

HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION (TR) No. 873 OF 2017

ORDER:

This writ petition (TR) is filed seeking to declare the action of the respondent authorities in not publishing answer key along with cut of marks subject-wise, category-wise, viz., SC, ST, BC, OC in each of the subjects of the selections made to the post of Lecturer in Government Polytechnic Colleges in the State of A.P. in spite of various persuasions made by the petitioners as illegal, arbitrary and further contrary to the Fundamental Rights guaranteed under the Constitution of India and consequently direct the respondent authorities to publish answer key along with cut of marks subject-wise, category-wise, viz., SC, ST, BC, OC in respect of the written test conducted on 06/01/2013 to the post of Lecturers in Govt Polytechnic Colleges in the State in various subjects before further steps are taken finalizing appointments pursuant to the result of selection published in the month of August 2013.

2. Today when the matter has been taken up for hearing, Sri M.Ramgopal Rao, learned Standing Counsel for TSPSC appearing for respondent submits that respondent No.1 has filed counter-affidavit, wherein paragraph No.5 reads as:

"I submit that as per the practice in vogue the Commission is publishing the Answer Keys of recruitments for which selection is made only on the basis of Written Examination. For recruitments where the selection process consists of Written and oral tests the Answer key is not being published but, however, the candidates can obtain the same under RTI Act. In view of the pendency of W.P. No.9771/2012 the Commission decided to withhold the information under the RTI . Act. The Commission has since reviewed the decision and the candidates are at liberty to apply for a copy of the Answer Key & other information prayed for in the O.A. under RTI Act and no applicant herein have sought any information under RTI Act. Further I submit that the Commission has hosted the Answer Keys (General Studies & Mental Ability and 21 subjects) and Unit Lists comprises of subject-wise and community-wise information in the Commission's website i.e., www.apspsc.gov.in."

3. At this stage, learned counsel for the petitioners further submits that in view of the bifurcation of the State, the said Commission's website address is changed and seeks permission of this Court to make representation under RTI Act to respondent authorities to furnish the same, if not available on the website.

4. In view of the submission made by the learned counsel on either side, this writ petition is disposed of granting liberty to the petitioners to make a representation under RTI Act to the respondent authorities to provide a copy of answer key along with cut of marks for subject wise, category wise i.e., SC, ST, BC, OC in respect of the Written test conducted on 06.01.2013 to the post of Lecturers in Govt Polytechnic Colleges within a period of two (2) week from the date of receipt of a copy of this order; and on such representation, the respondent authorities are directed to provide the said information, in accordance with law, within a period of four (4) weeks from the date of receipt of said representation and communicate the same to the petitioners.

5. Accordingly, the writ petition is disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

N.V.SHRAVAN KUMAR,J

02.01.2023
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