



CONSTITUTIONAL LAW

RTI Cannot Be Weaponised for Personal Disputes: Lessons from Kumawat v. State of Rajasthan

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The Right to Information Act, 2005 stands as one of India's most transformative legislative instruments, empowering citizens to demand accountability and transparency from public authorities. However, this right is not absolute. In a significant order dated February 3, 2026, the High Court of Judicature for Rajasthan at Jodhpur, in *Smt. Kanta Kumawat v. State of Rajasthan & Ors.* (S.B. Civil Writ Petition No. 7374/2025) reaffirmed that salary-related information of a government employee constitutes "personal information" exempt from disclosure under the RTI Act.

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Background of the Dispute

The petitioner, Smt. Kanta Kumawat, filed an RTI application in April 2024 before the Additional Superintendent of Police, Bhilwara, seeking pay slips and salary details of a police department employee named Omprakash notably, her husband for the period of January to March 2024. The application was refused by the Public Information Officer on the ground that the information was personal in nature and pertained to a third party, rendering it exempt from disclosure under the Act.

Exhaustion of Statutory Remedies

Undeterred by the initial refusal, the petitioner pursued the matter through successive appellate forums. Both the first appellate authority and the Rajasthan State Information Commission upheld the denial vide order dated October 23, 2024. Having exhausted all statutory remedies without success, the petitioner invoked the constitutional jurisdiction of the High Court under Article 226, seeking quashing of the Commission's order and a direction compelling disclosure of the information.

The Legal Question Before the Court

The central issue before the Court was whether salary details and pay slips of an individual government employee sought by a third party qualify as "personal information" exempt from disclosure under the RTI Act. The petitioner's counsel contended that, as a public servant, the employee's remuneration details ought to be accessible. The respondents, however, did not enter appearance before the Court.

Court's Reliance on Supreme Court Precedent

Justice Kuldeep Mathur anchored the Court's reasoning firmly in the Supreme Court's authoritative pronouncement in *Girish Ramchandra Deshpande v. Central Information Commissioner & Ors.*, (2013) 1 SCC 212. The Supreme Court in that case had categorically held that information relating to an employee's performance and service-related matters is primarily a matter between the employee and the employer, governed by applicable service rules. Such information falls squarely within the definition of "personal information" and its disclosure, absent a demonstrable overriding public interest, bears no nexus to any public activity or public purpose.

Court's Analysis and Findings

Applying this settled legal position, the High Court found neither illegality nor infirmity in the conduct of the respondent authorities. The Court observed that salary details are inherently personal in character and that the RTI framework does not contemplate their disclosure merely upon request by a private individual with no demonstrated public interest at stake. Significantly, the Court implicitly recognised that the RTI mechanism cannot be deployed as an instrument to serve personal or matrimonial interests under the guise of transparency.

The Final Order

Finding no merit in the writ petition, the Court dismissed it along with the accompanying stay petition. The decision effectively validated the consistent position adopted by the Public Information Officer, the First Appellate Authority and the State Information Commission across three tiers of adjudication.

Broader Legal Implications

This judgment serves as an important reminder that the RTI Act, despite its broad mandate, operates within carefully defined boundaries. Public employment does not render every aspect of an employee's service record accessible to the world at large. The privacy of individual public servants in matters pertaining to their personal emoluments is a legally recognised and judicially protected interest. Practitioners and litigants alike must appreciate that RTI applications seeking third-party personal information must be supported by a clear and demonstrable public interest, failing which such requests are liable to be legitimately refused at every stage of the adjudicatory process.

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