



2026:DHC:828



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Judgment pronounced on: 02.02.2026+ W.P.(C) 12204/2025

CHAYAN GHOSH CHOWDHURY Petitioner

Through: Petitioner in person.

versus

PUNJAB AND SIND BANK THROUGH ITS CPIO & ANR.

..... Respondents

Through: Mr. Rajat Arora, Mr. Niraj Kumar
and Mr. Sourabh Mahla, Advocates.
Mr. Dhruv Rohatgi, Ms. Chandrika
Sachdev and Mr. Dhruv Kumar,
Advocates for GNCTD.

CORAM:**HON'BLE MR. JUSTICE SACHIN DATTA****JUDGMENT**

1. The present petition has been filed by the petitioner assailing the order dated 20.03.2025 passed by the Central Information Commission ('CIC') in Second Appeal No. CIC/PASBK/A/2024/615256, whereby the petitioner's second appeal has been dismissed.

2. The controversy arises in the context of an RTI application dated 12.01.2024 filed by the petitioner. Essentially, the petitioner has sought service related records of the respondent no.2, who is stated to be a General Manager in Punjab and Sind Bank. The RTI application filed by the petitioner has been annexed as Annexure P-2 to the present petition. The same is reproduced as under:-

"The Public Information Officer,



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*Punjab & Sind Bank,
New Delhi – 110023*

12.01.2024

Respected Sir,

Reg: Application Under RTI Act, 2005

Background: As per information available in public domain, Shri Pankaj Dwivedi (P09475), presently working as General Manager and posted at Head Office of Punjab & Sind Bank, was promoted on 01/04/2018 (Scale V to Scale VI), pending Complaint dated 19/02/2018 under the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. Shri Pankaj Dwivedi was again promoted on 01/04/2020 (Scale VI to Scale VII) pending criminal complaint under Sec. 354A & 509 of Indian Penal Code.

With reference to the above background, kindly provide inspection of following records, in terms of RTI Act, 2005:

- 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.*

Note: The certified copies of the relevant records shall be obtained after inspection.

(Chayan Ghosh Chowdhury)”



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3. It is submitted that having received no response from the Central Public Information Officer (“CPIO”) within the statutory period of 30 days prescribed under Section 7(1) of the RTI Act, the petitioner preferred a First Appeal under Section 19(1) of the Act *vide* Appeal No. PASBK/A/E/24/00018 dated 13.02.2024.

4. It is averred that after the expiry of the statutory period, the CPIO, responded to the RTI application on 16.03.2024. Except for the information sought under Paragraph 5 of the application, the remaining information was denied by the CPIO by invoking Section 8(1)(j). The reply dated 16.03.2024 passed by the CPIO is reproduced as under –

PUNJAB & SIND BANK
(A Government of India Undertaking)
H.O. RTI CELL
Plate B, Block 3 NBCC Complex
East Kidwai Nagar-110023
Email: rti.cpio@psb.co.in

Ref: RTI/2023-24

Date:16.03.2024

Mr Chayan Ghosh Chowdhury
189, Rabindra Palli, Lucknow Pin-226016

Dear Sir

**REG: RTI application of Sh Chayan Ghosh Chowdhury
(PASBK/R/E/24/00017) under RTI Act**

This is in reference to your captioned Application

Serial No	Information Sought	Reply
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	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
2	Copy of the Vigilance Clearance Certificate relied by the Departmental Promotion Committee(DPC) before the promotion of Shri Pankaj Dwivedi on 01/04/2018	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
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	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

Signature Not Verified

Digitally Signed By:ROHIT
KUMAR PATEL
Signing Date:03.02.2026
18:38:28

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	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 the Bank for Constitution of Departmental Promotion Committee (DPC) for the purpose of promotion from Scale V to Scale VI for the year 2020	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
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.	(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

With this your application stands disposed of. However, you may prefer an Appeal under RTI Act within 30 days, if you so desire, at the following address :Mr Praveen Kumar (GM), The First Appellate Authority(Under RTI Act) Punjab & Sind Bank, Plate B, Block 3 NBCC Complex, East Kidwai Nagar-110023

Sd/-

Sanjeev Kumar Suman, AGM(CPIO)

5. It is further submitted that no order was passed by the First Appellate Authority ("FAA") within the prescribed timeframe. Aggrieved thereby, the petitioner preferred a Second Appeal under Section 19(3) of the RTI Act before the Central Information Commission ("CIC"), *vide* Appeal No. CIC/PASBK/A/2024/615256 dated 07.04.2024.

