**The information cannot be denied on the grounds that it is third party information and /or Section 11 of the RTI act. This section is not applicable to deny information when information / documents are procured to verify compliance and confirm the procedure and rules and regulation followed in the decision making process which includes**

1. **supervision and accountability regarding the procedure followed at the time of taking decision**
2. **Criteria and compliance of criteria / conditions by any public authority at the time of**

* **Making Appointment of any person as public servant or otherwise.**
* **Giving of any contract.**
* **Any Sanction and permission given by any public authority**

1. **Section 7(8)(i) RTI act):** The PIO is duty bound to provide reason**. The PIO has not established how this information shall adversely affect the concerned third party by way of competitive position/ trade secret.**
2. **Section 8 J:** The PIO has not stated that the said information shall be denied even to Parliament and State legislatures. The PIO shall specifically state that it shall be denied even to Legislature / Parliament in his reasoned reply.
3. **Section 8D, RTI act:** the information can be denied only on the grounds mentioned herein below unless the competent authority is satisfied that larger public interest warrants disclosure of such information.

* Trade secret.
* Commercial confidence
* Intellectual property
* The disclosure of which could harm the competitive position of third party.

1. **Section 19(5) RTI act**: That information cannot be directly denied on grounds of section 11 of RTI act, without justifying the denial and application of the section 11, as required under. The PIO shall also explain what prejudice / loss and injury shall be caused to the third party by providing the information to the applicant.
2. **Section 24 (1) (4):** provided the information pertaining to the allegations of corruption and human rights violations shall not be excluded under this section
3. The larger public interest involved is that there are every probabilities / doubts / allegations / corruption been committed in the process of the appointment of staff -officers / contract issued / sanction-permission granted by causing misrepresentation/ concealing the true facts.
4. There is no invasion in privacy, as there is nothing personal of any person/ individual, which if provided shall harm the competitive position and /or destruction of trade and business.
5. The PIO cannot deny any documents which disclose the procedure followed by any public authority, before taking a decision along with rules and regulations followed by the public authority for giving sanction / permission.
6. The information which is uploaded on web site becomes public documents. Hence, section 11 cannot be invoked.
7. The orders passed in judicial proceedings by the Information Commission / Court / Quazi Judicial authorities cannot be treated as information related to third party as these are public documents.
8. It clearly appears that the PIO/ FAA passed orders in judicial proceedings which appears -

* to be prima facie corrupt-malicious
* Blatantly Contrary to law.
* With dishonest intentions to shield and protect the wrong doers / accused.
* not intended to be done / passed under RTI Act or any rule made there under.