

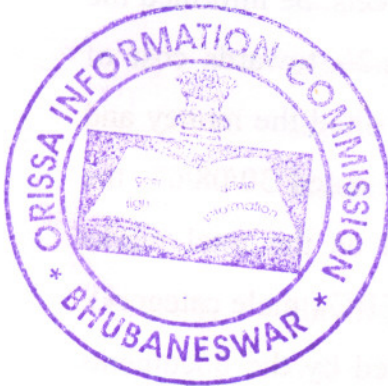
**BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR**

**Present: Hon'ble Shri D.N.Padhi, SCIC**

**Date: 3<sup>rd</sup> April, 2008**

**Complaint Case No.1374/2007**

Santibhusan Sahoo,  
Plot No.-312,  
Barabari, Jagmara,  
Bhubaneswar-751030.....Complainant



-Vrs-  
Public Information Officer,  
Orissa Staff Selection Commission,  
Barrack-1,  
Unit-V,  
Bhubaneswar-751001 ..... Opposite Party

**Decision**

1. Complainant Santibhusan Sahoo is absent. The same is condoned in terms of the Rule 9 (2) of the Orissa Information Commission ( Appeal Procedure) Rules, 2006. Jabar Bhoi, Deputy Secretary-cum-PIO, Orissa Staff Selection Commission, Bhubaneswar ( OSSC for short ) is present. Heard the Opposite Party. Perused the case record.
2. It reveals from form A application dated 09/08/07 that the Complainant had sought photocopies of his evaluated answer papers, career marks and marks awarded to him in the viva-voice test in the Sub-Inspector of Police Selection examination conducted by the OSSC in 2006. He also sought for the total marks

secured by the last candidate belonging to SEBC (male category ) in the said examination.

3. The developments are as follows:

The APIO of the Public Authority vide his letter no.1618 dated 29/08/07 regretted to furnish the photo copies of the evaluated answer sheets invoking exemptions under Section 8 (1) (d) and (e) of the RTI Act, 2005 ( Act for short). As regards the balance information not related to evaluated answer sheets, he informed the Complainant in the said letter to deposit Rs.2/- towards cost of providing information. The Complainant deposited the money and received from the APIO vide letter No.1624 dated 30/08/07, the marks secured by the Complainant as well as the total marks secured by the last candidate belonging to SEBC ( male category). The above factual position is amply supported by the documents filed by the Complainant along with his complaint petition dated 07/09/07.

4. From the above narration of facts, it is clear that no delay has been caused in the Public Authority in responding to the request for information made by the Complainant.

5. Though the Complainant is absent today the State Commission upon careful consideration of the request of the Complainant for obtaining of his evaluated answer papers is of the firm view that the exemptions enshrined Section 8 (1) (d) and (e) are not applicable to the information sought for in the case. Moreover, it is seen that all exercises in relation to the examination( supra) have been completed and final results published. If at all the Public

Authority apprehends that disclosure of information would endanger the life or physical safety of any person ( examiner), the relevant portion of the answer papers which would disclose the identity ( name and signature etc) of the examiner(s) could be blanked out / blocked including the code number while photocopying.

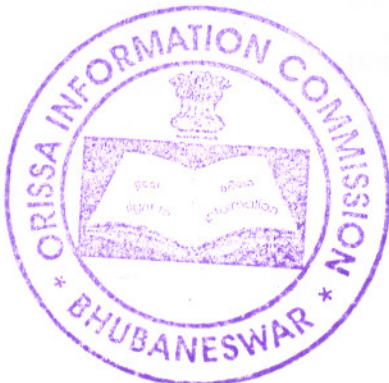
6. It shall not be out of place to mention that in a large number of similar cases involving other Public Authorities conducting examinations, the State Commission have consistently directed the supply copy of evaluated answer papers to the examinees by blanking out of the relevant portion ( supra) for good reasons.
7. Having held as above, the PIO is directed to supply the remaining information to the Complainant on or before 14/05/08 on receipt of due costs for providing information and report compliance to the State Commission through the Registrar. Subject to the above compliance by the PIO the case of the Complainant is allowed. Inform him.

**Pronounced in open proceedings**

Given under the hand and seal of the State Commission, this 3<sup>rd</sup> day of April, 2008.

  
**Hon'ble SCIC**

3.11.08



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