

Will the Supreme Court allow the public disclosure of information pertaining to Collegium decision-making and the personal assets of judges, via right to information requests?

Sl. No.	Decision	Reason	Likelihood
I	No	<ul style="list-style-type: none"> • Independence of judiciary in public interest • Information exempted under S.8(1)(e) and/or (j) of RTI Act – fiduciary & privacy exemption • Disclosure would stop Collegium members from deliberating ‘candidly’ • ‘Reasonable restriction’ on right to know, Art. 19(2) 	Likely
II	Yes	<ul style="list-style-type: none"> • Full public disclosure necessary to guarantee right to know, Art.19(1)(a) & 21 • Fiduciary & privacy exemptions of RTI Act subject to ‘public interest’ • Transparency is essential for democracy, a basic feature of the Constitution • Judicial independence to be understood in context of separation of powers 	Highly <u>un</u> likely
III	Case-by-case basis	<ul style="list-style-type: none"> • Balancing of right to know & judicial independence on case-by-case basis • Determination of ‘public interest’ under S.8(1)(e) & (j) cannot be left to CPIO / SPIO – would violate judicial independence 	Likely