6. It is contended that subsequent to the filing of the Second Appeal, the FAA belatedly disposed of the First Appeal by a backdated order dated 04.04.2024, which is stated to be uploaded only on 18.04.2024. The FAA affirming the decision of the CPIO. Order dated 04.04.2024 passed by the FAA is reproduced as under -



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PSB/HO/RTI/APPEALS/2024-2025

Dated: 04.04.2024

REG: RTI APPEAL NO. PASBK/A/E/24/00018 UNDER RIGHT TO INFORMATION ACT, 2005

TIME BOUND RTI APPEAL

Name & Address of the appellant	Mr. Chayan Ghosh Chowdhury, Address: 189, Rabindra Patti, Lucknow, Pin:226016
Name & address of the concerned CPIO	Central Public Information Officer, HO RTI Cell

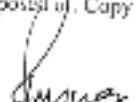
BACKGROUND OF THE CASE:

A. Appellant Mr. Chayan Ghosh Chowdhury, vide his RTI Application No. PASBK/R/E/24/00017 addressed to CPIO, HO RTI Cell, sought certain information under the RTI Act. The details of information sought by the appellant vide his RTI application is not being repeated herein for the sake of brevity. CPIO, HO RTI Cell vide his letter dated 16.03.2024 replied to the said RTI Application of the Appellant.

B. Appellants preferred RTI Appeal No. PASBK/A/E/24/00018 being aggrieved by no response from the CPIO.

DECISION:

I have considered RTI application and RTI appeal preferred by the appellant. It has been observed from the records placed before me that the CPIO has already provided satisfactory reply to the said RTI application of the appellant vide his letter dated 16.03.2024. A copy of the said reply be provided to the appellant. With the above observations, the appeal stands disposed of. Copy of order be sent to the appellant and CPIO.


(PARVEEN KUMAR)
GENERAL MANAGER &
APPELLATE AUTHORITY

7. It is submitted that the CIC thereafter scheduled a hearing in the Second Appeal on 11.03.2025 and passed the Impugned order dated 20.03.2025, affirming the denial of information. The relevant portion of the Impugned order dated 20.03.2025 is reproduced -

“8. The Commission after adverting to the facts and circumstances of the case, hearing both parties and perusal of records, observes that the CPIO has appropriately denied the personal information related to the third party under Section 8(1)(G) of the RTI Act. In this regard, the



attention of the Appellant is drawn towards a judgment of the Hon'ble Supreme Court in the matter of Central Public Information Officer, Supreme Court of India Vs. Subhash Chandra Agarwal in Civil Appeal No. 10044 of 2010 with Civil Appeal No. 10045 of 2010 and Civil Appeal No. 2683 of 2010 wherein the import of "personal information" envisaged under Section 8(1)(i) of RTI Act has been exemplified in the context of earlier ratios laid down by the same Court in the matter(s) of Canara Bank Vs. C.S. Shyam in Civil Appeal No.22 of 2009; Girish Ramchandra Deshpande vs. Central Information Commissioner & Ors., (2013) 1 SCC 212 and R.K. Jain vs. Union of India & Anr., (2013) 14 scc 794. The following was thus held:

"59. Reading of the aforesaid judicial precedents, in our opinion, would indicate that personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as personal information. Similarly, professional records, including qualification, performance, evaluation reports, A CRs, disciplinary proceedings, etc. are all personal information. Medical records, treatment, choice of medicine, list of hospitals and doctors visited, findings recorded, including that of the family members, information relating to assets, liabilities, income tax returns, details of investments, lending and borrowing, etc. are personal information. Such personal information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied. This list is indicative and not exhaustive ... "

9. Having observed as above, and in the absence of any larger public interest apparent from the disclosure of said information, the Commission finds no scope of relief to be ordered in the matter. The Appeal is disposed of accordingly."

8. It is averred in the petition, and also submitted by the petitioner (who appeared in person), that the factual background which ultimately culminated in the filing of the RTI application dated 12.01.2024 by the petitioner is that the respondent no.2 has been embroiled in proceedings arising out of a complaint filed by a senior bank executive under Section 9 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition



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and Redressal) Act, 2013 ('POSH Act'), against the respondent no.2.

9. It is pointed out that during the pendency of the inquiry under Section 11 of the POSH Act, the respondent no.2 was promoted from Assistant General Manager (SMGS-V) to Deputy General Manager (TEGS-VI).

10. It is submitted that despite failing at obtaining redressal in judicial proceedings, and despite the fact that FIR No. 813/2019 dated 25.08.2019 registered at Police Station Vijaynagar, Indore u/s 354-C, 354-D, 509, 34 IPC was pending against the respondent no. 2, he was further promoted from Deputy General Manager (TEGS-VI) to General Manager (TEGS-VII) on 01.04.2020.

