



2026:MNHC:136

REPORTABLE

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

WP(C) No. 474 of 2023

The Manipur Public Service Commission, represented by the
Secretary, North A.O.C, D.M. Road, Imphal – 795001.

..... Petitioner/s

- Versus -

1. The Manipur Information Commission represented by the Chief Information Commissioner, Secretariat, Secretariat North Block, Ground Floor behind Western Block, Imphal Manipur – 795001.
2. Kh. Robindro Singh aged about 41 years S/o Kh. Ibomcha Singh r/o Ward No. 5, near Public School Ningthoukhong, Manipur-795001.

.....Respondent/s

WP(C) No. 475 of 2023

The Manipur Public Service Commission, represented by the
Secretary, North A.O.C, D.M. Road, Imphal – 795001.

..... Petitioner/s

- Versus -

1. The Manipur Information Commission represented by the Chief Information Commissioner, Secretariat, Secretariat North Block, Ground Floor behind Western Block, Imphal Manipur – 795001.
2. Begum Khaleda Bogie aged about 29 D/o Mohd. Ayub Khan R/o Lilong Tamyang Sumang, P.O. & P.S. Lilong, Thoubal District, Manipur – 795130.

.....Respondent/s

**WP(C) No. 476 of 2023**

The Manipur Public Service Commission, represented by the Secretary, North A.O.C, D.M. Road, Imphal – 795001.

..... Petitioner/s

- Versus -

1. The Manipur Information Commission represented by the Chief Information Commissioner, Secretariat, Secretariat North Block, Ground Floor behind Western Block, Imphal Manipur – 795001.
2. Nawaj Sharif aged about 30 years S/o Md. Abdul Latif R/o Lilong Haoreibi Lou Manga, P.O. & P.S. Lilong, Thoubal District, Manipur – 795130.

B E F O R E

HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

For the petitioner	::	Mr. M. Rarry, Sr. Adv. Ms. M. Nikita, Adv.
For the respondents	::	Mr. Mr. S. Rupachandra, Sr. Adv. assisted by Mr. Royal Salam, Adv.; Mr. K. Kishan, Adv. [for RTI applicants] Mr. K. Roshan, Adv. [for Manipur Information Commission]
Date of Hearing	::	15.04.2026
Date of Order	::	21.07.2026

JUDGEMENT & ORDER (CAV)

[1] Heard Mr. M. Rarry, learned senior counsel assisted by Ms. M. Nikita, learned counsel for the petitioner (MPSC); Mr. S. Rupachandra, learned senior counsel assisted by Mr. Royal Ray Salam, learned counsel for private respondents; Mr. K. Roshan, learned counsel for Manipur Information Commission; and Mr. K. Kishan, learned counsel for some of the private respondents. Private respondents are RTI applicants.



[2] The present three writ petitions have been filed by Manipur Public Service Commission (in short 'MPSC' hereinafter) against the common judgment dated 28.04.2023 passed by Manipur Information Commission (in short, 'MIC') in Appeal Case Nos. 16, 19 & 22 of 2023. By the impugned order, Manipur Information Commission directed State Public Information Officer (SPIO of MPSC) to allow three private respondents herein (RTI applicants) to inspect and examine all their respective evaluated answer sheets for Manipur Civil Service Combined Competitive Examination [MCSCCE, 2016 (2022)].

[3] The brief facts of the present cases are that the respondents herein, i.e., (1) Begum Khaleda Bogie had filed RTI application to SPIO of MPSC for furnishing certified copy of her answer sheets for appearing in MCSCCE, 2016 (2022) under roll No. 13344 for the subjects: Essay, General Studies Paper-I, General Studies Paper-II, Education Paper-I, Education Paper-II, Manipuri Literature paper-I and Manipuri Literature Paper-II; (2) Kh. Robindro Singh also filed an RTI application for giving photocopy of answer sheets for all papers (Main Examination), interview marks, etc. for appearing in the same examination under roll No. 20691 for all subjects: Essay, General Studies Paper-I, General Studies Paper-II, Education Paper-I, Education Paper-II, Public Administration Paper-I, Public Administration Paper-II and Interview Marks; and (3) Nawaj Sharif under roll No. 20529 also prayed for certified information regarding: (i) total marks obtained by him in the examination; (ii) subject wise marks obtained by him; (iii) cut off marks for General, SC, ST and OBC (both M & MP) candidates; and (iii) certified copies of front pages of his evaluated answer sheets containing 'Instruction to Candidates' of all subjects (General English, Essay, General Studies Paper-I & II, Education Paper-I & II, Computer Science Paper-I & II). With regard to three RTI applications filed by the respondents herein, vide different letter dated 23.12.2022, SPIO of MPSC intimated all the three RTI applicants that



