



2026:DHC:6698-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Judgment reserved on: 24.07.2026

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Judgment delivered on: 14 .08.2026

CNR No : DLHC010323042026

+ **LPA 558/2026**

CHAYAN GHOSH CHOWDHURY

.....Appellant

Through: Mr. Pranav Sachdeva and Ms. Mishra
Divya Santosh, Mr. Sanyam Jain, Ms.
Khushboo Singhal, Mr. P. Rohit Ram,
Advs.

versus

PUNJAB AND SIND BANK & ANR.

.....Respondent

Through: Mr. Om Prakash, Sr. Adv. with Mr.
Rajat Arora, Ms. Samridhi Prakash,
Mr. Niraj Kumar, Mr. Sourabh
Mahla, Advs. for R-1

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

J U D G M E N T

DEVENDRA KUMAR UPADHYAYA, C.J.

CM APPL. 46884/2026

1. This is an application filed by the appellant seeking condonation of delay in filing the appeal.



2. For the reasons stated in the application, the same is allowed.
3. The application stands disposed of.

LPA 558/2026 & CM APPL. 46885/2026

4. Taking exception to the judgment dated 02.02.2026 passed by the learned Single Judge whereby *W.P.(C) No.12204/2025* has been dismissed, the instant intra-Court appeal has been filed under Clause X of the Letters Patent by the appellant, who had sought certain information under the Right to Information Act, 2005 (hereinafter referred to as the “**RTI Act**”).

5. Facts leading to filing of the instant appeal are as under:-

A. The appellant moved an application under RTI Act on 12.01.2024 before the Public Information Officer (hereinafter referred to as the “**PIO**”) of the respondent-Bank. The information sought related to one Mr.Pankaj Dwivedi, who while working with the respondent-Bank was promoted to the post of Scale VI Officer on 01.04.2018 and thereafter he was further promoted to the post of Scale VII Officer on 01.04.2020.

B. The prayers made in the application dated 12.01.2024 made by the appellant was as follows:-

“1) Copy of the Vigilance Clearance Certificate relied by the Departmental Promotion Committee (DPC) before the promotion of Shri Pankaj Dwivedi on 01/04/2018.

2) Copy of the Vigilance Clearance Certificate relied by the Departmental Promotion Committee (DPC) before the promotion of Shri Pankaj Dwivedi on 01/04/2020.

3) File Noting including Office Notes (cover to cover), Circulars, OM, IBA, CVC guidelines, Board Resolution etc. relied by the Bank for Constitution of Departmental Promotion Committee (DPC) for the purpose of promotion from Scale V to Scale VI for



the year 2018.

4) File Noting including Office Notes (cover to cover), Circulars, OM, IBA, CVC guidelines, Board Resolution etc. relied by your Bank for Constitution of Departmental Promotion Committee (DPC) for the purpose of promotion from Scale VI to Scale VII for the year 2020.

5) Name, official telephone no & Email address of the Chief Vigilance Officer (CVO)

a) As on 01/04/2018

b) As on 01/04/2020

c) As on date of providing information.”

C. The information was sought at serial nos. 1 to 4 as mentioned above were denied by the PIO *vide* communication dated 16.03.2024 stating the reason that information sought was personal information of third person, the disclosure of which does not serve any public activity or interest and, therefore, the information sought was exempted under Section 8 (1)(j) of RTI Act. The information sought at serial no.5 as noticed above was provided and the requisite disclosures were made by the PIO *vide* the said letter dated 16.03.2024.

D. Dissatisfied by the reply dated 16.03.2024 given to the appellant by the PIO, a First Appeal was preferred, which was disposed of by the First Appellate Authority *vide* his order dated 04.04.2024 by observing that the PIO had already provided satisfactory reply to the RTI application moved by the appellant. The order dated 04.04.2024 passed by the First Appellate Authority was challenged by the appellant before the Central Information Commission (hereinafter referred to as the “CIC”) in a Second Appeal,



which has been dismissed by the CIC *vide* its order dated 20.03.2025 stating that the information sought by the appellant was personal information in terms of Section 8(1)(j) of RTI Act and, therefore, the same was rightly not disclosed by the respondent-Bank. It is in this factual background that the appellant preferred the underlying *W.P.(C) 12204/2025*, which has been dismissed *vide* impugned judgment dated 02.02.2026 by the learned Single Judge.

E. Challenging the order dated 02.02.2026 passed by the learned Single Judge the instant intra-Court appeal has been preferred.

