

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. CIC/UPSCM/A/2025/617026

Aniket Kumar Gupta

... अपीलकर्ता/Appellant

VERSUS

बनाम

CPIO:

1. Union Public Service Commission, New Delhi
2. Department of Personnel & Training, New Delhi

...प्रतिवादीगण/Respondents

Date of First Interim Hearing : 04.02.2026
Date of First Interim Decision : 27.02.2026
Date of Second Interim Hearing : 11.05.2026
Date of Second Interim Decision : 19.05.2026
Date of Final Hearing : 18.08.2026
Date of Final Decision : 24.09.2026

INFORMATION COMMISSIONER : Jaya Varma Sinha

Relevant facts emerging from appeal:

RTI application filed on : 13.11.2024
CPIO replied on : 12.12.2024
First appeal filed on : 14.12.2024
First Appellate Authority's order : 11.01.2025
2nd Appeal dated : 13.04.2025

INFORMATION COMMISSIONER : Jaya Varma Sinha

1. The instant matter is being pursued in furtherance of the following CIC decision issued on 27.02.2026:

1. The Appellant filed an RTI application dated 13.11.2024 seeking information on the following points:

1. Dear Sir/Madam, the following information is sought under the Right to Information Act, 2005: comparative data from the last 10 years of conduction of the Civil Services Examination (CSE), specifically a detailed annual breakdown of marks obtained by all recommended candidates in each General Studies (GS) paper, each optional subject paper, and the Personality Test per year till 2023.

Request is made to include the statistics as to how a particular optional paper has fared in terms of performance in marks in last 10 years since syllabus revamping of the CSE in 2014. Kindly note this comprehensive data needs to include breakup of Mains examination marks of all recommended candidates each year and highlight the highest marks in each papers of GS and otherwise including the Personality Test in each year. Please note that this RTI is filed solely in view of larger public interest of student to be furnished with reliable information pertaining to CSE to make appropriate decision regarding approaching the examination and it should, by no means be viewed as a violation of candidates privacy, especially since UPSC itself released each year marks of all recommended candidates on their website. However, breakup of Mains examination marks is not released which is also requested under this application. It is also submitted that this RTI application is made after a careful reading of the latest 73rd annual report released by UPSC and other such documents which do not contain the information & data sought in this RTI application. It is suggested that the data hence requested under this RTI, if compiled by the commission be provided in the form of a special report and may be published by the commission as a decadal report/analysis of data or otherwise at its discretion for wider public accessibility.

2. The CPIO replied vide letter dated 12.12.2024 and the same is reproduced as under :-

“In this regard it is intimated that information sought is not available in compiled form. However, subject-wise marks of Written Examination & Personality Test of Civil Services (Main) Examination and total marks of recommended candidates from year 2014 to 2017 are available on website of DoP&T (cseplus.nic.in). Further, marks obtained by recommended candidates in Written Examination & Personality Test of Civil Services (Main) Examination and total marks from year 2018 onwards are also available on website of DoP&T (cseplus.nic.in).”

3. Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 14.12.2024 alleging that the information provided was incomplete, false and misleading. The FAA vide order dated 11.01.2025 upheld the reply given by the CPIO.

4. Aggrieved with the FAA's order, the Appellant approached the Commission with the instant Second Appeal dated 13.04.2025.

Hearing Proceedings & Decision:

5. The appellant and on behalf of the respondent Dinesh Singh, Under Secretary, attended the hearing in-person.

6. The appellant inter alia submitted that the primary reason behind filing of the RTI application is that upto Civil Services Examination (CSE) 2017, UPSC used to publicly disclose the paper-wise marks obtained by recommended candidates in the Civil Services (Main) Examination, including marks in Essay and General Studies Papers I, II, III and IV as well as Optional Papers I & II. However, CSE- 2018 onwards, UPSC discontinued disclosure of paper-wise marks and instead published only aggregate marks of the Civil