answer scripts for descriptive type paper under normal circumstances cannot be given in terms of the policy decisions of the Commission. However, with respect to RTI application of Nawaj Sharif, marks secured by him in the examination as well as cut off marks for various categories of candidates were furnished. But certified copy of front page of answer sheets was not furnished due to policy decision of the Commission. Being aggrieved by the same, RTI applicants filed first appeal before the Commission. Appeal filed by Begum Khaleda Bogie was dismissed by the first appellate authority of MPSC vide order dated 23.01.2023 on the ground that the Commission has policy decision not to furnish answer script under no circumstances and the said policy decision is being challenged in the High Court and the same is pending. First appeal of Kh. Robindro Singh was dismissed by the first appellate authority of MPSC vide order dated 24.02.2023 on the same ground that the Commission has policy decision not to furnish answer script of descriptive type of paper to the candidate. The appeal filed by Nawaj Sharif was dismissed on 10.02.2023 on the ground that MPSC has policy decision not to furnish evaluated answer script and the same is still in force and the subject matter is sub-judiced before the High Court and hence, allowing the candidate to peruse the evaluated answer scripts personally is not feasible at this stage.

[4] Being aggrieved by the same, RTI applicants filed three appeals, i.e., Appeal Case Nos. 16, 19 & 22 of 2023 before Manipur Information Commission. During the course of hearing of the second appeal before the State Information Commission, it is submitted on behalf of RTI applicants that judgment cited by MPSC relating to UPSC has no relationship as UPSC is a pan India Commission, whereas the jurisdiction of MPSC is confined to jurisdiction of State of Manipur and any policy decision with respect to UPSC cannot be, in toto, applicable to MPSC. The RTI applicants, in view of the policy decision of MPSC not to furnish



certified copy of evaluated answer script to the candidate and also pendency of the policy matter before the High Court of Manipur, make an alternative prayer of allowing them to inspect evaluated answer scripts, even though the policy decision deny them to collect certified copy of answer script. MPSC opposed the alternative prayer made during the course of hearing, as the same is not prayed for in the original RTI applications. The substantive prayer in the original RTI applications is for furnishing certified copy of evaluated mark sheets of the applicants. The State Information Commission, considering the practice adopted by High Court of Manipur in furnishing certified copy of evaluated answer sheets in the examination of Manipur Judicial Services; in order to maintain transparency involved in Civil Services Examination; past practice of MPSC of providing of certified copy of answer scripts for recruitment of Assistant Engineer in the year 2013; and considering pendency of the writ petition challenging policy decision not to furnish answer script before the High Court of Manipur, directed the SPIO of MPSC to allow the three RTI applicants (private respondents herein) to inspect and examine all their respective evaluated answer scripts for MCSCCE Main Examination, 2016 (2022) within four weeks from the date of the order. The MPSC is aggrieved by this direction of State Information Commission allowing RTI applicants to inspect their evaluated answer scripts for the said examination. It may be relevant to reproduce three RTI applications:



2026:MNHC:136

MPSC.....
R.R. No. 68.....
Dated 05/12/22 08/12/2022 13

To,

The State Public Information Officer,
Manipur Public Service Commission,
North AOC, Imphal Manipur.

ANNEXURE - P/1
(copy)

Sub: Request for information under RTI Act, 2005, Schedule VI, Manipur Civil Service
Combined Competitive (Manis) Examination, 2016 (2022).

Dear Sir/Ma'am,

I am, KH ROBINDRO SINGH, a candidate of Manipur Civil Service Combined Competitive (Manis)
Examination, 2016 (2022), Which was held between 26 May 2022 to 11 June 2022.

My Roll No. is 20691.

