

OFFICE OF THE REGISTRAR GENERAL, GAUHATI HIGH COURT,
MAHATMA GANDHI ROAD, PANBAZAR, GUWAHATI

RTI APPEAL NO. :- APPEAL ID. NO. 01/2025-26

APPELLANT :- Mr. Anupam Ray
Village Charakala, PO - Garugaon
Dist. Bongaigaon, Assam
PIN - 783383

RESPONDENT :- Registrar (Judicial) & PIO,
GAUHATI HIGH COURT

DATE OF APPEAL :- 21.04.2025

DATE OF HEARING :- 06.05.2025

DATE OF ORDER :- 06.05.2025

O R D E R

1. The appellant has filed this appeal under Right to Information Act, 2005 (RTI Act, hereinafter) seeking certain information as follows :

- i. To provide the criteria and methodology used to allocate interview marks for candidates;
- ii. Explanation as to why there was significant difference between the interview marks of candidates with written marks;
- iii. Clarification regarding the selection of preference rules indicating that the recruitment notification stated that in case of equal marks, the candidate with senior age should be given preference;


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- iv. As to why the junior candidate bearing Roll No.12510 was selected over the appellant bearing Roll No.12010 despite having the same written marks;
 - v. To provide an official and signed copy of the final merit list used for selection; and
 - vi. To provide details of marks allocation for all candidates from the district of Bongaigaon.
2. It may be pertinent to mention here that the appellant was an unsuccessful candidate in the process of selection to the post of Copyist and he secured same marks in the written examination as that awarded to the selected candidate. However, the interview marks differed where the appellant was awarded lesser marks than the selected candidate. The grand total marks of the selected candidate was higher than what the appellant was awarded.
3. To the aforesaid RTI application dated 24.03.2025, the Registrar (Judicial) & PIO of the Gauhati High Court (PIO, hereinafter) furnished a reply on 11.04.2025 through which the appellant was informed that the details about the interview marks, written marks etc. were mentioned in the advertisement of the concerned recruitment process; and the criteria and methodology used to award the interview marks was completely as per discretion of the interviewer. As such, no information regarding the differences between the interview and written examination marks could be furnished.
4. However, the appellant was informed that the advertisement of the recruitment process contained the following, regarding preference amongst the candidates securing grand total marks:

"Note: In case of candidates obtaining the same grand total marks, the candidate who obtains more mark in the written test will be given preference. Where marks obtained by such candidates in the written test

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are also same, then the candidate who is senior in age will be given preference."

5. The appellant was informed that regarding selection of Roll No.12510, from the marksheet which was uploaded in the official Website along with the selection notification on 30.09.2021, it appeared that the candidate bearing Roll No.12510 obtained more grand total marks than the appellant. So far the information sought at Sl. No. (v) & (vi) i.e. "an official and signed copy of the final merit list used for selection" and "to provide details of marks allocation for all candidates from the district of Bongaigaon " are concerned, the appellant was informed that the information sought were already uploaded in the official Website.
6. Heard Mr. Anupam Ray - Appellant-in-person and Mr. S. Dhar, Registrar (Judicial) & PIO, Gauhati High Court; and also perused the materials placed before this Authority. Having heard both the parties and upon perusal of the materials, this Authority is of the considered view that the appeal is devoid of merit for the following reasons :
 - a) Since there was no written criteria and methodology used to allocate interview marks and it depended on the sole discretion of the interviewer to award the interview marks, no such information was available with the PIO as a result of which the same could not be furnished. The information which was available before the PIO was only bound to be furnished under the RTI Act; and in such a situation, where there was no information in the hands of the PIO, the question of furnishing the same to the appellant did not arise.
 - b) So far the explanation sought by the appellant regarding the significant difference between the interview marks of the candidate with the written marks is concerned, that information does not fall within the meaning of "information" as stipulated under section 2 (f) of the RTI Act which defines that the word "information" means any material in any form,

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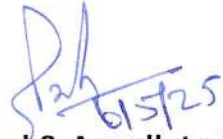
including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force. The 'explanation' as sought by the appellant for the difference between interview marks of the candidates with the written marks was only an 'explanation' and not an 'information', for which the PIO was not liable to furnish the same to the appellant.

- c) So far the grievance of the appellant regarding awarding same marks of the written examination as well as the preference to be given to the candidate of more age is concerned, the 'Note' is clear enough. It provides that when the grand total marks of the candidates are same, the candidate who obtained more marks in the written test would be given preference; and when marks obtained by the said candidate in written test is also same, then the candidate who is senior in age would be given preference. In the instant case, although the appellant obtained same marks in the written test with the selected candidate bearing Roll No.12510, the appellant got lesser marks in the interview for which the grand total marks was lesser than what the selected candidate got. As such, the question of giving preference to the appellant on basis of the criteria of being senior in age did not arise in the present case; and the said information was duly furnished to the appellant for which there is no cogent ground to appeal.
- d) So far furnishing of the final merit list used for selection and details of marks allocation for all candidates from Bongaigaon district are concerned, the same were already uploaded in the official website which was accessible to the appellant and the said information was duly communicated to the appellant by the PIO.


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7. In view of the aforesaid discussions, this instant appeal stands dismissed and accordingly disposed of.
8. Furnish free copies of this order to the parties concerned and also upload the same in the official website. Original copy be kept with the records.

Signed on this 06th day of May, 2025 under my hand and seal at Guwahati, Kamrup (M), Assam.



Registrar General & Appellate Authority