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Right to Information applications for Gujarat High Court pleadings cannot be filed by a third party. 1

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Right to Information applications for Gujarat High Court pleadings cannot be filed by a third party.

The information to be accessed/certified copies on the judicial side to be obtained through the mechanism provided under the High Court Rules, the provisions of the RTI Act shall not be resorted to.

In the latest Judgment, Justice Banumathi held that the **Right to Information applications for Gujarat High Court pleadings cannot be filed by a third party. However, one can use the system established by the High Court rules.**

Justice Banumathi stated in her judgment that "The information to be accessed/certified copies on the judicial side to be obtained through the mechanism provided under the High Court Rules, the provisions of the RTI Act shall not be resorted to."

The Judgment set a precedent for all the High Courts, as well as the apex court.

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Extract from the Judgement:

(i) Rule 151 of the Gujarat High Court Rules stipulating a third party to have access to the information/obtaining the certified copies of the documents or orders requires to file an application/affidavit stating the reasons for seeking the information, is not inconsistent with the provisions of the RTI Act; but merely lays down a different procedure as the practice or payment of fees, etc. for obtaining information. In the absence of inherent inconsistency between the provisions of the RTI Act and other law, overriding effect of RTI Act would not apply.

(ii) The information to be accessed/certified copies on the judicial side to be obtained through the mechanism provided under the High Court Rules, the provisions of the RTI Act shall not be resorted

to.

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Chief Information Commissioner Vs High Court of Gujarat

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