

Right to Information Act, 2000

Section 4 - Right to Information

(1) Subject to the provisions of this Act every citizen shall have the right to information.

(2) Notwithstanding anything contained in sub-section (1), no person shall be given,-

(a) information, the disclosure of which would prejudicially affect the sovereignty and integrity of India, security of the State, strategic scientific or economic interest of India or conduct of international relations;

(b) information, the disclosure of which would prejudicially affect public safety and order or which may lead to an incitement to commit an offence or prejudicially affect fair trial or adjudication of a pending case;

(c) information relating to Cabinet papers including records of the deliberations of the Council of ministers, Secretaries and other Officers:

Provided that information regarding the decisions of the Cabinet alongwith the reasons leading to the decision shall be made available and every Government Order issued on the basis of the Cabinet decision shall be accompanied by a statement explaining the reasons for and the circumstances under which the decision is taken.

(d) information the disclosure of which would harm, frankness and candour of internal discussions including inter departmental or intra departmental notes, correspondence and papers containing advice or opinion as also of projections and assumptions relating to internal policy analysis:

Provided that information regarding minutes or records, advice including legal advice, opinion or recommendation made or given in respect of the executive decisions or policy formulations shall be made available after an executive decision is taken or policy formulation is done.

(e) information the disclosure of which would prejudice the assessment or collection of any tax, cess, duty or fee or assist in avoidance or evasion of the tax, cess, duty or fee.

(f) information the disclosure of which would constitute a breach of privilege of the Parliament or the State Legislature:

Provided that the Competent Authority shall before withholding information under this clause refer the matter to the Karnataka Legislative Assembly Secretariat or the Karnataka Legislative Council Secretariat, as the case may be for determination of the issues and act according to the advice tendered by the Secretariat:

Provided further that in computing the period of fifteen working days under sub-section (2) of section 5 for the purpose of this clause, the time required for determination of issues under the first proviso shall be excluded.

(g) information regarding trade or commercial secrets protected by law or information, the disclosure of which would prejudicially affect the legitimate economic and commercial interest or the competitive position of a public authority; or would cause unfair gain or loss to any person;

(h) information regarding any matter which is likely to,-

(i) help or facilitate escape from legal custody or affect prison security; or

(ii) impede the process of investigation or apprehension or prosecution of offenders.

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