Services (Main) Examination, without providing any bifurcation of marks obtained in individual papers. The appellant pleaded that this change has substantially reduced transparency & adversely affected the right to information of civil services aspirants. Placing reliance on the involvement of public interest in the matter, the appellant prayed that the requisitioned information may be disclosed as per proviso to Section 8 (2) of the RTI Act. He relied upon his latest written submissions dated 02.02.2026 and the relevant portions thereof are reproduced as under:

- “1. The present RTI directly involves public interest as it affects thousands of UPSC aspirants nationwide. By withholding paper-wise marks after CSE-2017, UPSC has created a vacuum of information, preventing aspirants from making informed decisions about optional subjects in a high-stakes national exam.*
- 2. The main problem that this lack of transparency creates is that it provides the various coaching institutes a sizeable opportunity to exploit potential aspirants. Several coaching centres resort to false, exaggerated and unverifiable advertisements misleading students into believing that candidates taught by them have secured the highest scores in particular optional subjects. Particularly affected are those students from remote or disadvantaged backgrounds who are compelled to rely on such claims and lured into making ill informed choices due to non-availability of officially released data by UPSC. (Relevant annexures enclosed.)*
- 3. The appellant begs to draw the attention of the Hon'ble commission to an example reflective of the predicament faced by large number of aspirants. Say an aspirant has comparable interests in two Optional Papers offered by UPSC to be opted for CSE, such as Mathematics (being the graduation subject) and History (one of the common course offerings by the coaching institutes). Since, there exists*

no official public data reflecting performance of these subjects vis-à-vis marks after 2017, the aspirant is forced to rely on the coaching institutes and often persuaded into opting an orthodox “market-accepted optional paper” primarily due to promotion by the coaching to sell its courses rather than on basis of verified performance trends.

4. The aforesaid lack of transparency has led to an artificial classification of optional subjects into so-called “safe” and “risky” categories. Despite subjects such as Mathematics having historically yielded high scores, as reflected in testimonials and self-released mark sheets of successful candidates, aspirants with a genuine academic background and interest in such subjects hesitate to opt for them due to misleading narratives promoted by coaching institutes. Whereas subjects such as History, Political Science, Sociology, and Anthropology are projected as traditional “go-to” optionals not on the basis of verified scoring trends, but largely due to the availability of coaching courses and commercial promotions. In the absence of official subject-wise disclosure of marks by UPSC, this distortion is likely to persist and further intensify.

5. Further, at present, aspirants have no official means of ascertaining which optional subjects have been opted for by candidates included in the list of recommended candidates, unless such information is voluntarily disclosed by individual candidates. 6. Therefore, in a national examination as significant as the Civil Services Examination, which selects the highest echelons of the bureaucracy in India and for which countless individuals from all sections of society dedicate years of their lives to prepare, the highest level of transparency is absolutely essential from the conducting body- UPSC here, to ensure that no section of the society is placed at a disadvantage and that the trust of the aspirants and all public stakeholders is duly upheld. Only with such disclosure can the aspirants

avoid being left at the mercy of coaching institutes and their propaganda. The present RTI has thus been filed with the objective of serving larger public interest by promoting transparency and accountability by way of seeking the information essential to free aspirants from the shackles of misinformation and the exploitative coaching industry.”

7. The respondent while defending their case inter alia reiterated their initial reply dated 12.12.2024 and endorsed their latest written submissions dated 30.01.2026, which are taken on record and are extracted below:

“...I am directed to refer to CIC's letter No. CIC/UPSCM/A/2025/617026 dated 13.01.2026 (received in this Commission on 16.01.2026) in respect of the second appeal filed by Shri Aniket Kumar Gupta on the above mentioned subject.

2. In this regard, it is submitted that Aniket Kumar Gupta vide an online RTI application (Reg. No. UPSCM/R/E/24/05726, dated 13.11.2024) under RTI Act, 2005 sought information regarding detailed marks of all recommended candidates of Civil Services Examination up to year 2023. In response of which, the appellant was replied vide letter dated 12.12.2024 as under:

"It is intimated that information sought is not available in compiled form. However, subject-wise marks of Written Examination & Personality Test of Civil Services (Main) Examination and total marks of recommended candidates from year 2014 to 2017 are available on website of DoP&T (cseplus.nic.in). Further, marks obtained by recommended candidates in Written Examination & Personality Test of Civil Services (Main) Examination and total marks from year 2018 onwards are also available on website of DoP&T (cseplus.nic.in).”

