

## **G.B. Pant Institute of Himalayan Environment & Development, Almora**

1. An application may be rejected under RTI Act if it:

- (i.) Is incomplete in any respect.
- (ii.) Seek information, disclosure of which prejudicially affects the sovereignty and integrity of the country, the security, strategic, Scientific or economic interest of the state, relation with foreign state or lead to incitement of an offence.
- (iii.) Seeks information which has been forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court.
- (iv.) Seeks information the disclosure of which would cause a breach of privilege of Parliament or state Legislature.
- (v.) Calls for information involving commercial confidence, trade secret or intellectual property, the disclosure of which would harm the competitive position of a third party.
- (vi.) Wants information available to a person in his fiduciary relationship.
- (vii.) Seeks information received in confidence from foreign govt.
- (viii.) Call for information the disclosure of which would endanger the life or physical safety of any person, or information given in confidence for law enforcement or security purposes.
- (ix.) Seeks information which would impede the process of investigation or apprehension or prosecution of offender.
- (x.) Relates to cabinet papers including record of deliberations of the council of Ministers, Secretaries and other officers unless the material on basis of which the decision were taken have been made public and the matter is complete or over, and provided the matters do not fall within the categories of exemption mention in Section 8 of that.
- (xi.) Seeks information relating to personal information, the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual, provided the information which cannot be denied the parliament or state Legislature shall not denied to any person.
- (xii.) Seeks information in respect of an occurrence, event or matter which took place, occurred or happened more than 20 years before the date of request for information.
- (xiii.) Calls for information which involves an infringement of copyright subsisting in a person other than the state.

2. Additionally, application for information under RTI Act will not be eligible for information in the following instance as clarified during interaction with the office of PIO:

- (i.) cases where matter is under process or examination and final decision is yet to be taken,
- (ii.) data is sought in a processed from, The 'Information' will be furnished as per the definition in Section 2 (f) the RTI Act.

3. Attention is invited to provision of section 8 (2) of RTI Act which reads as follows:

"Notwithstanding anything in the Official Secrets Act, 1923 nor any of the exemptions permissible in accordance with sub section (1), a public authority may allow access to information, in public interest in disclosure outweighs the harm to protected interests."