

Exclude info on our assets from RTI, say SC judges

Additional Solicitor General G E Vahanvati argued that declaration of assets by judges was personal information that cannot be revealed under the RTI

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New Delhi: In a move that may severely impact the transparency of the judicial system in India, judges of the apex court have said that information about their assets should be kept out of the ambit of the Right to Information Act (RTI) act.

Arguing before the Delhi High Court, the country's Additional Solicitor General G E Vahanvati said that while judges of the Supreme Court were not opposed to declaring their assets they were concerned about the misuse of the information, reports IANS.

"The information should not be misused and must be kept out of the ambit of the RTI," he said.

The Delhi High Court was hearing a petition filed by the apex court challenging a Central Information Commission (CIC) order that had directed it that the assets of the judges be made public.

Vahanvati argued the matter before Justice S Ravinder Bhat, who slated the matter for further arguments March 24.

"Declaration of assets by judges to the CJI is personal information that cannot be revealed under the present RTI and the same should be amended accordingly," Vahanvati said.

Pointing out that the judges were not opposed to declaring their assets, he, however, said that they had no legal obligation to do so.

"It is submitted that the information which is sought (pertaining to judges assets) is purely and simply personal information, the disclosure of which has no relationship to any public activity," he said.

The voluntary declaration given by the judges cannot be said to be information in public domain, he added.

The seven-page affidavit was filed in response to a reply of an RTI applicant who said that all information given to the CJI comes within the public domain and he cannot be denied such information.

The apex court had said that the resolution passed by its judges pertaining to declaration of assets is not binding by law.

"The said resolution dated May 7, 1997, does not have force of law. In these circumstances, the RTI applicant has no right to access information as such information is not held by any public authority under any law," the affidavit said.

The Delhi High Court had on January 19 stayed the order of the CIC that the office of the CJI comes within the ambit of the RTI Act and information given to the chief justice has to be revealed to the RTI applicant.

The petition was filed by the Chief Public Information Officer of the Supreme Court challenging the January 6 order of the CIC.