

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13084 of 2013

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Md. Asif Alam S/O Md. Hasnain Khan Resident Of Village- Kabirpur, P.O-
Nathnagar, P.S- Nathnagar, District- Bhagalpur.

.... Petitioner/s

Versus

1. The Union Of India Through Ministry Of Home Affairs, New Delhi.
2. The Joint Director And Appellate Authority, Intelligence Bureau, Ministry Of Home Affairs, New Delhi.
3. The Central Public Information Officer, Intelligence Bureau, Ministry Of Home Affairs, New Delhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. RAVINDRA KUMAR

For the Respondent/s : Mr. N. A. SHAMSI (A.S.G.)

For the Union of India: Md. ASIF ALAM

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 09-03-2016

Heard both sides.

A counter affidavit filed on behalf of the respondent is on
record. There is no rejoinder thereto.

The respondents initiated recruitment process for the post
of ACIO Grade-II/Executive, Non-Gazetted, Non-Ministerial in the
Intelligence Bureau, Ministry of Home Affairs, Government of
India. The petitioner being an Ex-Service Man applied for the said
post. He was considered under General Category candidate and was
allowed to take the written test, in which he failed to clear/pass. An
application under Right to Information Act, 2005
(for short "RTI Act") was filed seeking diverse details concerning

the examination, marks scored by the candidate and answer key etc.

The same has been denied by the Intelligence Bureau.

The writ application has been filed for quashing the communication dated 05th March, 2013, whereby the appeal preferred by the petitioner was also turned down. The respondents have in the counter affidavit stated that Intelligence Bureau is exempted from giving or disclosing information under Section 24(1) of Schedule II of the RTI Act. The legality of the relevant provisions of the RTI Act 2005 is/are not under challenge.

In such view of the matter, this Court does not find merit in the writ application, which is dismissed.

(Kishore Kumar Mandal, J)

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