11. It is pointed out that on 24.12.2022, a charge-sheet was filed by Police Station Vijaynagar before the Sessions Court, Indore, in connection with FIR No. 813/2019 and summons was issued on 01.03.2023. Notwithstanding the pendency of these criminal proceedings, the respondent no.2 was further recommended for the post of Executive Director in Public Sector Banks by the Financial Services Institutions Bureau (FSIB) on 15.07.2023.

12. On 05.10.2023, the respondent no.2 was granted anticipatory bail by the Sessions Court, Indore. Thereafter, the Department of Financial Services (DFS), vide notification dated 27.03.2024, appointed respondent no. 2 as Executive Director, Union Bank of India.

13. It is pointed out that a PIL, viz. W.P.(C) No. 11590/2024 titled '*Durgesh Kuwar v. Union of India*', came to be filed, challenging the said appointment of the respondent no. 2. It is submitted that in the said PIL, during the course of hearing on 30.04.2025, learned counsel for the Union of India (UOI) informed the Court that the Government would re-visit the said



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appointment of the respondent no. 2. Consequently, *vide* Notification dated 24.06.2025, the DFS cancelled the appointment of the respondent no.2 and reverted him to the post of General Manager in the Punjab & Sind Bank.

14. Based on the aforementioned facts it is contended by the petitioner that the impugned order passed by the CIC grossly errs in failing to pass necessary directions for disclosure of the requisite information.

15. Reliance is sought to be placed by the petitioner on the observations of the Supreme Court in ***Central Board of Secondary Education vs. Aditya Bandopadhyay***, (2011) 8 SCC 497, as also on the decision in ***Central Public Information Officer, Supreme Court of India v. Subhash Chandra Agarwal***, (2020) 5 SCC 481. It is submitted that the CIC fell into grave error in holding that the information sought constitutes personal information of the respondent no.2, since the said information was neither shared by the respondent no.2 in confidence nor is it in the exclusive custody of the respondent no.2.

16. It is submitted that the information sought forms part of a routine public records in the exclusive custody of the respondent no.1 and is mandatorily required for assessing the unblemished conduct of a public official. In this regard, reliance is placed on ***Jamia Millia Islamia vs. Ikramuddin***, 2011:DHC:5884.

17. Learned counsel for the respondent has opposed the present petition, inter alia, relying upon the reasoning contained in the impugned order passed by the CIC.

FINDINGS

18. Having heard the petitioner and the learned counsel for the respondent, and having perused the record, this Court finds no error in the



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view taken by the CIC *vide* the impugned order dated 20.03.2025.

19. The impugned order rightly relies upon the following observations in ***Central Board of Secondary Education vs. Aditya Bandopadhyay*** (supra).

“70. Reading of the aforesaid judicial precedents, in our opinion, would indicate that personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as personal information. Similarly, professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings, etc. are all personal information. Medical records, treatment, choice of medicine, list of hospitals and doctors visited, findings recorded, including that of the family members, information relating to assets, liabilities, income tax returns, details of investments, lending and borrowing, etc. are personal information. Such personal information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied. This list is indicative and not exhaustive.”

20. It is also noted that the judgment of the Supreme Court in ***Girish Ramchandra Deshpande vs. Central Information Commissioner & Ors.***, (2013) 1 SCC 212, is squarely applicable in the facts and circumstances of the present case. In that case also, certain information was sought by way of an RTI application from Regional Provident Fund Commissioner. The said information was pertaining to the service career of an Enforcement Officer in the Sub-Regional Office, Akola. In that context, the Supreme Court has observed as under:-

“11. The petitioner herein sought for copies of all memos, show-cause notices and censure/punishment awarded to the third respondent from his employer and also details viz. movable and immovable properties and also the details of his investments, lending and borrowing from banks and other financial institutions. Further, he has also sought for the details of gifts stated to have been accepted by the third respondent, his family members and friends and relatives at the marriage of his son. The information mostly sought for finds a place in the income tax returns of the third respondent. The question that has come up for consideration is: whether the abovementioned information sought for qualifies to be “personal information” as defined in clause (j) of Section 8(1) of the RTI Act.



12. We are in agreement with the CIC and the courts below that the details called for by the petitioner i.e. copies of all memos issued to the third respondent, show-cause notices and orders of censure/punishment, etc. are qualified to be personal information as defined in clause (j) of Section 8(1) of the RTI Act. The performance of an employee/officer in an organisation is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression “personal information”, the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer or the appellate authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right.

13. The details disclosed by a person in his income tax returns are “personal information” which stand exempted from disclosure under clause (j) of Section 8(1) of the RTI Act, unless involves a larger public interest and the Central Public Information Officer or the State Public Information Officer or the appellate authority is satisfied that the larger public interest justifies the disclosure of such information.