6. At the outset, learned counsel representing the appellant himself has stated that information sought *vide* application dated 12.01.2024 mentioned at serial no.1 to 4 is exempted from disclosure as the same is covered by Section 8(1)(j) of the RTI Act. However, he has argued that sub-Section 2 of Section 8 of the RTI Act provides that if public interest in disclosure of the information sought outweighs the harm to the protected interests, public authority ought to allow access to such information and since in the facts of the instant case disclosure of the information sought outweighs the personal interest of the person in respect of which the information was sought, as the authorities under the RTI Act as also the learned Single Judge have erred in law in denying disclosure of the information sought by the appellant.

7. It has been contended that the information sought though was in respect of one Mr. Pankaj Dwivedi, an employee of the respondent-Bank, however its disclosure would outweigh the personal interest of the said Mr. Pankaj Dwivedi for the reason that at the time when he was promoted as Officer Scale VI and Officer Scale VII in the respondent-Bank, he was facing allegations under the provisions of Sexual Harassment of Women at



Workplace (Prevention, Prohibition and Redressal) Act, 2013 and was also facing a criminal complaint under Section 354A and 509 Indian Penal Code, 1860 and since during pendency of these complaints the vigilance clearance certificate was issued and relied upon by the Departmental Promotion Committee (hereinafter referred to as the “**DPC**”) on both the occasions of his promotion, therefore, in view of this, public interest in disclosure of information sought outweighs the personal interest.

8. On behalf of the appellant, it has been submitted that if an Officer of a Nationalised Bank is wrongly or illegally promoted on the basis of certain material relied upon by the DPC and such material otherwise belies the suitability of the person being promoted, disclosure of information in respect of such material would outweigh the personal interest of the individual, who is being promoted, though information sought may be personal information.

9. Further submission on behalf of the appellant is that the issue as to whether public interest in disclosure of the information sought by the appellant outweighed the harm to the personal interest, has not been considered by the authorities under the RTI Act and, accordingly, in absence of any finding on the said issue, the authorities while dealing with the application made by the appellant have erred in law inasmuch as they have not followed the mandate of sub-Section 2 of Section 8 of the RTI Act.

10. The appeal has vehemently been opposed by the learned Senior Counsel representing the respondent-Bank, who has argued that having regard to the facts and circumstances of the case, the learned Single Judge has taken the correct view of the matter and, therefore, the impugned judgment does not call for any interference by this Court in the instant appeal.



11. It has been argued on behalf of the respondent-Bank that admittedly the information sought *vide* application dated 12.01.2024 by the appellant at serial no.1 to 4 related to an individual and, therefore, admittedly it was personal information, disclosure of which was not warranted for the reason that disclosure would not serve any public interest neither such disclosure would cause prejudice and personal harm to the individual in respect of which the information was sought. On these counts the appeal has been opposed and it has been prayed that the same may be dismissed on its threshold.

12. Having considered the submissions made by the learned counsel for the parties and gone through the records available before us on this intra-Court appeal, we are not persuaded by the submissions made by the learned counsel for the appellant.

13. As already noticed above, learned counsel for the appellant has himself admitted that the information sought is covered under the exemption clause in terms of Section 8 (1)(j) of the RTI Act as it is personal information. The emphasis of the learned counsel for the appellant is that in terms of requirement of sub-Section 2 of Section 8 of the RTI Act, the authorities have not made any consideration as to whether the public interest in disclosure of the information outweighs the harm to the personal interest, which vitiates the decision taken by the authorities, thus, the impugned judgment passed by the learned Single Judge deserves to be set aside.

14. The aforesaid submission, in our opinion, is not tenable. If we peruse the reply given by the PIO *vide* letter dated 16.03.2024 in respect of the information sought by the appellant, what we find is that it has clearly been stated by the PIO that the disclosure of the information sought does not



serve any public activity or interest and hence is exempted under Section 8(1)(j) of the RTI Act. The relevant extract of the reply given by the PIO is extracted hereunder:-

<i>Serial No</i>	<i>Information Sought</i>	<i>Reply</i>
1.	<i>Copy of the Vigilance Clearance Certificate relied by the Departmental Promotion Committee (DPC) before the promotion of Shri Pankaj Dwivedi on 01/04/2018</i>	<i>The information sought is personal information of third person the disclosure of which does not serve any public activity or interest. Hence exempted u/s 8(1)(j) of RTI Act</i>
2.	<i>Copy of the Vigilance Clearance Certificate relied by the Departmental Promotion Committee (DPC) before the promotion of Shri Pankaj Dwivedi on 01/04/2018</i>	<i>The information sought is personal information of third person the disclosure of which does not serve any public activity or interest. Hence exempted u/s 8(1)(j) of RTI Act</i>
3.	<i>File Noting including Office Notes (cover to cover), Circulars, OM, IBA, CVC guidelines, Board Resolution etc. relied by the Bank for Constitution of Departmental Promotion Committee (DPC) for the purpose of promotion from Scale V to Scale VI for the year 2018.</i>	<i>The information sought is personal information of third person the disclosure of which does not serve any public activity or interest. Hence exempted u/s 8(1)(j) of RTI Act</i>
4.	<i>File Noting including Office Notes</i>	<i>The information sought is</i>