3. Aggrieved with the aforesaid reply, the appellant had preferred first appeal (Reg. No. UPSCM/A/E/24/00649, dated 14.12.2024), under the RTI Act, 2005. In

response of which the First Appellate Authority in his decision dated 11.01.2025 upheld the reply given by the CPIO.

4. Now, the appellant has preferred second appeal thereby stating that the Commission has discontinued the practice of releasing the bifurcation of recommended candidates' marks in the Civil Services Examinations, 2018 onwards and prayed before CIC to instruct the CPIO (UPSC) to provide subject-wise marks of candidates in respect of CSE-2018 to CSE-2023 and to follow the same practice in future Examination(s)/public releases.

5. In this regard, it is submitted that the Union Public Service Commission (UPSC) is a Constitutional Body setup under Article 315-323, Chapter-II, Part XIV of the Constitution of India. The UPSC, being a Constitutional body, has been conferred with powers under the Constitution of India to make rules and regulations to carry out its objectives in a just, fair and equitable manner. These systems and procedures have also been upheld by the Hon'ble Courts time to time. As per the policy and practice followed by the Commission, the detailed (subject-wise) marks of the candidates are treated as the information personal to them and therefore, the Commission does not disclose the subject-wise marks of the candidates in public domain as well as to any third party, except the Govt./DoP&T. The same has been followed by the Commission at various occasions while furnishing/informing such information to various RTI applicants. A copy of such reply is enclosed herewith for ready reference. The Commission discloses only the written total, PT/interview marks and final total of the recommended candidates in public domain at its website (viz. <http://upsc.gov.in>) in order to maintain the transparency in recruitment process. However, in the instant matter, keeping the spirit of the RTI Act, 2005, the requisite information, as was

available with the then CPIO, was furnished to the appellant vide letter of even No. dt. 12.12.2024.

6. So far as dis-continuation of practice of publishing the subject-wise marks by UPSC at the website (cseplus.nic.in) is concerned, it is submitted that the appellant is misleading the CIC through such claim. It may be noticed that the said website/weblink (viz. cseplus.nic.in) is under the domain/control of the DoP&T/Govt. and the CPIO (UPSC) is not responsible for the data/information available thereupon or published by the DoP&T at their website. The CPIO (UPSC) just referred the said data/information available at website of DoP&T in his reply, keeping the spirit of the RTI Act to provide the information as is available with him/her and keeping in view the easiness for appellant to find the requisite information available at one place in consolidated manner.

7. In addition to the above, it is also submitted that one of the reason cited by the applicant seeking such data as to see how a particular optional paper has fared in terms of performance in marks in last 10 years since syllabus revamping of the CSE in 2014. In this connection, it is stated that distribution of candidates who appeared vis-à-vis recommended by optional subjects has been a part of the Annual Reports published by this Commission which is already available in public domain on its website (www.upsc.gov.in). A comparative analysis of success rate vis-à-vis optional subjects can be drawn from the information available in the Annual Reports.

8. From the above, it is obvious that the information provided to the appellant was to the extent as per the information/facts available with the then CPIO. The appeal filed by the appellant is devoid of merit and it is a consequence of mis-information / mis-conception regarding publication of the subject wise marks of the candidates by the UPSC in public. domain. There is no further information to offer herein.”

8. The Commission after adverting to the facts and circumstances of the case, hearing both parties and perusal of records, observes that the respondent clarified that practice of publishing subject-wise marks in Civil Services Examination concerns DoPT and CPIO, UPSC, is not responsible for the data/information available thereupon or published by the DoP&T at their website. Considering that the subject-matter of the RTI application concerns publication of results by DoPT, the Commission deems it necessary to implead CPIO, DoPT, as a party in the instant appeal for efficacious adjudication of the matter.

