

ITEM NO.38+73

COURT NO.14

SECTION III-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).13928/2026

[Arising out of impugned final judgment and order dated 10-03-2026 in WPSB No. 82/2026 passed by the High Court of Uttarakhand at Nainital]

UTTARAKHAND PUBLIC SERVICE COMMISSION

Petitioner(s)

VERSUS

RUCHI RANA & ORS.

Respondent(s)

IA No. 118756/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 118755/2026 - EXEMPTION FROM FILING O.T.

WITH

Item No.73 SLP (C) No(s).14372/2026 III-A

IA No. 123513/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 123514/2026 - EXEMPTION FROM FILING O.T.

Date : 24-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA

HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) : Mr. Vijay Hansaria, Sr. Adv.
Mr. Ashutosh Kumar Sharma, AOR
Mr. Krishna Prakash Dubey, Adv.
Mr. G P Mahto, Adv.
Ms. Nandini Rai, Adv.
Mr. Aashay Shaukla, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. The question that falls for our consideration in these petition(s) is: "Whether a State Public Service Commission, which is a Constitutional Body, could have its own Rules

governing the stage at which Information relating to a public examination conducted by it is to be provided? If yes, then whether a candidate could take recourse to the provisions of the Right to Information Act, 2005 to seek information even prior to that stage?

2. The case of the petitioner is that Rule 45 of the Uttarakhand Public Service Commission (Procedure) and Conduct of Business Rules, 2013 (in short Rules of Business) provides that after declaration of final results marks of candidates shall be displayed on the Commission's website; and Rule 71 (7) thereof, provides that after the selection process is over, if a candidate demands photocopies of his/her answer books/ OMR answer sheets or wants to see them, under the Right to Information Act, 2005, the procedure framed by the Commission for this purpose will be followed.

3. It is the contention of the learned counsel for the petitioner that Commission is a Constitutional Body entrusted with certain functions under the Constitution. Therefore, if for proper exercise of its functions, by Rules of Business, the Commission fixes a stage at which the information sought would be provided, the Rules of Business would neither violate the right to transparency nor defeat the object of the RTI Act. Moreover, if information is provided at every step of the recruitment process, the recruitment exercise would get embroiled in litigation, and it would be difficult to bring it to its logical conclusion.

4. In support of his submission, the learned counsel for the

petitioner places reliance on a decision of this Court in "*Chief Information Commissioner vs. High Court of Gujarat and another*" reported in (2020) 4 SCC 702.

5. Issue notice, returnable in six weeks.

6. In the meantime, the effect and operation of the impugned order shall remain stayed.

(HARPREET KAUR)
COURT MASTER (SH)

(SAPNA BANSAL)
COURT MASTER (NSH)