14. The petitioner in the instant case has not made a bona fide public interest in seeking information, the disclosure of such information would cause unwarranted invasion of privacy of the individual under Section 8(1)(j) of the RTI Act.”

21. The aforesaid observations clearly apply to the RTI application filed by the petitioner herein.

22. Further, the Supreme Court in **Central Public Information Officer, Supreme Court of India v. Subhash Chandra Agarwal** (supra) has interpreted the word “public interest” in the context of RTI Act in the following terms –

“88. The RTI Act is no exception. Section 8(1)(j) of the RTI Act prescribes the requirement of satisfaction of “larger public interest” for access to information when the information relates to personal information having no relationship with any public activity or interest, or would cause unwarranted invasion of privacy of the individual. Proviso



to Section 11(1) states that except in case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interest of the third party. The words “possible harm or injury” to the interest of the third party are preceded by the word “importance” for the purpose of comparison. “Possible” in the context of the proviso does not mean something remote, far-fetched or hypothetical, but a calculable, foreseeable and substantial possibility of harm and injury to the third party.

89. Comparison or balancing exercise of competing public interests has to be undertaken in both sections, albeit under Section 8(1)(j) the comparison is between public interest behind the exemption, that is, personal information or invasion of privacy of the individual and public interest behind access to information, whereas the test prescribed by the proviso to Section 11(1) is somewhat broader and wider as it requires comparison between disclosure of information relating to a third person or information supplied and treated as confidential by the third party and possible harm or injury to the third party on disclosure, which would include all kinds of “possible” harm and injury to the third party on disclosure.

90. This Court in *Bihar Public Service Commission v. Saiyed Hussain Abbas Rizwi* [Bihar Public Service Commission v. Saiyed Hussain Abbas Rizwi, (2012) 13 SCC 61 : (2014) 2 SCC (Civ) 131] has held that the phrase “public interest” in Section 8(1)(j) has to be understood in its true connotation to give complete meaning to the relevant provisions of the RTI Act. However, the RTI Act does not specifically identify factors to be taken into account in determining where the public interest lies. Therefore, it is important to understand the meaning of the expression “public interest” in the context of the RTI Act. This Court held “public interest” to mean the general welfare of the public warranting the disclosure and the protection applicable, in which the public as a whole has a stake, and observed : (SCC p. 74, para 23)

“23. The satisfaction has to be arrived at by the authorities objectively and the consequences of such disclosure have to be weighed with regard to the circumstances of a given case. The decision has to be based on objective satisfaction recorded for ensuring that larger public interest outweighs unwarranted invasion of privacy or other factors stated in the provision. Certain matters, particularly in relation to appointment, are required to be dealt with great confidentiality. The information may come to knowledge of the authority as a result of disclosure by others who give that



information in confidence and with complete faith, integrity and fidelity. Secrecy of such information shall be maintained, thus, bringing it within the ambit of fiduciary capacity. Similarly, there may be cases where the disclosure has no relationship to any public activity or interest or it may even cause unwarranted invasion of privacy of the individual. All these protections have to be given their due implementation as they spring from statutory exemptions. It is not a decision simpliciter between private interest and public interest. It is a matter where a constitutional protection is available to a person with regard to the right to privacy. Thus, the public interest has to be construed while keeping in mind the balance factor between right to privacy and right to information with the purpose sought to be achieved and the purpose that would be served in the larger public interest, particularly when both these rights emerge from the constitutional values under the Constitution of India.”

91. Public interest in access to information refers to something that is in the interest of the public welfare to know. Public welfare is widely different from what is of interest to the public. “Something which is of interest to the public” and “something which is in the public interest” are two separate and different parameters. For example, the public may be interested in private matters with which the public may have no concern and pressing need to know. However, such interest of the public in private matters would repudiate and directly traverse the protection of privacy. The object and purpose behind the specific exemption vide clause (j) to Section 8(1) is to protect and shield oneself from unwarranted access to personal information and to protect facets like reputation, honour, etc. associated with the right to privacy. Similarly, there is a public interest in the maintenance of confidentiality in the case of private individuals and even Government, an aspect we have already discussed.”

23. It is apparent, on the touch stone of the dicta in ***Central Public Information Officer, Supreme Court of India v. Subhash Chandra Agarwal*** (supra), that no large public interest would be subserved by disclosure of the information sought. The petitioner has also himself repeatedly emphasized that the information sought is merely ‘routine’ information. In such circumstances, it is untenable for the petitioner to



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invoke the “public interest” carve-out under Section 8(2) for the purpose of disclosure of the said information.

24. In the circumstances, no merit is found in the present petition and the same is, accordingly, dismissed. However, there shall be no order as to costs.

SACHIN DATTA, J

FEBRUARY 2, 2026/r, sv