In view of the above, the Registry of this Bench is directed to send fresh hearing notices in the matter to the parties impleaded presently as well as to CPIO, DoPT, duly informing the next date of hearing. The CPIO, DoPT is directed to submit detailed written submissions before the next date of hearing as to why the Commission shall not recommend reinstating the practice of publication of bifurcation of recommended candidates' marks in the Civil Services Examinations; the CPIO shall serve a copy of the said written submissions to all the parties to the instant second appeal before 7 days from the date of next hearing, to be intimated through fresh hearing notice(s).

Accordingly, the final decision in the appeal is reserved and the matter is adjourned.

Hearing Proceedings on 11.05.2026 & Decision:

2. The appellant and on behalf of the respondent Awanish Kumar Mishra, CPIO DoPT; and Dinesh Singh, CPIO, UPSC, attended the hearing in-person.

3. The appellant *inter alia* submitted that DoPT in its written submissions has stated rationale for discontinuation of said previous practice of disclosure that detailed subject-wise marks are considered personal information relating to candidates. However, the aggregate marks of the said candidates along with their names are already available in the public domain Therefore, once the overall marks and identity of recommended

candidates are already publicly disclosed, withholding merely the bifurcation of subject-wise marks becomes arbitrary and contradictory. The Appellant's written submissions dated 10.05.2026 are taken on record and the relevant portions thereof are extracted as under:

"Rebuttal to the contention that UPSC Annual Reports sufficiently disclose performance of optional subjects"

9. During the course of hearing, the respondents inter alia contended that UPSC Annual Reports already disclose success rate of optional subjects which is claimed by them to be sufficient information regarding optional subject performance already available in public domain. The appellant respectfully submits that the aforesaid contention is fundamentally misconceived and does not address the actual information sought in the present RTI application since "success rate" of an optional subject and "performance of an optional subject in terms of marks awarded" are two entirely distinct and independent concepts.

10. The success rate merely indicates the percentage or number of candidates opting for a particular optional subject who eventually succeeded in the overall examination process and secured final recommendation after clearing all stages including Preliminary Examination, Main Examination and Personality Test. The success rate does not reveal how a particular optional subject itself performed in terms of actual marks awarded by UPSC in the written examination.

11. A successful candidate may have scored comparatively average or lower marks in the optional subject and qualified due to exceptionally high performance in Essay, General Studies Papers or Personality Test. Conversely, another candidate may secure exceptionally high marks in the optional subject but may still fail to qualify finally due to lower marks in interview or lower performance in other papers.

12. Therefore, merely because a particular optional subject shows a certain "success rate", it does not necessarily follow that the optional subject itself yielded high marks or performed favorably in terms of scoring pattern. Any optional subject may appear to have comparatively better success rate but the candidates opting for such subject may have actually secured recommendation primarily due to stronger performance in General Studies Papers which summarily rejects the contentions adopted by UPSC.

13. It is further submitted that this distinction goes to the very root of the present matter because appellant in this matter, does not merely seek as to how many candidates cleared the examination with a particular optional subject, but seek to understand how optional subjects are actually performing in terms of marks awarded. The appellant respectfully submits that the respondents' reliance on Annual Reports is therefore misplaced because the Annual Reports do not disclose actual subject-wise marks sought in present RTI application.

Rebuttal to the contention that subject-wise marks constitute "personal information"

14. DoPT in its written submissions has stated rationale for discontinuation of said previous practice of disclosure that detailed subject-wise marks are considered personal information relating to candidates. The appellant respectfully submits that the aforesaid contention is internally inconsistent, arbitrary and unsustainable in the facts and circumstances of the present matter and also draws attention to the fact that the respondents themselves earlier disclosed the same category of information publicly for several years till CSE-2017 without citing any privacy concerns whatsoever.

