

Supreme Court won't interfere with whistleblower law

Supreme Court says it is not for the apex court to interfere in the whistleblower law when the Parliament is seized of the matter

The Supreme Court on Thursday declined to direct the government to implement the 2014 law on protecting whistleblowers.

“It is not for the court to interfere when the Parliament is seized of the matter,” the court said.

A bench comprising chief justice J.S. Khehar and justice D.Y. Chandrachud was hearing a plea filed by non-profit Parivartan. The petition, a public interest litigation, dates back to 2004 in which the court had issued various orders to bring a legal framework to protect whistle-blowers. The law provides a mechanism to investigate allegations of corruption and misuse of power by public servants while protecting those who tip off investigative agencies against officials. In 2014, the Whistleblowers Protection Act replaced a 2011 legislation aiming to strengthen the legal framework. However, the central government is yet to set up a mechanism under the 2014 law as certain amendments are being debated in parliament.

“The amendment bill is pending in the parliament and that could alter the law,” Solicitor General Ranjit Kumar, appearing on behalf of the government told the court.

The amendment bill was introduced in the Lok Sabha in May 2015 but is yet to be passed. The amendment proposed to exclude from the purview of the Whistleblowers Act, categories like cabinet proceedings, scientific interests and the security of India.

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