

Supreme Court Stays Delhi High Court Order on NSEI Under RTI Act

The Supreme Court stayed a Delhi High Court ruling declaring the National Stock Exchange of India as a 'public authority' under the RTI Act.

A judicial evaluation on whether the National Stock Exchange of India qualifies as a 'public authority' under Section 2(h) of the RTI Act, 2005.

KEY EXAM POINTS

- A Supreme Court Bench comprising **Justice Vikram Nath** and **Justice Sandeep Mehta** stayed the Delhi High Court order.
- The appeal was filed by the **National Stock Exchange of India** against the division bench judgment of the High Court.
- The Supreme Court issued notices seeking responses from the **Central Information Commission** and other parties.
- Delhi High Court had observed that bodies controlled or substantially financed by government qualify as public authority under **Section 2(h)**.
- The stay order temporarily suspends **RTI** disclosure obligations for NSEI pending final disposal by the apex court.

STATICS & SYLLABUS FOCUS

The Right to Information Act was enacted by Parliament in **2005** and came into force on **October 12, 2005**.

Section 2(h) of the RTI Act 2005 defines a **Public Authority** as any authority or body established by Constitution, law, or substantially financed by Government.

Central Information Commission was established in 2005 under **Section 12** of the Right to Information Act, 2005.

Under the **RTI Amendment Act 2019**, term and service conditions of Information Commissioners are determined by the Central Government.

Supreme Court established Right to Information as a fundamental right under **Article 19(1)(a)** in State of UP v. Raj Narain case in **1975**.

National Stock Exchange of India was incorporated in **1992** and recognized as a stock exchange in **1993** under Securities Contracts (Regulation) Act, 1956.

Chief Information Commissioner and Information Commissioners hold office for a maximum tenure of **3 years** or until age of **65 years**.

REVISION FLASHCARD

Section 2(h) of RTI Act 2005 defines 'Public Authority', currently under SC review regarding NSEI status.

Syllabus Relevance: Directly tested under Unit 5 Polity regarding RTI Act 2005 provisions, Public Authority definition, CIC structure, and landmark judicial decisions.

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