Sir, I want to get the photocopy of my answer sheets for all the papers [Mains examination],
Interview marks etc. I have also listed the papers as listed given below.

1. ESSAY PAPER
2. GENERAL STUDIES PAPER 1
3. GENERAL STUDIES PAPER 2
4. EDUCATION PAPER 1
5. EDUCATION PAPER 2
6. PUBLIC ADMINISTRATION PAPER 1
7. PUBLIC ADMINISTRATION PAPER 2
8. INTERVIEW MARKS

Dear Sir, I would request you to kindly provide me the information as mentioned above [photocopy
of all the pages].

Kindly send the information/documents in the address and contact details as given below.

KH ROBINDRO SINGH

S/O. KH IBOMCHA SINGH,

WARD NO.5, Near Public school Ningthoukhong, Bishnupur Dist.

Manipur 795011

Phone NO. 7005615330

With best regards,

KH ROBINDRO SINGH

True Copy
Advocate

Comm. of Affidavit
High Court of Manipur
Imphal (Manipur)

enclosed : ①. Admit card
②. Aidhaar card
- 14 -



2026:MNHC:136

R. S. NO. V
92577
20
Received from Begum Khaleda
with letter No.
Dated 24/11/22
the sum of Rupees
in cash on account of Rs. 10/-
By cheque
in payment of RTI del., 2005



Initial
Designation

MPSC
R No. 53
24/11/22

ANNEXURE-P/1

Right to Information Act, 2005.

I, Begum Khaleda Bogie D/o Mohd. Yusoff All Bogie resident of Lilong Tamya Sumang wish to seek the certified copies of my answer-sheets.

The particulars and details are given below:

1. Name: Begum Khaleda Bogie
2. Roll No.: 13344
3. Name of Exam: MCSCCE, 2016(2022)
4. Name of subjects:
 - I) General English
 - II) Essay
 - III) General Studies Paper 1
 - IV) General Studies Paper 2
 - V) Education Paper 1
 - VI) Education Paper 2
 - VII) Manipuri Literature Paper 1
 - VIII) Manipuri Literature Paper 2

I request for receipt of the above mentioned certified copies of answer-sheets of the subjects in person/by post. The self- attested photocopy of my admit card is enclosed here with for verification. The information may kindly be provided to the given address.

With regards,

Dated: 24/11/2022

Yours Sincerely,
Begum Khaleda Bogie
Begum Khaleda Bogie

CONTACT NO. - 8837466522

Comm. of Affidavit
High Court of Manipur
Imphal (Manipur)

LILONG TAMYA SUMANG
THOUBAL MANIPUR
795130

This copy
Advocate

- 13 -



2026:MNHC:136

ANNEXURE - P/1

To

The Public Information Officer,
Manipur Public Service Commission,
North AOC, Imphal, Manipur

Subject: Request for information under RTI Act, 2005 regarding the Manipur Civil Services Combined Competitive (Main) Examination, 2016 (2022)

Sir/Madam,

I, **Nawaj Sharif**, a citizen of India and also a candidate of the Manipur Civil Services Combined Competitive (Main) Examination, 2016 (2022), request you to furnish me with certain information under Section 6(1) of the Right to Information Act, 2005 in the matter of Manipur Civil Services Combined Competitive (Main) Examination, 2016, held in the year 2022 from the 26th May to 11th June, 2022.

Details of Applicant:

Name: **Nawaj Sharif**
MCSCCE Roll No.: **20529**
Email: **nawajsha@gmail.com**
Mobile No.: **7005702604**
Address: **Lilong Haoreibi Lou Manga, P.O.-Lilong, Thoubal-795130, Manipur**

Particulars of information required:

- [1] Please inform me the total marks obtained by me in the Examination detailed above.
- [2] Please inform me the subject wise marks obtained by me in the above Examination.
- [3] Please inform me the cut off marks for General, SC, ST and OBC (both M & MP) candidates in the above examination.
- [4] Please provide me certified copies of the front pages of my evaluated answer sheets, containing the 'Instructions to Candidates', of all subjects (General English, Essay, General Studies Paper I & II, Education Paper I & II, Computer Science Paper I & II).

Application Fee of Rs.10/- have been deposited by way of cash favouring PIO, MPSC dated 1st Dec '22. Kindly send me the information to my address mentioned above by Registered post or contact me through the mobile number/email provided above.

