, Khanapara, Guwahati- 22, Assam  
Date of hearing : 17.05.2018  
Second Appeal heard by : Shri Pinuel Basumatary, IA & AS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
17.05.2018

The SPIO absent. However, a Written Statement dated 10.05.2018 received from the SPIO, Assam Public Service Commission, Khanapara, Guwahati.

The Appellant, Md. Masood Iqbal is present.

Perused the Written Statement. The SPIO has requested to fix another date for hearing. It has been submitted that information relating to the answer keys sought for by the Appellant was held by the Confidential (examination) Section of the APSC and that the latter were accordingly preoccupied with the process of finalization of the result of a particular examination.

Heard the Appellant. He submitted that as stated in his Second Appeal dated 15.03.2018 he was not satisfied with the response of the SPIO to point number 4 of his RTI Application dated 11.01.2018, namely, marks allotted to qualified candidates and therefore respective categories. The response given by the Secretary and the First Appellate Authority, APSC was that the information sought for could not be provided U/S 8(1)(d) of the RTI Act, 2005. However, no justification for the claim of exemption from disclosure has been provided. The Section of the Act cited does not obviously exclude the information that has been sought for. Besides, as the final result of the concerned competitive examination is stated to have been notified sometime in the month of February, 2018 there does not appear to be any justification or requirement of withholding the information under any Sub-Section of Section 8 of the Act.

In view of the facts brought out above, the Commission **hereby orders that the Commission (APSC) review the decision regarding withholding of the said information and provide the same to the Appellant, free of cost, within 21 days of receiving this order. Should the Commission (APSC) continue with the decision to claim exemption from disclosure of the information, a detailed justification may be provided to the Appellant within the said timeline.**

**The Second Appeal is hereby disposed of. However, date for another hearing shall be fixed sometime in the month of July, 2018, should this Commission receives any Complaint of non-compliance with this order from the Appellant.**

Sd/-

Pinuel Basumatary IA & AS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-

Joint Registrar  
Assam Information Commission

**Memo No. SIC/DRN.23/2018/14-A**

**Dtd.17.05.2018**

Copy to:

1. The SPIO, O/o the Assam Public Service Commission, Jawaharnagar, Khanapara, Guwahati- 22, Assam for information and necessary action.
2. The First Appellate Authority/office of the Assam Public Service Commission, Jawaharnagar, Khanapara, Guwahati- 22, Assam for information.
3. The Appellant, Md. Masood Iqbal, C/o- Abdul Ali, Vill & PO- Maroi, Dist.- Darrang, Assam, Pin- 784 145 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam Information Commission





