

ഒരു വ്യക്തി അറ്റൻഡ് ചെയ്ത പരീക്ഷയിൽ അയാൾക്ക് ലഭിച്ച മാർക്കിന്റെ വിവരങ്ങൾ വിവരാവകാശ നിയമ പ്രകാരം ആ വ്യക്തിക്ക് ലഭിക്കുന്നതാണ്

The question now before this Commission is: whether the petitioner is entitled for information regarding the marks that he had obtained for the written test and the interview and also for the marks obtained by all others who had found a place in the rank list?

The question is very simple. If a person had appeared for a particular written examination he is entitled to get the result of the written test and, if there is any interview, he is also entitled to get the marks obtained in the interview. This was the stand given by this Commission in its earlier decisions also. The logic is simple. One who had undergone a (laid down) process of selection is entitled to the information regarding the result of the process.

It may be possible that ever so many writ petitions had been filed before the Hon'ble High Court challenging the process, procedure and propriety of the examination and interview conducted by the expert committee constituted by the Home Department. It goes without saying that the recruiting/selection agency adopt a fool-proof and transparent methodology for the selection to avoid heart burn on the part of the candidates as well as to reduce litigation, questioning the veracity of the selection process. The extract of the order of the Hon'ble High Court quoted by the Appellate Authority is also perused. There is no observation denying the required information to Mr. Harikumar, the Appellant. The interpretation of the first appellate authority that furnishing of the mark list and marks obtained in interview would amount to an invasion on the privacy of a person is fallacious and hence unmaintainable. Privacy is a word of larger connotation. It is not the disclosure of the marks of a certain examination that invades the privacy. But privacy refers to decency and social morality and self-respectability of an individual and it can not be extended to an examination or of an interview conducted by a body of persons. Further, the entire process of selection is over and no harm would befall upon anyone, if the results are published in toto.

This Commission, therefore, finds that the appellant is entitled to obtain the information sought for regarding the marks obtained by the candidates in the select list, who had appeared in the written test and the interview for the selection of Assistant Public Prosecutor Grade II. The appeal is admitted and it is ordered that the PIO shall provide the information sought for within 15 days of the receipt of the copy of this order.

Dated this the 12th day of April, 2007.

Sd/-

Palat Mohandas,
Chief Information Commissioner