Yours faithfully,

Nawaj Sharif
Nawaj Sharif

Imphal, 1st December 2022

[Signature]
Comr. of Affidavit
High Court of Manipur
Imphal (Manipur)

[Signature]
True Copy
Advocate

- 14 -



[6] Mr. M. Rarry, learned senior counsel on behalf of MPSC, submits that the Full Commission in its Meeting held on 28.10.2020 agenda for considering furnishing evaluated answer books to the candidate, the Commission after thoroughly considering the decision of the Hon'ble Supreme Court in the case of **Union Public Service Commission Etc. vs. Angesh Kumar & Ors. etc. (Civil Appeal No. 6159-6162 of 2013): (2018) 4 SCC 530** and **Prashant Ramesh Chakkarwar vs. UPSC** was of the view that disclosing answer books will reveal intermediate stages too, including the so-called 'raw marks' which would have negative implications for the integrity of the examination system. Accordingly, MPSC decided not to furnish evaluated answer script for descriptive type of paper to candidate under normal circumstances. Similar decision was taken by Full Commission in its meeting held on 04.05.2020. The decision of the Full Commission Meeting held on 28.10.2020 is reproduced as:

"Agenda No. 4: *Applications received for furnishing evaluated answer books to the candidates.*

Decision: *Commission minutely discussed the matter and considered the issues in providing evaluated answer books to the candidates. In the case of Civil Appeal No.(s) 6159-6162 of 2013, Union Public Service Commission etc vs Angesh Kumar & Ors with C.A. No. 5924/2013, the Hon'ble Supreme Court had referred to the problems enumerated in showing evaluated answer sheets to candidates, in the counter affidavit as recorded in Prashant Ramesh Chakkarwar v. UPSC¹ awards subsume earlier stages of evaluation. Disclosing answer books would reveal intermediate stages too, including the so-called 'raw marks' which would have negative implications for the integrity of the examination system". The Hon'ble Supreme Court was of the view that information sought with regard to marks in Civil Services*



Examination cannot be directed to be furnished mechanically.

As the problems enumerated by UPSC in providing evaluated answer books to candidate is also similar for MPSC, Commission has decided not to furnish evaluated answer books for descriptive type papers to candidates under normal circumstances.”

[7] It is submitted that one Yumlembam Surjit Singh has challenged the policy decision of the Commission not to furnish evaluated answer books to the candidate before this Court by way of writ petition being WP(C) No. 312 of 2022 and the matter is sub-judiced at the moment before a Division Bench of this Court. It is emphasized by Mr. M. Rarry, learned sr. advocate that it will not be appropriate to entertain the same issue raised by RTI applicants by this Court (Single Judge) in order to maintain judicial discipline, judicial propriety and to avoid conflict of order, as the policy decisions dated 28.04.2020 and 04.05.2020 debarring furnishing certified copy of the evaluated answer scripts to the candidate, when the same issue is pending before the Division Bench. Learned senior counsel for MPSC has also heavily relied on the decision of Hon'ble Supreme Court in the case of **Union Public Service Commission etc. vs. Angesh Kumar & Ors. etc. (Civil Appeal No. 6159-6162 of 2013: (2018) 4 SCC 530)** and **Prashant Ramesh Chakkarwar vs. UPSC1: (2013) 12 SCC 489** which held that evaluated answer scripts of competitive examination cannot be furnished to the candidate, as the same would compromise the integrity of the examination. It is also one of the grounds in the writ petitions that recruitment examinations conducted by MPSC and UPSC stand on the similar footing and the decision in the case of UPSC will be squarely applicable to the examination conducted by MPSC. The State Information Commission cannot unsettle the law already settled by the Hon'ble Supreme Court in regard to providing evaluated answer script of the



competitive examination to the candidate. The Information Commission has also failed to appreciate Public Trust on MPSC will be adversely affected by furnishing evaluated answer scripts to RTI applicants. It is required to balance the problem caused by furnishing raw marks which have negative implications for the integrity of the examination system and which should ultimately be not in the public interest, as already held by Hon'ble Supreme Court. It is submitted that direction of the State Information Commission allowing RTI applicants to peruse their evaluated answer scripts for MCSCCE, 2016 (2022) is contrary to the policy decision of MPSC and also against the law propounded by the Hon'ble Supreme Court (supra). It is prayed that impugned order dated 28.04.2023 passed by State Information Commission may be set aside.

