

Template: Third-party notice under Section 11

Base template for a notice by the Central Public Information Officer to a third party under Section 11(1) of the Right to Information Act, 2005, and the subsequent communication under Section 11(3) after hearing the third party. Notes on state variants appear at the end.

When to use this

Section 11(1) of the Act applies where the Officer intends to disclose information, or a record, or part thereof, on a request made under the Act, and the information or record has been supplied by a third party and has been treated as confidential by that third party. In such a case, the Officer is under a statutory duty to give a notice to the third party, inviting the third party to make a submission on whether the information should be disclosed.

The Section 11 procedure has three stages.

- Stage one.** Within five days of the receipt of the application, the Officer issues a notice under Section 11(1) to the third party, intimating that the information has been requested and inviting the third party to make a submission within ten days from the date of the receipt of the notice.
- Stage two.** The Officer considers the submission of the third party, if any, and makes a decision on whether to disclose the information.
- Stage three.** The Officer communicates the decision to the applicant and to the third party. If the decision is to disclose, the third party has thirty days to prefer an appeal under Section 19 before the disclosure actually takes place.

This template covers stage one and stage three. The Officer adapts the appropriate variant based on the stage.

Part A — Template for notice under Section 11(1)

[Letterhead of the Public Authority]

No. [File number] / [Year]

[Date]

To,

[Name of the third party],

[Full address of the third party].

Subject: Notice under Section 11(1) of the Right to Information Act, 2005, in respect of RTI application dated [date of application] made by [name of the applicant].

Sir / Madam,

1. This public authority has received an application dated [date of application] under Section 6(1) of the Right to Information Act, 2005, from [name of the applicant], seeking the information specified in the annexed extract of the application (Annexure 1).

2. The information sought relates to [describe the nature of the information in general terms, without disclosing the substance]. The said information was supplied to this public authority by you vide [reference to the communication, document, or submission by which

the third party supplied the information], and was treated as confidential by you at that time.

3. The Central Public Information Officer is of the preliminary view that the said information [may be / may not be / may be in part] disclosed to the applicant on the ground that [state the preliminary reasoning briefly, with reference to the statutory framework].

4. In terms of Section 11(1) of the Act, you are hereby invited to make a submission in writing, on whether the information should be disclosed to the applicant, within ten days from the date of the receipt of this notice. Your submission may be addressed to the undersigned at the office address given below.

5. Your submission should engage, to the extent you consider relevant, the following matters.

- a. Whether the information was furnished by you to this public authority in confidence, and the basis of that confidence.
- b. Whether the information attracts any of the exemptions under Section 8 or Section 9 of the Act, with specific reference to the sub-clause.
- c. Whether public interest in disclosure, under Section 8(2) of the Act, would or would not outweigh the possible harm to you from disclosure.
- d. Whether the information can be severed under Section 10 of the Act, such that the non-exempt portions can be disclosed while the portions specific to you are withheld.
- e. Any other matter that, in your view, bears on the question of disclosure.

6. If no submission is received from you within the said period of ten days, the Central Public Information Officer shall decide the matter on the material on record.

7. It is clarified that notwithstanding anything in Section 11(1), disclosure may be allowed if the public interest in disclosure outweighs any possible harm to your interests. You are accordingly advised to engage the public interest question in your submission.

Yours faithfully,

[Signature]
 [Name of the Central Public Information Officer]
 [Designation]
 [Office address]
 [Telephone number]
 [Email]

Enclosures:

- 1. Annexure 1: Extract of the RTI application dated [date], setting out the items of information sought.

Part B — Template for communication of decision under Section 11(3)

[Letterhead of the Public Authority]

No. [File number] / [Year]

[Date]

To,
[Name of the third party],
[Full address of the third party].

Copy to: [Name of the applicant], [Full address of the applicant].

Subject: Decision under Section 11(3) of the Right to Information Act, 2005, in respect of RTI application dated [date of application] made by [name of the applicant], and the notice under Section 11(1) dated [date] issued to you.

Sir / Madam,

1. Reference is invited to the notice issued to you under Section 11(1) of the Right to Information Act, 2005, dated [date], in respect of the above-mentioned RTI application.
2. [If the third party has made a submission:] Your submission dated [date] has been received and considered. The submission is summarised at Annexure 1. [If the third party has not made a submission:] No submission has been received from you within the period of ten days prescribed under Section 11(1). The Central Public Information Officer has considered the matter on the material on record.
3. The Central Public Information Officer has decided to [disclose / decline to disclose / disclose in part after severance under Section 10] the information sought, for the following reasons.
 - a. [Set out the specific reasoning. Identify the exemption considered, the submission of the third party, and the conclusion. Where Section 8(2) has been invoked, record the proportionality reasoning. Where Section 10 has been invoked, record the severability reasoning.]
4. [If the decision is to disclose, wholly or in part, the following paragraph is included:]

Under Section 11(4) of the Act, the disclosure shall not take place until the expiry of thirty days from the date of this communication, or until the disposal of an appeal preferred by you under Section 19 of the Act, whichever is earlier. You are hereby informed that you may prefer an appeal under Section 19(2) of the Act within thirty days from the date of the receipt of this communication, to the First Appellate Authority of this public authority, whose particulars are as follows.

