

Right to info doesn't apply to my office: CJI

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VALID REASON: K G Balakrishnan says his office will be harassed if the Act is applied to it.

New Delhi: Chief Justice of India K G Balakrishnan on Friday said that his office was out of the purview of the country's transparency law, the Right to Information Act.

"The office of the chief justice is privy to so much of information like privileged communication between various constitutional authorities, complaints against judges etc. How can all this information be disclosed (under the RTI Act)?" he said in New Delhi.

He made the assertion when asked if the Supreme Court would withdraw its lawsuit from the Delhi High Court against the Central Information Commission (CIC) ruling on the disclosure of the judges' assets now that the apex court judges have decided to make their assets public

"It (the apex court's lawsuit) has nothing to do with the disclosure of assets. The CIC had ruled that whatever information is with the chief justice has to be with the registrar," Balakrishnan said, adding it was "this aspect (of the CIC ruling) which we have challenged".

The Chief Justice said that the apex court's registry might not have even an inkling of the majority of the information that his office might have on various issues, ranging from those linked to judicial appointments, to complaints against judges and much more.

Citing an example, he said that many a times, draft judgments written by a judge go to various other judges of the bench for vetting and approval.

"How can such draft judgments be disclosed before their pronouncement in the court room?" he asked.

Asked by when the details of the apex court judges' assets would be available on the court's website, he said it might take "a month or so".

The Chief Justice said that the decision to make the apex court judges' assets public "was taken in changed circumstances."

But he laughed away a question as to whether the changed circumstances arose due to "mounting public pressure or the changes in judicial conscience".

On the prospect of various high courts following suit on the issue of making public the assets of their judges, the Balakrishnan said he would let the high courts taken their own decisions.

"Let them take their own decisions. I am told that the Delhi High Court is even meeting on the issue," he pointed out.

"The high courts are not under the administrative control of the Supreme Court. Only the Supreme Court's judicial orders are binding upon them, not the administrative orders," Balakrishnan explained.

However, he lamented that some of the high courts in the country are yet to follow the Supreme Court's example according to which its judges disclose their assets to the chief justice.

The high courts judges, too, were supposed to follow the apex court's example and their judges were supposed to declare their assets to their respective chief justices.

Balakrishnan parried a question on the absence of women judges in the Supreme Court, saying: "The House of Lords had taken 100 years to find a woman judge."