

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 8487 OF 2017

Dr. Akhilesh Kumar Mishra

.. Petitioner

v/s.

The Information Commissioner,
Central Information Commission
& Ors.

..Respondents

Mr. A.A.Siddiqui for the Petitioner.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED : JULY 04, 2018.

P.C. :

1. Heard.
2. The petitioner's application for information under the Right to Information Act is rejected on the ground that DRDO is an exempted Organization under Section 24(1) of RTI Act except in case of allegations of corruption and human rights violations.
3. We have gone through the impugned order, the application and

the relevant provisions of Section 24 of the Right to Information Act, which reads thus:

“Section 24 in The Right To Information Act, 2005.

24. Act not to apply to certain organizations.—

(1) Nothing contained in this Act shall apply to the intelligence and security organisations specified in the Second Schedule, being organisations established by the Central Government or any information furnished by such organisations to that Government: Provided that the information pertaining to the allegations of corruption and human rights violations shall not be excluded under this sub-section: Provided further that in the case of information sought for is in respect of allegations of violation of human rights, the information shall only be provided after the approval of the Central Information Commission, and notwithstanding anything contained in Section 7, such information shall be provided within forty-five days from the date of the receipt of request.

(2) The Central Government may, by notification in the Official Gazette, amend the Schedule by including therein any other intelligence or security organisation established by that Government or omitting therefrom any organisation already specified therein and on the publication of such notification, such organisation shall be deemed to be included in or, as the case may be, omitted from the Schedule.

(3) Every notification issued under sub-section (2) shall be laid before each House of Parliament.

(4) Nothing contained in this Act shall apply to such intelligence and security organisations, being organisations established by the State Government, as that Government may, from time to time, by notification in the Official Gazette, specify: Provided that the information pertaining to the allegations of corruption and human rights violations shall not be excluded under this sub-section: Provided further that in the case of information sought for is in respect of allegations of violation of human rights, the information shall only be provided after the approval of the State Information Commission and, notwithstanding anything contained in Section 7, such information shall be provided within forty-five days from the date of the receipt of request.

(5) Every notification issued under sub-section (4) shall be laid before

the State Legislature.”

4. The information sought by the petitioner is not covered by the provisio to Section 24 of the Right to Information Act, 2005. We, therefore, do not find any fault in the impugned order. Petition is accordingly dismissed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)