

'Except judicial decision making, judiciary under RTI Act'

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Except judicial decision making, judiciary under RTI Act New Delhi, Apr 29 (PTI) A parliamentary committee today held that judiciary comes under the purview of the Right to Information law with regard to all activities of administration except "judicial decision making".

"Except the judicial decision making, all other activities of administration and the persons included in it (judiciary) are subject to RTI Act," said the report of the Parliamentary Standing Committee on Personnel, Law and Justice.

The opinion of the committee headed by E M Sudarsana Natchiappan comes against the backdrop of a raging controversy over whether the judiciary comes under the RTI purview.

Chief Justice of India K G Balakrishnan had recently said that the CJI is a constitutional authority and does not come within the purview of RTI Act.

The committee, which went into the demands of grants for the Personnel ministry and discussed the interpretation of Section 2(h) of the RTI Act, that is, definition of public authority, said the provision is very clear that all the constitutional authorities come under the definition of public authority.

The committee had examined in detail every clause of the RTI Act, 2004 and was conscious of the fact that all the wings of the state - executive, legislature and judiciary - are fully covered under this Act since all organs of the state are accountable to the citizens of India in a democratic state.

"It is more so since the judiciary is having dual role as (i) administrative function and (ii) judicial decision making. Except, the judicial decision making, all other activities of administration and the person included in it are subject to RTI Act," the committee said.
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