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

+ **W.P.(C) 13611/2018 & CM APPL. 53045/2018**

**TEH CENTRAL PUBLIC INFORMATION OFFICER NEHRU
MEMORIAL MUSEUM & LIBRARY**Petitioner

Through: Mr Ripudaman Bhardwaj, CGSC with
Mr Kushagra Kumar, Mr Amit
Kumar Rana & Ms Pragati Trivedi,
Advocates.

versus

RAHUL SHUKLA & ANRRespondents

Through: Counsel for the respondents
(appearance not given).

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **02.02.2026**

1. This petition seeks for the quashing of the order dated 18.07.2018 passed by the Central Information Commission (CIC) in an appeal filed by the private respondent. *Via* the impugned order certain information has been directed to be supplied to respondent no.1. The fact would indicate that on 02.04.2017 respondent no.1 applied under Right to Information Act, 2005 (RTI Act) to the petitioner seeking certain information relating to the documents of selected Senior Reprography Officer (SRO) regarding his essential qualification as prescribed in the advertisement for the said post. It is submitted that some incomplete information was furnished to the respondent no.1. The respondent no.1 being dissatisfied filed first appeal before the First Appellate Authority. The First Appellate Authority rejected



the application on the ground that Section 8(1) (j) of the RTI Act does not require disclosure of such information. Against the said order, the respondent no.1 approached the Second Appellate Authority, who by impugned order has allowed the appeal and has directed as under:

“2. Upon perusal of the records and submissions made by the respondent authority, the Commission directs the respondent authority to provide complete information in the form of certified copy, within 15 days from the date of receipt of this order. Disposed of.”

2. Learned counsel appearing for the petitioner submits that the information is protected under Section 8(1) (j) of the RTI Act and according to him third party - Mr. Vipul Vasisht (respondent no.2 here) did not give the consent to whom the information belonged to. He, therefore, submits that the order passed by the First Appellate Authority is justified and the order passed by the Second Appellate Authority is bereft of any reason. Therefore, the same deserves to be interfered with. He places reliance on a decision of the High Court of Gujarat in the case of **Gujarat University v. M. Sridhar Acharyulu (Madabhushi Sridhar) & 3 Others**¹, He pressed into service paragraph 22 of the said decision which reads as under:

“22. In light of the aforesaid legal position laid down by the Hon’ble Apex Court, this court holds that the educational documents including degrees fall within ambit of personal information of a citizen, disclosure of which is exempted under Section 8(1)(j) of the RTI Act. Further, the said information is held by the Universities and Boards in fiduciary capacity on behalf of their students which is again exempted under Section 8(1)(e) of the RTI Act. That being so, the first contention of Shri Kavina that once a student passes examination and qualifies to secure a degree then such degree cannot be treated as private or third party information and the said

¹ 2023 LawSuit(Guj) 1079.



degree certificate has to be considered as public document generated by a public authority stands rejected.”

3. *Per contra*, learned counsel appearing for the respondent no.1 submits that, although the order of the Second Appellate Authority is without any reasons, however, the same does not call for interference, as the information sought is not protected under section 8(1)(j) of the RTI Act. According to him, personal information cannot be disclosed, if it has no connection to any public activity or interest, or if its disclosure would result in an unwarranted invasion of an individual’s privacy. According to him, even such information can be directed by the Central Public Information Officer or the Public Information Officer or the Appellate Authority, as the case may be, if the said authority satisfied that the larger public interest justifies the disclosure thereof. He places reliance on a decision of the High Court of Punjab and Haryana in the case of ***Vinod Kumar v. State Information Commission of Haryana and Ors.***², and the decision of the High Court of Jharkhand in the case of ***Geeta Kumari v. State of Jharkhand and Ors.***³,

4. It remains undisputed that the respondent no.2 has been selected on the post of SRO. The position of SRO held by the petitioner is a public post, and it requires certain educational qualification to be fulfilled. The public interest requires that on the request of an individual, the public organisation must furnish the said information so as to maintain the fairness and transparency in the selection process. There is no reason as to why such information should not be furnished to the applicant and rather the non-furnishing of such an information is against the public interest. The

² MANU/PH/1882/2015

³ MANU/JH/1056/2016.



appellate authority therefore, has rightly directed for furnishing of the information to respondent no.1. Almost similar is the position taken by the High Court of Punjab and Haryana and the High Court of Jharkhand.

5. So far as the decision relied upon by the learned counsel appearing for the petitioner in the case of *Gujarat University v. M. Sridhar Acharyulu (Madabhushi Sridhar) & 3 Others (supra)* is concerned, the same deals with the situation, where the information is held by the Universities and Boards in fiduciary capacity on behalf of their students. The same is not the position in the instant case.

6. In view thereof, the Court does not find any reason to interfere with the order passed by the appellate authority. The writ petition is, therefore, dismissed.

7. Pending application shall also stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

FEBRUARY 2, 2026

tr/ap