[8] Mr. M. Rarry, learned senior counsel for MPSC, also relies the decision of Gauhati High Court in the case of **Arif Ahmed Choudhury vs. Assam Public Service Commission rep. by its Chairman & Ors.: 2021 SCC OnLine Gau 1243** where Gauhati High Court upheld the notification issued by Assam Public Service Commission debarring furnishing of answer script to the candidate of competitive examination conducted by the Commission relying on the decision of **Angesh Kumar** (supra).

[9] Per contra, Mr. S. Rupachandra, learned senior counsel appearing on behalf of RTI applicants in WP(C) Nos. 474 of 2023 and 475 of 2023, submits that original prayer in RTI applications is for furnishing certified copy of evaluated answer scripts of RTI applicants. The RTI applications were dismissed by SPIO of MPSC and the same was upheld by first appellate authority of MPSC on the ground that policy decision of MPSC cited (supra) barred furnishing of evaluated answer scripts of descriptive type paper under normal circumstances and the same was undertaken following the decisions of Hon'ble Supreme Court in **Angesh Kumar Case** (supra) and in order to preserve the integrity of the examination. However, State Information Commission, taking into



consideration pendency of the writ petition challenging policy decision of MPSC, past practice of MPSC of furnishing evaluated answer script for recruitment of Assistant Engineer in the year 2013 and also relying on the practice of High Court of Manipur furnishing certified copy of evaluated answer script in the recruitment of Manipur Judicial Officers, moulded the relief by allowing RTI applicants to peruse their evaluated answer scripts. Learned senior counsel for RTI applicants highlighted that policy decision bars furnishing of certified copy of evaluated answer script of descriptive examination conducted by MPSC for various categories of examinations. However, policy decision is silent on allowing the candidate perusing his or her own evaluated answer script. Learned senior counsel further highlighted that even if original RTI applications are for furnishing certified copy of evaluated answer script, RTI applicants are satisfied with the relief moulded by State Information Commission of allowing them to peruse their own evaluated answer scripts for the said examination. In the circumstances, RTI applicants did not challenge the decision of State Information Commission allowing them to peruse evaluated answer scripts. Learned senior counsel also refers to the decision of this Court in the case of **Manipur Public Service Commission vs. State Information Commission and Anr.** in WP(C) No. 833 of 2018 vide order dated 04.10.2018 where relying on the decision of **Angesh Kumar Case** (supra) and various decisions of the Hon'ble Supreme Court, a Single Bench of this Court directed MPSC to furnish copy of evaluated answer script to the candidate. It is also submitted that MPSC cannot rely on the decision of Hon'ble Supreme Court in the case of **Angesh Kumar** to deny furnishing of evaluated answer sheets to the candidate, when the same has been rejected by the Single Judge of this Court in judgment dated 04.10.2018. Learned senior counsel further urged that policy decision is nothing but to undo the decision of this Court directing MPSC to furnish answer sheets to the candidates and the decision was arrived by considering the catena of decisions in the case of **Angesh Kumar**, as



conveniently cited by MPSC herein. It is submitted that MPSC never challenged judgment and order dated 04.10.2018 and the same attains finality.

[10] Learned senior counsel for RTI applicants refers to the decision of Hon'ble Supreme Court in the case of **Mradul Mishra vs. Chairman U.P. Public Service Commission Allahabad & Anr. (Civil Appeal No. 6723 of 2018): (2018) SCC OnLine SC 3993** and order dated 16.07.2018 where a Division Bench of Hon'ble Supreme Court after relying the case of **Angesh Kumar and Central Board of Secondary Education & Anr. vs. Aditya Bandopadhyay & Ors.: (2011) 8 SCC 497** where it was directed the UP Public Service Commission to disclose the marks of candidates and also held that candidates are entitled to inspect the answer sheets. The relevant para is reproduced as:

"In our opinion, permitting a candidate to inspect the answer sheet does not involve any public interest nor does it affect the efficient operation of the Government. There are issues of confidentiality and disclosure of sensitive information that may arise, but those have already been taken care of in the case of Aditya Bandopadhyay where it has categorically been held that the identity of the examiner cannot be disclosed for reasons of confidentiality.

