

**IN THE GAUHATI HIGH COURT
(THE HIGH COURT OF ASSAM; NAGALAND; MIZORAM & ARUNACHAL
PRADESH)**

ITANAGAR PERMANENT BENCH (NAHARLAGUN)

WP(C) 170 (AP)/2017

Sri Tasang Taga,
Son of Tahan Taga, Public Information Officer-cum- ADCF,
C/o Chief Conservator of Forest, Central Arunachal Circle,
Resident of Officers' Colony, Pasigaht, Arunachal Pradesh.

..... Petitioner

-VERSUS-

1. Arunachal Pradesh Information Commission, through
the State Chief Information Commissioner, Itanagar,
Arunachal Pradesh.
2. Information Commissioner,
Arunachal Pradesh Information Commission, Itanagar,
Arunachal Pradesh.
3. Mr. Oling Modi,
C/o M. Mart, Opposite of Balaji Mandir, Pasighat
Bazar, P.O. Pasighat,
Pin No. 791102

..... Respondents

Advocates for petitioner: Mr. H. K. Das, Mr. K. Eshi

Advocates for respondents: Mr. R. Saikia, Standing Counsel
for Information Commission, A.P.

**BEFORE
HON'BLE MR. JUSTICE NANI TAGIA**

JUDGMENT & ORDER (ORAL)

24.07.2019

None appears for the petitioner, however, Mr. R. Saikia, learned Standing Counsel, Information Commission, Arunachal Pradesh is present.

2. By an application dated 19.09.2016, the respondent No. 3 had filed an application before the competent authority/PIO, Department of Environment and Forest, Central Arunachal Circle, Pasighat for furnishing of;

(i) All the names of candidate who had qualified for the Viva Voice Test and their written examination marks of the Forest Guard along with their answer script/sheet.

(ii) Viva Voice Marks of all the candidate, which was signed by board committee member of Viva Voice Test.

3. By the order dated 17.10.2016, while furnishing the names of candidates who have qualified for the Viva Voice Test and the written examination conducted for the Forest Guard to the respondent No. 3 the PIO, Department of Environment and Forest, Central Arunachal Circle, Pasighat, had however, declined to furnish the answer script and marks of the candidates on the ground that the same belongs to the third party information.

4. Against the denial of furnishing the answer script and marks of the selected candidates for the forest guard, the respondent no. 3 had filed an appeal before the Arunachal Pradesh Information Commission. The

Information Commission by an order dated 15.02.2017 while deciding the appeal filed by the respondent No. 3 had directed the Public Information Officer of the Department of Environment and Forest, Central Arunachal Circle, Pasighat to furnish the marks obtained by the selected candidates to the respondent No. 3.

5. Against the aforesaid direction given by the Arunachal Pradesh Information Commission to furnish the marks obtained by the selected candidates to the respondent No. 3, this writ petition has been filed by the Public Information Officer, Department of Environment and Forest, Central Arunachal Circle, Pasighat contending, *inter alia*, that the marks obtained by the selected candidates pertains to third party information which, according to the petitioner, cannot be disclosed or furnished to the respondent No. 3.

6. Having heard the learned standing counsel for Information Commission and also on perusal of the materials available on records, I do not find any illegality in the order dated 15.02.2017, passed by the Arunachal Pradesh Information Commission in Appeal No. APIC-13/2017 by which order, the writ petitioner/PIO, Department of Environment and Forest, Central Arunachal Circle, Pasighat have been directed to furnish marks obtained by the selected candidates to the respondent No. 3 in order to maintain the spirit of transparency and accountability in the working of the Public Authority, inasmuch as, the marks obtained by the selected candidates is not an information pertaining to the third party and the same can be disclosed and furnished to the information seekers under the Right to Information Act.

7. In that view of the matter, there is no illegality in the order dated 15.02.2017, passed by the Arunachal Pradesh Information Commission in

Appeal No. APIC-13/2017 and the writ petition hereby stands dismissed, being devoid of merits.

8. Accordingly, the writ petition stands **disposed of**, in terms above.

JUDGE

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