	<i>(cover to cover),Circulars, OM, IBA, CVC guidelines, Board Resolution etc. relied by the Bank for Constitution of Departmental Promotion Committee (DPC) for the purpose of promotion from Scale V to Scale VI for the year 2020</i>	<i>personal information of third person the disclosure of which does not serve any public activity or interest. Hence exempted u/s 8(1)(j) of RTI Act</i>
5.	<i>Name, official telephone no & Email address of the Chief Vigilance Officer (CVO) a) As on 01/04/2018 b) As on 01/04/2020 c) As on date of providing information</i>	<i>(a) As on 01.04.2018 Sh Sanjay Jain 011-25737321 cvo@psb.co.in (b) As on 01.04.2020 Sh Ambrish Kumar Mishra 011-25737321 cvo@psb.co.in (c) As on date of providing information: Sh Arun Kumar Agarwal 011-40175106 cvo@psb.co.in</i>

15. The first Appellate Authority while disposing of the First Appeal preferred by the appellant has concurred with the view taken by the PIO and, therefore, it is incorrect to argue that the authorities under the RTI Act while dealing with the application of the appellant did not consider the issue as to whether public interest in disclosure of the information sought outweighs the harm to the personal interest.

16. As far as the order passed by the CIC is concerned, the same is also in



concurrence with the orders of the First Appellate Authority and the reply given by the PIO to the application made by the appellant. The CIC while passing the order dated 20.03.2025 has relied upon certain judgments of Hon'ble Supreme Court and has extracted observations made by the Supreme Court in ***Central Public Information Officer, Supreme Court of India v. Subhash Chand Aggarwal, (2020) 5SCC 481*** to the effect that as per the judicial precedents, personal records including the name, address, physical, mental and psychological status, marks obtained, grades and answer-sheets are all treated as personal information and similar professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings etc., are personal information. The CIC relied upon the aforesaid judgment where it has been held that such personal information is entitled to protection from unwarranted invasion of privacy and conditional access is available only where larger public interest is satisfied. Thus, in our opinion it cannot be said that even the CIC while passing the order dated 20.03.2025 did not deal with the aspect of public interest vis-a-vis protected interest of the individual concerned.

17. Learned Single Judge has more elaborately dealt with the said issue and has concluded citing various pronouncements of Hon'ble Supreme Court in the case of ***Central Board of Secondary Education v. Aditya Bandopadhyay, (2011) 8 SCC 497***, ***Girish Ramchandra Deshpande v. Central Information Commissioner & Ors. (2013) 1 SCC 212*** and ***Central Public Information Officer, Supreme Court of India v. Subhash Chand Agarwal, (2020) 5 SCC 481***, that it is not tenable for the appellant to invoke the "public interest" carved out under Section 8(2) of the RTI Act for the purposes of disclosure of information sought.



18. Even otherwise, the information sought by the appellant, the disclosure of which has been denied to him, was in respect of vigilance clearance certificate, which was placed before the DPC at the time of promotion firstly on 01.04.2018 and thereafter on 01.04.2020. The disclosure of vigilance clearance certificate in respect of an individual in our opinion, does not serve any public purpose, rather its disclosure may put the individual concerned to more harm and prejudice and, accordingly, the said information has rightly been withheld from being disclosed being personal information, which is exempted under Section 8(1)(j) of the RTI Act. The other information which was sought and which has been denied is in respect of file noting, circulars, O.Ms., CVC Guidelines, Board of Resolution etc., relied by the respondent-Bank for constitution of the DPC for considering the promotion of the individual concerned to the post of Scale VI and Scale VII Officer on 01.04.2018 and 01.04.2020 respectively. By seeking such information, in our opinion the attempt of the appellant appears to be an endeavour to seek information in relation to micro-management of the affairs of the respondent-Bank. Since the information sought pertains to promotion of an individual, in our opinion the public interest in disclosure of such information would also not outweigh the personal harm, which may be caused to the individual, who was promoted.

19. In view of the above, we do not find any good ground to interfere with the impugned judgment dated 02.02.2026 passed by the learned Single Judge in *W.P.(C) No. 12204/2025*.

20. Appeal, thus, fails, which is hereby dismissed.



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21. Application, if any, stands disposed of.
22. No order as to costs.

(DEVENDRA KUMAR UPADHYAYA)
CHIEF JUSTICE

(TEJAS KARIA)
JUDGE

AUGUST 14, 2026
S.Rawat