That being the position, we have no doubt that the appellant is entitled to inspect the answer sheets.

Accordingly, we direct the respondent - U.P. Public Service Commission to fix the date, time and place where the appellant can come and inspect the answer sheet within four weeks."

[11] Mr. S. Rupachandra, learned senior counsel for some of the RTI applicants, submits that the decision of **Angesh Kumar** (supra) is not applicable to the facts of the present case. The issue of furnishing certified copy of evaluated answer scripts to the candidate is challenged before a Division Bench of this Court and the same is still pending for adjudication. He further submits that even if the original prayer is for furnishing certified copy of the evaluated answer script, State Information Commission moulded the relief by allowing RTI applicants to inspect answer scripts



and RTI applicants are not aggrieved by direction of the Commission altering the prayer of furnishing evaluated answer scripts to inspection of answer scripts. The decision of State Information Commission allowing RTI applicants to inspect evaluated answer script is squarely covered by the decision of Hon'ble Supreme Court in the case of **Mradul Mishra** (supra). Learned senior counsel further pointed out that while passing the decision in **Mradul Mishra** case, the Hon'ble Supreme Court refers to the decision of **Angesh Kumar** which is heavily relied by Mr. M. Rarry, learned senior counsel for MPSC. In other words, the case of **Mradul Mishra** makes the decision of **Angesh Kumar** not applicable in the case where relief granted is for inspection of evaluated answer script by the candidate. Accordingly, it is prayed that the writ petitions filed by MPSC challenging the direction of State Information Commission allowing RTI applicants to inspect evaluated answer scripts, be dismissed on this ground alone and being devoid of any merit.

[12] Mr. K. Kishan, learned counsel for other RTI applicant, adopts the submissions of Mr. S. Rupachandra, learned senior counsel for RTI applicants.

[13] Mr. K. Roshan, learned counsel for Manipur Information Commission, submits that the issue raised by MPSC in these three writ petitions had already been decided by the Hon'ble Supreme Court, various High Courts and by our own High Court in judgment and order dated 04.10.2018 in WP(C) No. 833 of 2018 (supra). Furnishing of third party information regarding marks of the selected candidates has been in public domain and there is no question of being declared as confidential and such information are not covered by Section 8 of RTI Act. The present case is covered by the decision of Hon'ble Supreme Court in the case of **Mradul Mishra vs. Chairman U.P. Public Service Commission Allahabad & Anr.** (supra) where candidate is permitted to inspect answer script as the same does not involve any public interest and does not affect efficient operation of the Government. He also refers to the decision of



Hon'ble Supreme Court in the case of **Bihar Public Service Commission vs. Saiyed Hussain Abbas Rizwi & Anr. (Civil Appeal No. 9052 of 2012): (2012) 11 S.C.R. 1032** where Hon'ble Supreme Court allowed furnishing of collective marks given by the Commission but refrain from disclosure of individual marks awarded by the Members of Commission involved in the examination. Learned counsel also refers to the decision of **Karnataka Public Service Commission vs. Mr. Vinay Kumar Ramaiah & Anr.** in WP(C) No. 8676 of 2020 (GM-RES) order dated 26.08.2020 where it was directed Karnataka Public Service Commission to furnish copy of evaluated answer script for analysis, submission and distinguished that **Angesh Kumar's** case was related to provide third party information. It is submitted that writ petitions be dismissed and finding of the Commission be upheld.

[14] This Court has perused the materials on record, submissions of the parties and the decisions cited at the bar. The following points of determination have been framed for adjudicating the issue involved in the present writ petitions:

- (i) *Whether the policy decision of MPSC dated 28.10.2020 and 04.05.2020 deciding not to furnish evaluated answer books for descriptive type papers to candidate under normal circumstances bars the candidate from perusing and inspecting their respective evaluated answer script?*
- (ii) *Whether the present case is covered by the decisions of the Hon'ble Supreme Court in the cases of **Angesh Kumar** or **Mradul Mishra**?*

