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

+ **W.P.(C) 6986/2022 & CM APPLs. 21421/2022, 21422/2022**

**THE CENTRAL PUBLIC INFORMATION OFFICER,
INTEGRATED HEADQUARTERS, MINISTRY OF DEFENCE,
INDIAN NAVY** Petitioner

Through: **Mr. Rahul Sharma, CGSC with Mr.
Ayush Bhatt, Mr. Harsh Rao and Ms.
Sonika Rathore, Advocates.**

versus

COMMANDER AJAY KUMAR (51836H) Respondent

Through: **Respondent in person**

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

06.05.2024

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1. The Petitioner has approached this Court challenging the Order dated 22.04.2021, passed by the Central Information Commission (CIC), allowing the second appeal filed by the Respondent herein and directing the Petitioners herein to provide the merit list containing the list of officers who have been considered for TSB 2017 and TSB 2018.
2. Learned Counsel appearing for the Petitioner places reliance on an Order passed by the CIC, wherein in similar circumstances, the CIC denied the information sought for by the Applicant therein.
3. The said Order is not binding on this Court.
4. The Respondent herein filed an RTI application seeking the following information:

“1. Provide copy of the merit list of all officers



considered for TSB 2017.

2. Provide copy of the merit list of all officers considered for TSB 2018.

3. Provide copy of the policy governing the selection of officers by T5B.”

5. It is stated that the policy governing the selection of officers has already been provided to the Respondent.

6. The short question which arises for consideration in the present Writ Petition is as to whether the merit list of the officers, containing the names of the officers in the zone of consideration and the name of the officers who have finally been selected can be divulged to the Respondent or not.

7. The Respondent is not seeking the basis on which the officers have been ranked. The Respondent is also not seeking internal notes on the ACRs. In view of the above, this Court is of the opinion that the list of officers in their order of ranking and the list of officers in the zone of consideration can be provided to the Respondent as the same would not be hit by any provisions of Section 8 of the Right to Information Act, 2005.

8. Accordingly, this Court does not find any infirmity in the Order passed by the CIC which would require interference by this Court.

9. Accordingly, the Writ Petition is dismissed, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

MAY 6, 2024/Rahul