1. Court Documents Accessibility to Third-party

Prelims Syllabus: Polity and Governance - Judiciary

Mains Syllabus: GS-II Structure, organization and functioning of the Executive and the Judiciary.

Why in News?

- The Supreme Court has recently ruled that court documents such as copies of judgments and pleadings can now be obtained by third-parties or those not party to a case.
- The significance of the judgement is that it comes within months after a five-judge bench of SC opened the office of the Chief Justice of India to scrutiny under the RTI Act.

Highlights of the Judgement:

- The information will be only available after the court rules permit it and not under the Right to Information (RTI) Act, 2005.
- The judgement has upheld the Rule 151 of Gujarat High Court Rules, which allows access to certified copies of judgments, orders and pleadings to a third-party, or those not party to a case (Only under the order of an officer of the court).
- High courts of Bombay, Himachal Pradesh, Karnataka, Madras etc have similar provisions.
- The bench held that the High Court holds the information as a trustee for the litigants in order to adjudicate upon the matter and administer justice.
- Third parties should not be permitted to have open and easy access to such personal information of the litigants or information given by the government in the proceedings because there would be a misuse of the court process and the information to an Unmanageable Level.

Means to obtain Information:

- According to the rules, litigants are entitled to receive copies of documents/judgments, etc on filing of an application with prescribed court fees stamp.
- Third parties are not given copies of judgments and other documents without the assistant registrar's order.
- The registrar, on being satisfied about the reasonable cause for seeking the information/certified copies of the documents, allows access to the documents.