[15] As already reproduced above, the original prayer in three RTI applications are for furnishing marks scored by the candidates (applicants) and certified copy of evaluated answer script of the subjects appeared by the applicants. However, the prayers were rejected by SPIO and first appellate authority of MPSC. State Information Commission by

***WP(C) No. 474 of 2023 with
WP(C) No. 475 of 2023 with
WP(C) No. 476 of 2023***



common impugned judgment in three appeals filed by the RTI applicants, moulded the relief and directed MPSC to allow RTI applicants to inspect or peruse their evaluated answer scripts of the examination, i.e., MCSCCE, 2016 (2022). While issuing direction for allowing inspection of answer script, State Information Commission has considered and appreciated the earlier practice of MPSC of furnishing evaluated answer script to the candidates; the fair practice adopted by High Court of Manipur in furnishing certified copy of answer scripts to the candidate appearing for Judicial Services Examination; the pendency of the writ petition challenging the policy decision of MPSC not to furnish evaluated answer script, the State Information Commission was compelled to pass impugned order in order to uphold transparency in the public examination of such important post. The policy decisions dated 28.10.2020 and 04.05.2022 of the Full Commission Meeting of MPSC decided not to furnish evaluated answer scripts of descriptive type paper to the candidate under the normal circumstances; but the same does not bar inspection of their respective evaluated answer script to the candidates alone. Since the policy decisions are challenged before this Court and pending for adjudication before a Division Bench, this Court has refrained from expressing any opinion on the merit of the case. This will take care the submission of MPSC that judicial propriety demands this Court refraining from expressing any opinion on the policy decision of MPSC not to furnish evaluated answer script. This Court only expresses an opinion on the fact that mere perusal of the policy decision does not bar the candidates from inspection of their respective evaluated answer scripts of the examination appeared by them. It is made clear that this Court does not examine the legality of the policy decision and does not express any opinion on merit.

[16] The next issue is whether the direction of State Information Commission directing MPSC to allow RTI applicants to inspect their evaluated answer script is barred by the decision of Hon'ble Supreme



Court in the case of **Angesh Kumar** (supra). This Court has gone through the decision of **Angesh Kumar's** case. The RTI applications in **Angesh Kumar's** case is for detail of raw and scale marks and cut off marks for every subject, scaling methodology and model answer complete result of the candidate so far. In the circumstances, the Hon'ble Supreme Court rejected the same that disclosing raw marks will affect the integrity and confidential involved in such examination. The Hon'ble Court was of the view that furnishing raw marks will cause problems and affect the examination procedural and, in the circumstances, the applications were rejected. However, liberty was given to RTI applicants to approach appropriate forum that information sought by them will not compromise the integrity of the examination. In the present cases, even though the original prayer is for certified copy of evaluated marks (raw mark was never prayed for by the RTI applicants herein), the State Information Commission moulded the relief, on the basis of oral submissions made during the course of hearing, to allow them to inspect their respective evaluated answer script for the subjects appeared by them. In the circumstances, the direction was issued to MPSC to allow RTI applicants to inspect their evaluated answer script for the papers appeared by them.

[17] This Court is of the view that the factual matrix of **Angesh Kumar** (supra) will not be applicable in the present case, more particularly, after granting alternative oral plea of allowing to inspect answer scripts. As already held and observed above, the policy decision of MPSC does not bar inspection of evaluated answer script by the candidate. The decision of the Hon'ble Supreme Court in the case of **Mradul Mishra** (supra) will be applicable in the present case. After considering the catena of cases including **Angesh Kumar** and **Aditya Bandopadhyay**, Hon'ble Supreme Court held that allowing the candidate to inspect their evaluated answer script will be in the interest of transparency and will not violate any public interest.



2026:MNHC:136

[18] This Court is of the view that the decision of **Mradul Mishra** will be applicable and decision of **Angesh Kumar** will not be relevant to the fact of the present case. In the circumstances, the writ petitions are dismissed and MPSC is directed to comply the direction of State Information Commission vide impugned order dated 28.04.2023 in Appeal Case Nos. 16, 19 & 22 of 2023 within a period of 30 days from the date of receipt of a copy of this order. Parties are to bear their own cost.

[19] Registry is directed to send a copy of this order to the Secretary, MPSC for necessary compliance.

JUDGE

FR/NFR

Kh. Joshua Maring