15. The respondents already voluntarily disclose in public domain:

(i) names of recommended candidates;

- (ii) category details;
- (iii) aggregate written marks;
- (iv) Personality Test/interview marks; and
- (v) final total marks.

16. Once the overall marks and identity of recommended candidates are already publicly disclosed, withholding merely the bifurcation of subject-wise marks becomes arbitrary and contradictory. Disclosure of paper-wise marks merely explains the composition of already disclosed aggregate marks and does not introduce any substantially new invasion of privacy.

17. Reference is further drawn to recent Decision No. CIC/UPSCM/A/2025/105207 dated 10.04.2026 wherein the Hon'ble Commission recommended inclusion of sub-caste details in the final list of selected candidates in Civil Services Examination in the interest of transparency. In such circumstances, the respondents' contention that disclosure of subject-wise marks of already recommended candidates is impermissible on grounds of personal information becomes further unsustainable.

18. The appellant respectfully submits that the information sought pertains exclusively to candidates already recommended into public services through a constitutional examination conducted by UPSC where the standards of transparency ought to be maintained.”

4. The respondent (UPSC) while defending their case *inter alia* submitted that after declaration of results and preparation of merit list, the data in relation to subject-wise marks is given to DoPT and LBSNAA. Further, he stated that the Commission has not given any direction/recommendation to DoPT in the matter of publication of results in public domain.

Further, the CPIO, DoPT, submitted that earlier practice of publishing subject-wise marks of recommended candidates on the website was discontinued since CSE 2018. The CPIO further explained that the detailed marks of recommended candidates are not only considered personal information but there is also an apprehension that disclosure of detailed data pertaining to bifurcation of marks obtained by recommended candidates, particularly subject-wise performance and choice of optional subject in Civil Services Examination, may lead to misuse by coaching institutes which may selectively project certain optional subjects as “high scoring” in advertisements and thereby create misleading perceptions among aspirants. The CPIO further endorsed the following written submissions dated 07.05.2026 which are taken on record are extracted as under:

“Kindly refer to the above-mentioned Notice issued by the Central Information Commission in connection with the hearing scheduled before the Hon'ble Information Commissioner, Ms. Anandi Ramalingam, on 11.05.2026 at 11:40 AM in the matter pertaining to the RTI appeal filed by Shri Aniket Kumar Gupta.

2. In this regard, the undersigned, being the Central Public Information Officer (CPIO) of the Department of Personnel and Training (DoPT), respectfully submits herewith the facts and clarifications for kind consideration of the Hon'ble Commission.

3. The Union Public Service Commission (UPSC) has been entrusted with the constitutional responsibility of conducting the Civil Services Examination (CSE) in accordance with the Rules and Regulations notified by this Department from time to time. The role of UPSC includes conducting the examination process, evaluation of answer scripts, preparation of merit lists, publishing of results and recommendation of successful candidates to the Government.

4. Upon receipt of the recommendations from UPSC, this Department undertakes the process of service allocation to the recommended candidates in accordance

with the prevalent allocation practice taking into account the service preferences exercised by candidates, reservation provisions, medical status, rank, and other relevant parameters.

5. It is respectfully submitted that this Department does not participate in, nor does it exercise any control over, the process of evaluation, moderation, tabulation, or award of marks to candidates appearing in the Civil Services Examination. The marks obtained by candidates, including subject-wise marks, are prepared, maintained, and retained solely by UPSC in its capacity as the examining and evaluating authority.

6. With regard to the appellant's grievance concerning non-publication of subject-wise marks of recommended candidates on the website of this Department after Civil Services.

on the Examination, 2017, it is submitted that the earlier practice of hosting such information on the Department's website was discontinued since CSE 2018.

7. The rationale behind discontinuation of the said practice is that the detailed marks secured by candidates are considered to be information of a personal and in-personam nature relating to individual candidates.

8. It is further submitted that UPSC itself provides access to marks and related examination details directly to candidates upon request and through mechanisms established by the Commission. UPSC has neither mandated nor advised this Department to host or publish such marks on the DoPT website. However, DoPT endeavors to provide access to the collated information on this Department's website: cseplus.dopt.gov.in so as to enable candidates access information at one place to the possible extent.

