



OFFICE OF THE

**ASSAM INFORMATION COMMISSION**

**JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

<b>Case No.</b>	<b>KP(M).199/2018</b>
<b>Complainant/ Appellant</b>	<b>Sri Pranjal Kr. Sarma</b>
<b>Respondent</b>	<b>APSC.</b>
<b>Date of Hearing</b>	<b>25.06.2018</b>
<b>Complaint/ Second appeal heard by</b>	<b>Shri H. S. Das, IAS (Retd) State Chief Information Commissioner, Assam</b>

**O R D E R**  
**25.06.2018**

1. . The petitioner Sri Pranjal Kr. Sarma is present accompanied by his Advocate Sri Rupam Jyoti Sarma. The public authority is represented by Sri Naba Kr. Das, Under Secretary and ASPIO, APSC.

2. The second appeal petition dated 3-1-2018 is taken up for further consideration in pursuance of this Commission's earlier order dated 4-6-2018.

3. The ASPIO of APSC has submitted a revised copy of the earlier written statement dated 1st June, 2018 making one change that they did not provide the sought for information against No. iv, v and vi of the petitioner's RTI petition dated 17-10-2017 as such informations are exempted from disclosure under Sections 8 (1)(e) and 8 (1)(j) of the RTI Act, 2005 instead of Section 8(1)(d) and 8(1)(j) as mentioned in the earlier written statement dated 1<sup>st</sup> June, 2018 which was submitted before this Commission passed its order on 4-6-2018.

4. The ASPIO submitted orally that the informations sought for in respect of other candidates are of the nature of personal information under Section 8(i)(j) and that they also come under the category of fiduciary relationship between the APSC and the candidates under Section 8(1)(e). On this ground APSC has not disclosed the marks obtained by the finally selected candidates for the screening test and in the viva voce test with the break-up between the oral test and marks given against academic , professional qualification/ service experience/ preferential qualification.

5. It is noted that APSC conducts competitive examinations for selection of candidates for recruitment of public servants against senior posts under the State Govt.. It is , therefore, imperative that the merit and performance of the selected candidates

who subsequently become senior public servants ought to be subject to reasonable degree of transparency. Disclosure of the marks secured by the successful candidate in the competitive examination conducted by the APSC does not appear to harm the personal interest, or intrude into the privacy of, such candidates. Moreover, such disclosures may be useful as future guidance to the unsuccessful candidates so that they may know the distance of the marks secured by them from those secured by the successful candidates. Therefore, in the opinion of this Commission, disclosure of the final marks secured by the selected candidates in the written or viva voce test should not amount to breach of the provisions of Section 8 (1)(e) and Section 8(1)(j) of the RTI Act, 2005. Rather for the sake of reasonable transparency and in the larger public interest such informations should be disclosed.

6. Therefore, in the larger public interest the ASPIO of APSC is directed to furnish the sought for informations to the petitioner against point Nos. iv, v and vi also in response to the RTI application dated 17-10-2017, within 20 days.

7. With the above order the second appeal petition dated 3-1-2018 is disposed of.

**(H. S. Das)**  
**State Chief Information Commissioner,**  
**Assam**

**Authenticated true copy**

**Registrar I/c**  
**Assam Information Commission**

**Memo No SIC/ KP(M) 199/2018/**

**A**

**Dated 25.06.2018**

Copy to:-

- 1) ASPIO of APSC, Assam, Khanapara, Guwahati-22 for information and necessary action as ordered above.
- 2) Sri Pranjal Kr. Sarma, , Village- Rangamati,P.O- Rangamati, Dist- Kamrup, PIN- 781122 for information.
- 3) Computer Section for uploading in the Website
- 4) Office file.
- 5) Order Book.**

**Registrar I/c**  
**Assam Information Commission.**

