

**CENTRAL INFORMATION COMMISSION**

2<sup>nd</sup> Floor, August Kranti Bhawan,  
Bhikaji Cama Place, New Delhi-110066

**Decision No. CIC/AB/A/2016/000624/SB**

**Dated 15.06.2017**

**Appellant** : Shri Mahendra Singh Chaudhary,  
Village Kaankra Barrod.  
Post Barrod, Tehsil Behror ,  
Alwar, Rajasthan.

**Respondent** : The Central Public Information Officer,  
Bharat Electronics Ltd.,  
Outer Ring Road, Nagavara,  
Bangalore-560045.

**Date of Hearing** : 15.06.2017

**Relevant dates emerging from the appeal:**

RTI application : 04.02.2016  
CPIO's reply : 07.03.2016  
First appeal : 04.03.2016  
Second Appeal : 21.04.2016

**ORDER**

**1.** The appellant filed an application under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Bharat Electronics Ltd. (BEL), Bangalore seeking information on four points pertaining to the recruitment to the post of Probationary Engineer (PE) in BEL including, inter-alia, (i) the list of finally selected candidates and (ii) the cutoff marks for each category.

**2.** The appellant filed a second appeal before the Commission on the grounds that information has been incorrectly denied to him stating that the information sought relates to the personal information of third party, the

disclosure of which is exempted under Section 8(1)(j) of the RTI Act. The appellant further stated that information pertaining to recruitment cannot be held to be personal information. The appellant requested the Commission to direct the respondent to provide the information sought by him.

**Hearing:**

**3.** The appellant was not present despite notice. The respondent Shri B.V. Ramaiyya, DGM (Legal), BEL, Bengaluru attended the hearing through video conferencing.

**4.** The respondent with respect to point nos. 1, 3 and 4 of the RTI application submitted that the appellant was informed vide letter dated 07.03.2016 that the information sought relates to the personal information of third parties, the disclosure of which has no relationship to any public interest and would cause an unwarranted invasion of the privacy of third parties. Hence, the disclosure of information sought is exempted under Section 8(1)(j) of the RTI Act. The respondent with respect to point no. 2 of the RTI application submitted that the merit list is not prepared.

**Decision:**

**5.** The Commission, after hearing the submissions of the respondent and perusing the records, observes that information on point no.1 of the RTI application only relates to a list of selected candidates in the recruitment to post of PE in BEL, which has been incorrectly denied on the ground that the same is personal information of third parties. However, disclosing the list of successful candidates would not invade the privacy of third parties and would rather enhance transparency in recruitment process. Hence, the said information is not a personal information. The Commission further notes that the Division Bench of Hon'ble Delhi High Court in case of *Union Public Service Commission v. N. Sugathan* , W.P.(C) No.8845/2014 and other connected petitions (including *Union Public Service Commission v. Gourhari Kamila*) has held that “.....when an applicant for a public post participates

*in a competitive process where his eligibility/suitability for the public post is weighed/compared vis-a-vis other applicants.....an overlooked/ unsuccessful applicant is entitled to details/ particulars of the successful applicants. An exception was however carved out with respect to the information sought with respect to other overlooked/unsuccessful candidates.....”.*

**6.** The Commission also observes that the information on point no. 2 of the RTI application has also been incorrectly denied on the grounds that the same is not prepared which however, is not correct since selections are made in order of merit and so the marks of the last selected candidate would be known. The Commission, therefore, directs the respondent to provide information on point nos. 1 and 2. of the RTI application to the appellant within a period of four weeks from the date of receipt of a copy of this order.

**7.** With the above observations, the appeal is disposed of.

**8.** Copy of the decision be provided free of cost to the parties.

**(Sudhir Bhargava)**  
**Information Commissioner**

**Authenticated true copy**

**(S.S. Rohilla)**  
**Designated Officer**