9. In view of the foregoing submissions, it is respectfully prayed that the above facts and circumstances may kindly be placed before the Hon'ble Information

Commissioner for her kind consideration while adjudicating the instant appeal matter.”

5. The Commission after adverting to the facts and circumstances of the case, hearing both parties and perusal of records, observes that the representatives from DoPT endorsed their written submissions dated 07.05.2026 and raised an apprehension that disclosure of data pertaining to bifurcation of marks obtained by recommended candidates may lead to misuse by coaching institutes which may commercially exploit the disclosed data to promote their courses, or influence candidates' choice of optional subjects. The CPIO, DoPT, further submitted that the averred decision for discontinuation of the publication of bifurcated marks was most likely taken in pursuance to internal circular, however, the same was not produced before the Commission.

Furthermore, the Appellant's counter-submissions to the CPIO's submissions dated 07.05.2026 are also taken on record wherein the Appellant has emphasized that the respondents themselves earlier disclosed the same category of information publicly for several years till CSE-2017, without citing any privacy concerns.

Commission notes that the Appellant's arguments concerning the CPIO's selective application of the ground that the information in respect of bifurcated marks is of "*in-personam nature*" remains unaddressed by the CPIO, particularly when aggregate marks, names of candidates, and their respective categories have already been published in the public domain. The CPIO did not produce any corroborative record, circular, policy or file noting in support of the decision to discontinue the averred practice and solely premised his contentions based on institutional memory. In fact, the CPIO, UPSC confirmed during the hearing that there were no mandate or instructions to DoPT from their end to discontinue the practice of publishing bifurcated marks of recommended candidates. Also, as per the written submissions filed by the CPIO, DoPT dated 07.05.2026, it is stated under Para 5 that the subject-wise marks are prepared, maintained

and retained solely by UPSC. To the contrary, the CPIO, UPSC in his submissions dated 30.01.2026 have stated in Para 5 that all information including subject-wise marks are passed on to DoPT.

In view of the foregoing observations, especially with regard to contradictory stances taken by UPSC & DoPT, and considering that the basis for discontinuation of the practice has not been satisfactorily clarified, CPIO, DoPT is given a final opportunity to furnish comprehensive, categorical, and self-explanatory written submissions to this Commission, indicating the reasons for discontinuing the practice of publication of breakup of Mains examination marks of all recommended candidates, duly supported by relevant records, file notings, circulars, policy decisions, or any other documentary evidence available on record; and explain as to why the Commission shall not recommend reinstating the practice of publication of bifurcation of recommended candidates' marks in the Civil Services Examinations within six weeks from the date of receipt of this order.

Accordingly, the matter is reserved for final hearing.

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

Relevant Facts emerged during Hearing on 18.08.2026:

The following were present:-

Appellant: Mr. Ranjan Choudhary, Authorized Representative of the Appellant is present along with the Appellant.

Respondent: Mr. Awanish Kumar Mishra, CPIO-cum-Under Secretary, DoPT, Mr. Dinesh Singh, CPIO-cum-Under Secretary, UPSC and Mr. Rahul Shukla, ASO, UPSC attended the hearing in person.

- I. The Appellant stated that information sought in the instant RTI application was not given by the Respondent. The Appellant further reiterated the fact that

publication of break-up of marks i.e. marks obtained by recommended candidates in each paper of Civil Services (Mains) Examination has been discontinued since year 2018.

