



**OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781037**

Case No. : SIC/KP (M).343/2020
Complainant/ appellant : Sri Gitumai Haloi
Respondent : SPIO, O/o the Assam Public Service Commission
Date of hearing : 01.02.2021
Complaint/ Second : Dr. A.P. Rout, IPS (Retd.)
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
01.02.2021

- I. The petitioner Sri Gitumani Haloi is present. The public authority i.e. the SPIO of the Office of the Assam Public Service Commission (APSC) Sri Naba Kr. Das is present. The SPIO of APSC has submitted a written statement dated 29.1.2021 which is entered into case records.
- II. On perusal of the case records, it is seen that the RTI petitioner Sri Gitumani Haloi has filed RTI petition dated 01.02.2020 seeking following information:-
1. Marks secured in Written Test (OMR based) held on 23/06/2019 by all the selected candidates vide the APSC letter No. 52PSC/CON/Exam-36/2018-19 dated 11.12.2019.
 2. OMR Answer Sheets of all selected candidates vide the APSC letter under reference (letter No. 52PSC/CON/Exam-36/2018-19 dated 11.12.2019).
 3. All Hard copies and soft copies of Computer Proficiency Practical Test held on 08/12/2019 of all the selected candidates vide the APSC letter under reference (letter No. 52PSC/CON/Exam-36/2018-19 dated 11.12.2019).
 4. Marks secured in each question in Computer Proficiency Practical Test held on 08/12/2019 by all the selected candidates vide the APSC letter under reference (letter No. 52PSC/CON/Exam-36/2018-19 dated 11.12.2019).
- Out of which the SPIO of APSC has furnished complete information relating to point No. 1 and in respect of Point No. 4 of the RTI petition dated 1.2.2020, the SPIO of APSC mentioned that the Computer Proficiency Practical Test cannot be furnished due to technical reasons.
- III. Therefore, the Commission directs the SPIO to consult with the Technical Staffs and if it does not interfere with the authenticity and integrity of their electronic devices, copies relating to the sought for information in respect of Point 4 of RTI petition dated 1.2.2020 be given to the petitioner.
- IV. As regards Point Nos. 2 and 3 of the RTI petition dated 1.2.2020, the SPIO mentioned that the hard copies as well as the soft copies of computer proficiency test cannot be given without the consent of selected candidates as it is third party information under Section 11 of the RTI Act, 2005. However, as per the provision of the RTI Act, 2005 the SPIO may write to the members of the third parties for their consent and if the consent is positive, the information be furnished to the petitioner.

V. With the above order, the second appeal petition dated 13.11.2020 is disposed off.

Sd/-
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-
Joint Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M).343/2020

Dtd. 1.2.2021

Copy to:

1. Sri Naba Kr. Das, SPIO of the Assam Public Service Commission, Jawaharnagar, Khanapara, Guwahati-22 for information and necessary action.
2. Sri Gitumani Haloi, Petitioner, C/o- Nripendra Baishya, Bhetapara, Santi Path, Near Uruli Bibah Bhawan, H. No-2 Beltola, Guwahati, Assam for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Joint Registrar i/c
Assam Information Commission