



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

Case No. KP(M)391/ 2019  
Complainant/ Appellant Smt. Deepa Baruah.  
Respondent : SPIO Assam Public Service Commission.  
Date of hearing 10.07.2019  
Complaint/ Second : Shri H. S. Das, IAS (Retd)  
Appeal heard by Chief Information Commissioner, Assam

**O R D E R**

10.07.2019

1. The appellant Smt. Deepa Baruah is absent without any information. The public authority, i.e., the Assam Public Service Commission is present as represented by Sri Naba Kr. Das, SPIO and Under Secretary accompanied by Sri Bhaba Ch. Das, Jr. AA. The second appeal petition dated 7.12.2018 read with the RTI petition dated 3.9.2018 is taken up for consideration ex parte in absence of the petitioner.

2. (a) The SPIO of APSC has submitted a written statement dated 6.7.2019 enclosing a copy of their letter dated 28<sup>th</sup> Sept., 2018 by which some informations were furnished to the petitioner in response to her RTI petition mentioned above. The RTI applicant was informed that the required information against point no.1 of her RTI petition cannot be furnished under Section 8(1)(g) of the RTI Act, 2005 which allows exemption from disclosure on grounds of threat to life or physical safety and security, identity of source of confidential information, etc.

(b) The informations sought for by the applicant in Point No.1 of her RTI petition was authenticated copy of statement of marks secured by all candidates who appeared in the interview held on 7.6.2018 for the posts of Asstt. Professor in "Nyaya" in the K.K. Handique Govt. Sanskrit College. This Commission is of the opinion that since the selection process is already over, the sought for informations cannot be denied on the grounds of exemption under Section 8(1)(g). The SPIO of APSC is, therefore, directed to provide the informations to the applicant by registered post within 15 days from the date of this order which was pronounced in his presence.

3. As regards the Point No.2 of the RTI petition, the SPIO of APSC submitted orally that the documents submitted by the selected Smt. Uditā Bhattacharyya has been sent to the concerned Deptt., in this case, the Higher Education Deptt., after the selection process was over. It has been mentioned in the WS that accordingly the Point No.2 of the RTI petition was transferred to the Higher Education Deptt. vide APSC's letter dated 20<sup>th</sup> October, 2018. This Commission is of the view that the sought for informations under Point No.2 are third party informations. **The SPIO of Higher Education Department is, therefore, directed to take a decision from the transferred portion of the RTI petition involving Point No.2 in pursuance of Section 11 of the RTI Act, 2005 and communicate the same to the RTI applicant within 15 days from the date of receipt of this order.**

4. Regarding Points No.3, 5, 6 and 7, the SPIO of APSC, vide paragraph 2 of his letter dated 28.9.2018 informed the RTI applicant that the sought for informations are to be found in APSC (Procedure & Conduct of Business) Rules, 2010 which can be obtained from the official website of the APSC. The appellant may, therefore, visit the APSC's website and request SPIO of APSC for further clarification within 15 days from the receipt of this order if she has any doubt.
5. The information regarding Point No.4 of the RTI petition were already furnished to the petitioner vide para 3 of the APSC's letter dated 28<sup>th</sup> Sept., 2018.
6. As regards Point No.8 of the RTI petition, the SPIO of APSC is directed to refer to Section 7(9) of the RTI Act. Since furnishing of the sought for information in the format suggested by the applicant is not likely to disproportionately divert the resources of APSC, the SPIO is directed to furnish the same as desired by the applicant within 15 days from the date of this order which was pronounced in his presence.
7. As regards Point No.9 of the RTI petition it is seen that the required information was furnished to the appellant vide Annexure-A of the APSC's letter dated 28<sup>th</sup> Sept., 2018.
8. In view of the above, the second appeal petition dated 7.12.2018 is disposed of with the above orders.

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


Authenticated true copy.

  
Registrar i/c  
Assam Information Commission

Memo No. SIC/ KP(M)391/2019

Dated 10.07.2019

- Copy to:
1. The SPIO of Assam Public Service Commission, Jawaharnagar, Khanapara, Guwahati 22 for information and necessary action.
  2. The Director of Higher Education, Assam, Kahilipara, Guwahati 19 for information and necessary action.
  3. Smt. Deepa Baruah, C/o. Sri Dhoneshwar Bezbaruah, House No.47, Geetanagar Path,P.O. Noonmati, Dist. Kamrup (M), PIN 781020.
  4. Computer Section for uploading in the Website.
  5. Office File.
  6. Order Book.

  
Registrar i/c  
Assam Information Commission