Name and designation: [Name and designation of the First Appellate Authority]
Office address: [Full postal address]
Email: [Email address]
Telephone: [Telephone number]

5. [If the decision is to decline disclosure, the relevant paragraph is:]

The applicant is informed of the decision and may, if aggrieved, prefer an appeal under Section 19(1) of the Act.

Yours faithfully,

[Signature]
[Name of the Central Public Information Officer]
[Designation]

[Office address]
[Telephone number]
[Email]

Enclosures:

1. Annexure 1: Summary of the submission of the third party. [If applicable.]

Legal basis

- **Section 11(1)** of the Act provides that where a Central Public Information Officer intends to disclose any information or record, or part thereof, on a request made under the Act, which relates to or has been supplied by a third party and has been treated as confidential by that third party, the Officer shall, within five days from the receipt of the request, give a written notice to such third party of the request and of the fact that the Officer intends to disclose the information or record or part thereof, and invite the third party to make a submission in writing or orally, regarding whether the information should be disclosed, and such submission of the third party shall be kept in view while taking a decision about disclosure of information.
- **Proviso to Section 11(1)** provides that except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interests of such third party.
- **Section 11(2)** of the Act provides that where a notice is served by the Officer under Section 11(1) to a third party in respect of any information or record, the third party shall, within ten days from the date of receipt of such notice, be given the opportunity to make a representation against the proposed disclosure.
- **Section 11(3)** of the Act provides that notwithstanding anything contained in Section 7, the Officer shall, within forty days after receipt of the request under Section 6, if the third party has been given an opportunity to make representation under Section 11(2), make a decision as to whether or not to disclose the information or record, or part thereof, and give in writing the notice of his decision to the third party.
- **Section 11(4)** of the Act provides that a notice given under Section 11(3) shall include a statement that the third party to whom the notice is given is entitled to prefer an appeal under Section 19 against the decision.
- **Section 19(2)** of the Act provides that where an appeal is preferred against an order made by the Officer under Section 11 to disclose a third-party information, the appeal by the concerned third party shall be made within thirty days from the date of the order.

Common mistakes

- **Delay in issuing the notice under Section 11(1).** The statutory period is five days from the receipt of the application. A delayed notice complicates the thirty-day timeline under Section 7(1) and the forty-day timeline under Section 11(3).
- **Failure to describe the information with sufficient particularity.** The third party cannot engage the Section 11 process meaningfully if the notice does not identify the information in general terms. A description that is so vague as to prevent a reasoned submission is a due-process failure.
- **Treating the third-party submission as determinative.** The submission of the third

party is to be “kept in view” by the Officer. It is not binding. The Officer is under a duty to decide the matter independently, including on public interest grounds under the proviso to Section 11(1).

- **Failing to observe the thirty-day stay on disclosure where the decision is to disclose.** Section 11(4) read with Section 19(2) creates a thirty-day window in which the third party may appeal. Disclosure within the thirty-day period defeats the remedy.
- **Applying Section 11 to all personal information of the third party, without confidentiality.** Section 11 applies only where the information has been treated as confidential by the third party. Information in the public domain, or information furnished without a confidentiality claim, is not within the scope of Section 11 and is to be decided under Section 8 and Section 10 directly.

Related pages

- Third party under the RTI Act
- Severability
- Privacy under the RTI Act
- Fiduciary relationship
- DPDP Rules 2025 and the amendment to Section 8(1)(j)
- Template: standard reply within thirty days

Notes on state variants

- **Section 11 is applied uniformly across Central and State jurisdictions.** The statutory text is the same. The procedure, the timelines, and the right of appeal are identical.
- **Designation.** The notice is issued by the Public Information Officer of the public authority. Use “Central” or “State” per the jurisdiction.
- **Mode of service.** Central practice is to serve the notice by registered post with acknowledgement due, or by email where the third party has provided an email address. Some State Rules prescribe specific modes. Check the applicable State RTI Rules.

Last reviewed

19 April 2026

rti, templates, pio, section-11, third-party, 2026



Right to Information Wiki

The working reference for India's Right to Information Act, 2005.



Read online

<https://www.righttoinformation.wiki/templates/pio-third-party-notice>

Main website

<https://www.righttoinformation.wiki/>

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