



IITJMU/RTI-A/2023/02  
Dated: 01.03.2023

**ORDER**

**Sub: - 1<sup>st</sup> Appeal filed by Mr. Abhinandan Bhadauria under Right to Information Act, 2005reg.**

1. Mr. Abhinandan Bhadauria had filed an RTI Application no. IITJK/R/E/22/00059 dated 17/12/2022 & IITJK/R/E/22/00060 dated 23/12/2022 under RTI Act, 2005 seeking information on various points. Mr. Abhinandan Bhadauria, has now filed the 1<sup>st</sup> RTI Appeal vide No. IITJK/A/E/23/00001 dated 15/02/2023 & IITJK/A/E/23/00002 dated 15/02/2023.
2. As per the records available and based thereon, the requested information is as follows.

S.No	Question	Reply
1.	This is in reference to the response of my RTI application no. IITJK/R/E/22/00059 and IITJK/R/E/22/00060 which was received on 16/01/2023. I hereby state that the response of the above RTI application is not satisfactory and not as per RTI Act. 2005. The requested information has been denied by 3rd party under sec 11 of RTI Act 2005. This is to be noted that sec 11 of RTI Act 2005 is only a process and does not provide any absolute power or grounds to 3rd party for denial. The 3rd party can only give opinion under sec 11 of RTI Act 2005. The denial opinion of 3 <sup>rd</sup> party shall be respected only if the nature of the requested information establishes any valid grounds under sec 8 & 9 of RTI Act 2005. This is also to be noted that the other government entities are already disclosing the information of same nature. Hence, I hereby put my appeal before yourself to either disclose the requested information or establish a valid grounds for denial under sec 8 & 9 of RTI Act 2005.	The denial of disclosure of information under section 11 (2) to be read in conjunction to section 8(d) of RTI act 2005 on grounds that the competitive position of third party denial as per their consent.

3. The appeal filed by Mr. Abhinandan Bhadauria is disposed of herewith.
4. Second, Appeal against this order, if any, may be preferred, within 90 days with Central Information Commission, Room No. 213, Baba Gang Nath Marg Munirka, New Delhi – 110067.

Yours sincerely,

(Dr. R.T. Durai Prabhakaran)

First Appellate Authority  
Indian Institute of Technology Jammu  
faa@iitjammu.ac.in

**Mr. Abhinandan Bhadauria,**  
A003, MJ Azaliya, Choodasandra,  
Central Jail Road, Bangalore  
Karnataka (India)  
Mobile No: +91- 9741536784  
Email ID : [artspectrm@gmail.com](mailto:artspectrm@gmail.com)

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