- II. The Respondent CPIO, DoPT submitted that there is no file noting, office memorandum, policy decision or other document/record giving effect to discontinuation of publication of the break-up of marks of recommended candidates from Civil Services Examination, 2018 onwards. The respondent CPIO, DoPT further submitted that DoPT portal- csepluc.nic.in was launched in the year 2017 and it was decided in the same year that DoPT should disclose only aggregate marks of recommended candidates of Civil Services (Mains) Examination as it is done by the UPSC. It is pertinent to mention that disclosure of marks obtained by recommended candidates in different optional subjects will benefit coaching institutes which will eventually exploit students and earn more money in the process.
- III. The Commission intervened and asked the Respondent CPIO, DoPT regarding any written order/policy note in the office of DoPT with respect to the decision taken in 2017, to which the Respondent CPIO, DoPT replied in negative.
- IV. The Commission further asked the Respondent CPIO, UPSC if they publish the detailed break-up marks of recommended candidates of Civil Services (Mains) Examination, to which the Respondent CPIO, UPSC replied in negative. The Respondent CPIO, UPSC further submitted that, post publication of final result, they give detailed break-up marks of recommended candidates of Civil Services (Mains) Examination to DoPT and Lal Bahadur Shastri National Academy of Administration (LBSNAA).
- V. A written submission has been received from Mr. Awanish Kumar Mishra, CPIO-cum-Under Secretary vide letter dated 06.08.2026 and the same has been taken on record. The relevant extract of the same is stated as under:

“Kindly refer to the proceedings before the Hon'ble Central Information Commission in the above-captioned matter, wherein the Commission has directed the Central Public Information Officer, Department of Personnel and Training (DoPT), to furnish comprehensive written submissions indicating the reasons for discontinuation of publication of the break-up of marks of recommended candidates in the Civil Services

Examination, duly supported by relevant records, file noting, circulars, policy decisions or any other documentary evidence available on record, and to explain why the Commission should not recommend reinstatement of the said practice.

2. In compliance with the aforesaid directions, the following submissions are respectfully placed before the Hon'ble Commission.

3. The Department has undertaken a diligent examination of the records available in the concerned Division with a view to tracing any file notings, policy decisions, administrative instructions, circulars or other documentary records specifically recording the decision to discontinue publication of the break-up of marks of recommended candidates after Civil Services Examination, 2017.

4. The record verification has not yielded any file noting, office memorandum, policy decision or other contemporaneous document specifically recording the administrative decision or reasons for discontinuation of the aforesaid practice. Accordingly, no such record is available with the Department for production before the Hon'ble Commission.

5. It is, however, respectfully submitted that the absence of a specific recorded decision does not alter the statutory position regarding the custody and dissemination of examination-related information. The Civil Services Examination is conducted by the Union Public Service Commission (UPSC) in exercise of its constitutional functions under Articles 315 to 323 of the Constitution. The evaluation of answer scripts, award of marks, preparation of merit lists and maintenance of candidates' marks are functions exclusively performed by UPSC. DoPT neither participates in nor exercises any supervisory or administrative control over these examination processes.

6. The role of DoPT commences only after receipt of the recommendations made by UPSC for the purpose of allocation of services to successful candidates in accordance with the applicable service allocation policy. The Department is neither the originating authority nor the official custodian of the detailed marks obtained by candidates in the Civil Services Examination.

7. Since the subject-wise marks are generated, authenticated and maintained by UPSC, any decision regarding their publication or wider dissemination appropriately falls

within the administrative and statutory domain of UPSC. DOPT does not independently verify, maintain or update such information in the discharge of its statutory functions.

8. It is further submitted that UPSC has established its own mechanism for dissemination of examination-related information, including marks of candidates, in accordance with its policies and applicable legal provisions. In the absence of any statutory provision, executive instruction or communication issued by UPSC requiring DoPT to host or publish such information, the Department has not considered it appropriate to independently publish examination-related data that is neither created nor maintained by it.

9. Insofar as the Hon'ble Commission has sought an explanation as to why reinstatement of the earlier practice may not be recommended, it is respectfully submitted that publication of information by a public authority should ordinarily relate to information generated, maintained or required for discharge of its statutory functions. Since DoPT is neither the creator nor the custodian of the detailed examination marks, directing publication by DoPT may result in duplication of information maintained by another constitutional authority, without serving any distinct statutory purpose. Any policy decision regarding proactive publication of candidates' marks would therefore be more appropriately considered by UPSC, which is the authority responsible for conducting the examination and maintaining the authentic examination records.

