

CENTRAL INFORMATION COMMISSION

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066

Decision No. CIC/SB/A/2015/000168

Dated 24.10.2016

Appellant : Shri Vipin Malik,
H. No. 1214,
Sector-14, Sonipat,
Haryana-131001.

Respondent : The Central Public Information Officer,
Staff Selection Commission,
Block No.12, CGO Complex,
Lodhi Road,
New Delhi-110003.

Date of Hearing : 24.10.2016

Relevant dates emerging from the appeal:

RTI application filed on : 28.03.2015

CPIO's reply : 22.04.2015

First Appeal filed on : 24.04.2015

FAA's Order : 27.04.2015

Second Appeal filed on : 09.05.2015

ORDER

1. Shri Vipin Malik filed an application dated 28.03.2015 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Staff Selection Commission (SSC) seeking information pertaining to Combined Graduate Level(CGL) Examination, 2014, including (1) number of candidates who qualified for tier 2 from each session and (2) average marks secured by the candidates for each session.

2. Shri Vipin Malik filed a second appeal dated 09.05.2015 before the Commission on the grounds that both the CPIO and the First Appellate Authority (FAA) did not provide the information sought by him on the plea that the CPIO is required to provide information which is existing and available as defined under Section 2(f) of the RTI Act and that the requisite information is not compiled and compilation of such information would divert the resources of the Commission disproportionately.

Hearing:

3. The appellant Shri Vipin Malik attended the hearing through audio conferencing. The respondent was not present despite notice.

4. The appellant submitted that information sought has been denied to him on the ground that the same is not compiled and compiling the same would disproportionately divert the resources. However, the same can be compiled and provided to the appellant.

Decision:

5. The Commission, after hearing the submissions of the appellant and perusing the records, observes that session wise result as sought by the appellant is not compiled and maintained by the respondent. Hence, collating and compiling such information would disproportionately divert the resources of the respondent organization. Further, in the case of *The Registrar Supreme Court of India v. Commodore Lokesh K. Batra & Ors* LPA 24/2015 & CM No. 965/2015 it was held:-

“15. On a combined reading of Section 4(1)(a) and Section 2(i), it appears to us that the requirement is only to maintain the records in a manner which facilitates the right to information under the Act. As already noticed above, ‘right to information’ under Section 2(j) means only the right to information which is held by any public authority. We do not find any other provision

under the Act under which a direction can be issued to the public authority to collate the information in the manner in which is sought by the applicant”.

In view of the above, disclosure of the information sought is exempted from disclosure under Section 7(9) of the RTI Act.

6. With the above observations, the appeal is disposed of.
7. Copy of the decision be provided to both the parties free of cost.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer