सत्यमेव जयते

सूचना का अधिकार
RIGHT TO INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-281/2025.

APPELLANT : Shri Ratan Chetia , Mahadevpur.
RESPONDENT : The PIO, o/o the District Project Officer-cum-DDSE, ISSE, Samagra Shiksha District Society Namsai, District, Namsai, AP.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ratan Chetia, for non-furnishing of below mentioned information by the PIO, o/o the District Project Officer-cum-DDSE, ISSE, Samagra Shiksha District Society, Namsai, District: Namsai Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 05.12.2024.

Details of information required:

Sl. No	Information required	Remarks
01.	Furnish the list of applied candidates for the walk-in-interview nof full time teacher for KGBV Namsai Type-III	
02.	Furnish the certified true copies of all the documents of the passed/selected candidates	
03.	Furnish the CT copies of the interview conducting committee/board/panel members with their names, designation and roles in the selection process.	
04.	What were the qualification / eligibility needed to be a member of selection committee/board	If yes, furnish GoAP notification for the same
05.	Was the selection process in compliance with government rules and regulation.	If yes, provide relevant documents/guidelines/notification
06.	Whether the viva conducted under recorded form?	If yes, provide relevant videos in S Drive (Pen drive)
07.	Provide the list of all selected candidates for the interview along with their respective scores.	

Brief facts and decision :

Records emerging from the appeal disclose that the Appellant, Shri Ratan Chetia had requested the PIO for the aforementioned information/documents but failed to obtain the same which prompted him to appeal before the Director of School Education, Namsai, Govt. of AP, the First Appellate Authority (FAA) under Section 19 (1) of the RTI Act, 2005 vide Memo of Appeal Dated 22.01.2025. However, the appellant having failed yet again to obtain the information preferred 2nd appeal before this Commission under Section 19 (3) of the RTI Act. 2005 vide Memo of Appeal dated 17.03.2025.

Record further reveal that FAA, vide letter No. DSE (RTI) 182/2025 Dt. 03.02.2025, had directed the PIO-cum-DDSE, Namsai to provide information as sought by the appellant as per his RTI application. However, there is no record of further hearing of this appeal by the FAA and hence, the appellant preferred his second appeal for adjudication by this Commission under section 19(3) of the RTI Act.

Accordingly, this appeal is listed today for hearing wherein both the appellant, Shri Ratan Chetia and the APIO, Shri J. Gamlin, District Project Co-ordinator (DPC) attended the hearing through video conference.

Heard both the parties.

The appellant submitted that he had received some of the requested documents from the PIO with which he is largely satisfied but he did not receive the copies of documents of selected candidates, their score/marks and the names and designation of the members of Interview Board. The APIO on the other hand submitted that the PIO had furnished to the appellant documents, whichever are disclosable under the RTI Act., except those exempted under the Act. He also submitted that the selection of the candidate was done strictly as per the existing Recruitment Rules and Govt. guidelines. He further submitted that the o/o the PIO shall furnish the remaining information/ replies to the appellant to his satisfaction and as admissible under the RTI Act.

In adverting to the appellant's request for the copies of documents of selected candidates and their marksheets/score, it is deemed appropriate to refer to the ruling contained in para 28 of the Hon'ble Supreme Court judgement dt. 09.08.2011 in Civil Appeal No.6454 of 2011 (arising out of SLP (c) No.7526/2009) (Central Board of School Education & ors. Vs. Aditya Bandopadhya & ors. which is extracted hereunder:

" 28. When an examining body engages the services of an examiner to evaluate the answer-books, the examining body expects the examiner not to disclose the information regarding evaluation to anyone other than the examining body. Similarly the examiner also expects that his name and particulars would not be disclosed to the candidates whose answer-books are evaluated by him. In the event of such information being made known, a disgruntled examinee who is not satisfied with the evaluation of the answer books, may act to the prejudice of the examiner by attempting to endanger his physical safety. Further, any apprehension on the part of the examiner that there may be danger to his physical safety, if his identity becomes known to the examinees, may come in the way of effective discharge of his duties.

The above applies not only to the examiner, but also to the scrutiniser, co-ordinator, and head-examiner who deal with the answer book. The answer book usually contains not only the signature and code number of the examiner, but also the signatures and code number of the scrutinizer / coordinator/head examiner. The information as to the names or particulars of the examiners /co-ordinators / scrutinisers / head examiners are therefore exempted from disclosure under section 8(1) (g) of RTI Act. on the ground that if such information is disclosed it may endanger their physical safety. Therefore, if the examinees are to be given access to evaluated answer-books either by permitting inspection or by granting certified copies, such access will have to be given only to that part of the answer-book which does not contain any information or signature of the examiners/coordinators/scrutinisers / head examiners, exempted from disclosure under section 8(1)g) of RTI Act. Those portions of the answer-books which contain information regarding the examiners /co-ordinators / scrutinisers /head examiners or which may disclose their identity with reference to signature or initials, shall have to be removed, covered, or otherwise severed from the non-exempted part of the answer-books, under section 10 of RTT Act."

This Commission, relying on the principle of law settled by the Apex Court as above, holds that the names of the Board members who conducted the interview can not be furnished to the appellant as being exempted under section 8(1)(g) of the RTI Act. However, the marks scored by the selected candidates and the proceedings of the selection Board ***minus*** the names of the Board can be furnished. And as such, the PIO is directed to furnish the same to the appellant, accordingly, within 2(two) weeks from the date of receipt of this order with intimation to this Commission and the appellant shall also intimate the receipt of the same within one week thereafter failing which this appeal shall stand closed.

Given under my hand seal of this Commission on this 7th August, 2025.

Sd/-
(S. TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.

Memo No. APIC- 281/2025 /5764 **Dated Itanagar, the** 8 **Aug., 2025**

Copy to:-

1. The Director of Secondary School Education, Namsai, Govt. of AP, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the District Project Officer-cum-DDSE, ISSE, Samagra Shiksha District Society Namsai, District: Namsa, Arunachal Pradesh for information and compliance.
3. Shri Ratan Chetia, Village-Sitapani Moran, Po/PS- Mahadevpur, Namsai District, Arunachal Pradesh, E-mail ratanchetia132310@gmail.com Mobile No. 7063965456 for information.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

Registrar/Deputy Registrar
APIC, Itanagar.

Arunachal Pradesh Information Commission