

Court dismisses IIT plea, allows IIT-JEE student to see answersheet

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Upholding a student's right to see his corrected IIT Joint Entrance Exam (IIT-JEE) answersheet through an RTI application, the Delhi High Court has dismissed a plea by the prestigious Institute which had come in appeal against a CIC order.

"The right of a candidate, sitting for JEE and GATE, to obtain information under the RTI Act is a statutory one. A candidate does not lose his or her right under the RTI Act only because he or she has agreed to sit for JEE or GATE. The condition in the brochure that no photocopy of ORS will be provided is subject to the RTI Act. It cannot override the RTI Act," Justice Muralidhar said.

Indian Institute of Technology (IIT) had moved court seeking quashing of

Central Information Commission's (CIC) order asking it to supply the copy of subject-wise marks obtained by two candidates who appeared in the Joint Entrance Examination (JEE) and Graduate Aptitude Test in Engineering (GATE) 2010. Dismissing the IIT's plea Justice S Muralidhar upheld the CIC suggestion to the candidates to inspect the records and directed the IIT to co-operate with him. The court also upheld the CIC's direction to the Public Information Officer (PIO) to provide the marksheet in 45 days to Sushil Kohli.

Navin Talwar appeared for the Joint Entrance Examination 2010 (JEE 2010) and Sushil Kohli's daughter, Sakshi Kohli, sat for the Graduate Aptitude Test in Engineering 2010 (GATE 2010). Candidates are given two question papers, containing multiple-choice

questions and the correct answers are to be darkened by a pencil in the Optical Response Sheet (ORS) which is supplied to the candidates. The JEE 2010 was conducted on 11th April 2010 in 1026 centres across India and 4.72 lakh candidates appeared. The GATE 2010 was conducted on February 14, 2010 and the results were announced on March 15, 2010.

IIT had refused to provide them the copies saying it is exempted from providing such information under the RTI Act as GATE committee shares fiduciary relationship with its evaluators and maintains confidentiality. "The evaluation of the ORS is carried out through a computerised process and not manually, the question of there being a fiduciary relationship between the IIT and the evaluators does not arise," the court said while dismissing IIT's plea.