10. The Department respectfully submits that it remains fully committed to transparency in the discharge of its own statutory functions and shall abide by any policy decision or statutory requirement issued by the competent authority concerning publication of examination-related information.

11. In view of the foregoing facts and submissions, it is respectfully prayed that the Hon'ble Commission may kindly take the above submissions on record while adjudicating the present appeal."

Final Decision:

VI. The Commission after adverting to the facts and circumstances of the case, hearing both the parties and perusal of the records, observes that information

sought qua instant RTI application was not given by the CPIO in reply dated 12.12.2024. The Commission further observes that, despite being given final opportunity vide order dated 19.05.2026, the Respondent CPIO, DoPT has failed to produce any file noting, office memorandum, policy decision or other document/record which could substantiate discontinuation of publication of the break-up of marks of recommended candidates from Civil Services Examination, 2018 onwards.

- VII. The Commission also observes that, candidates are selected through the Civil Services Examination on the basis of marks obtained in the Written Examination (Mains) and the Personality Test. Merit list is drawn up by UPSC, subject to the condition that each selected candidate has scored at least 10% marks in each of the 7 competitive written papers viz. Essay, GS-I, GS-II, GS-III, GS-IV, Optional-I and Optional-II. It is pertinent to mention that this criterion of minimum 10% marks is applicable on each of the 7 competitive written papers individually and not on the aggregate marks. Hence, to ensure transparency and fairness in the selection procedure, marks obtained by recommended candidates in Essay, GS-I, GS-II, GS-III, GS-IV, Optional-I and Optional-II papers of Civil Services (Mains) Examination should be disclosed.
- VIII. The Commission would also like to point out that disclosure of marks obtained by recommended candidates in different optional subjects will additionally allow the students/aspirants to make an informed choice regarding different optional subjects. Moreover, students/aspirants will not be dependent on unreliable sources for the same information i.e. marks obtained by recommended candidates and how candidates are faring in different optional subjects. Hence, it is reiterated that for the sake of transparency, detailed break-up of marks obtained by recommended candidates in each competitive paper of Mains Examination must be disclosed.
- IX. In the light of above observations and submissions made during the hearing, the Commission directs the Respondent CPIO, DoPT to give a revised and updated reply by sharing detailed break-up marks obtained by recommended candidates in each General Studies (GS) paper, each optional subject paper, and the Personality Test of Civil Services Examination, 2018, 2019, 2020, 2021, 2022 and 2023, within three weeks form the date of receipt of this order, with the Appellant.

X. FAA, DoPT to ensure compliance with the above direction.

Advisory under Section 25 (5) of the RTI Act:

XI. An advisory under **Section 25 (5) of the RTI Act** is issued to the Respondent Public Authority DoPT to reinstate the practice of publication of detailed break-up marks obtained by recommended candidates in Civil Services (Mains) Examination. This advisory by the Commission to reinstate this practice is based on the reliance (and the fact) that the same was done prior 2018 and was discontinued without any policy decision on record. It is pertinent to mention that Civil Services Examination conducted by Union Public Service Commission is a prestigious examination and a large number of candidates appear for the examination every year. Moreover, merit list is drawn up by UPSC, subject to the condition that each selected candidate has scored at least 10% marks in each of the 7 competitive written papers viz. Essay, GS-I, GS-II, GS-III, GS-IV, Optional-I and Optional-II. Hence, in order to instill transparency and build faith in the UPSC, which is a Constitutional Body, the Commission places this recommendation under Section 25 (5) of the RTI Act, 2005 on record.

The appeal is disposed of accordingly.

Jaya Varma Sinha (जया वर्मा सिन्हा)
Information Commissioner (सूचना आयुक्त)

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

(Ashutosh Vasishta)

Dy. Registrar

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Addresses of the parties:

1. The CPIO,
Union Public Service Commission,
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2. The CPIO,
Department of Personnel &
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3. The FAA,
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4. The FAA,
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