

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

% Date of decision: 30th July, 2015

+ W.P.(C) 1563/2014

UNION PUBLIC SERVICE COMMISSION Petitioner
Through: Mr. Naresh Kaushik, Advocate.

versus

BABUL ROY Respondent
Through: None

**CORAM:
HON'BLE MR. JUSTICE VED PRAKASH VAISH**

VED PRAKASH VAISH, J. (ORAL)

1. The petitioner has impugned order dated 03.09.2012 passed by the learned Chief Information Commission (hereinafter referred to as "CIC") in File No. CIC/SM/A/2011/002650 and CIC/SM/A/2011/002996, whereby the learned CIC erroneously directed disclosure of the personal information viz. highest educational qualification of each member of the interview board and the highest post, academic or governmental held by each of them.

2. The facts germane to the present petition are that the respondent filed an application under the Right to Information Act, 2005 (hereinafter referred to as 'the Act') *inter alia* seeking information pertaining to his application and grounds of rejection of the same. On 08.09.2011, the CPIO of the petitioner replied to the above applications, whereby majority of the information sought was disclosed, however, information relating to the names of the other candidates and interview board members was not disclosed claiming

exemption under Section 8(1) (e), (g) and (j) of the Act. On 13.09.2011, the respondent filed an appeal against the order of the CPIO dated 08.09.2011 stating that he is only interested in educational qualifications and experience of the candidates and also the members of the interview board, which may be disclosed and other information like the names/addresses or any other personal detail/individual identity may not be disclosed. The said appeal was dismissed by the concerned appellate authority on 22.09.2011. On 03.10.2011, the respondent filed a first appeal against the reply of the CPIO dated 17.09.2011 which was disposed of by the concerned appellate authority while disclosing part of the information sought by the respondent.

3. The respondent unsatisfied by the orders passed by the concerned appellate authorities preferred an appeal before the CIC who vide order dated 03.09.2012 directed disclosure of the information concerning the number of candidates possessing the minimum educational qualifications, candidates not possessing the minimum educational qualification, the highest educational qualification of each member of the interview board and the highest post, academic or governmental held by each of them.

4. In compliance of the aforementioned order, the petitioner disclosed all the information except, information relating to the members of the interview board.

5. Learned counsel for the petitioner contended that the petitioner herein filed a review petition before the learned CIC seeking review of the direction to disclose information relating to the members of the interview board, however, no decision thereon has been received from the learned CIC despite repetitive reminders. Since the learned CIC has no power to review its own decision, the petitioner has preferred the present petition.

6. On 20.08.2014, the respondent, who appeared in person, confined his prayer to disclosure of the highest post that was held by the persons who had interviewed him. The respondent considered such a disclosure essential because according to him one of the persons on the interview board was holding the same post for which the respondent had applied.

7. Mr.Naresh Kaushik, learned counsel for the petitioner submits that the aforesaid directions have been complied with and the said information has been supplied to the respondent vide letter dated 04.09.2014.

8. Nobody appeared on behalf of the respondent on various dates i.e. 12.03.2015 and 13.07.2015. On 13.07.2015, court notice was issued to the respondent. Despite service of court notice and pass-over, respondent has not turned up. The same shows that the respondent is satisfied with the information supplied by the petitioner.

9. In these circumstances, no further orders are called for.

10. The petition stands disposed of accordingly.

C.M. APPL. No. 3265/2014

The application is dismissed as infructuous.

(VED PRAKASH VAISH)
JUDGE

JULY 30, 2015/gm