

Suo Motu Disclosure under Section 4 — The Proactive Duty

**RTI Wiki**

Right to Information, India

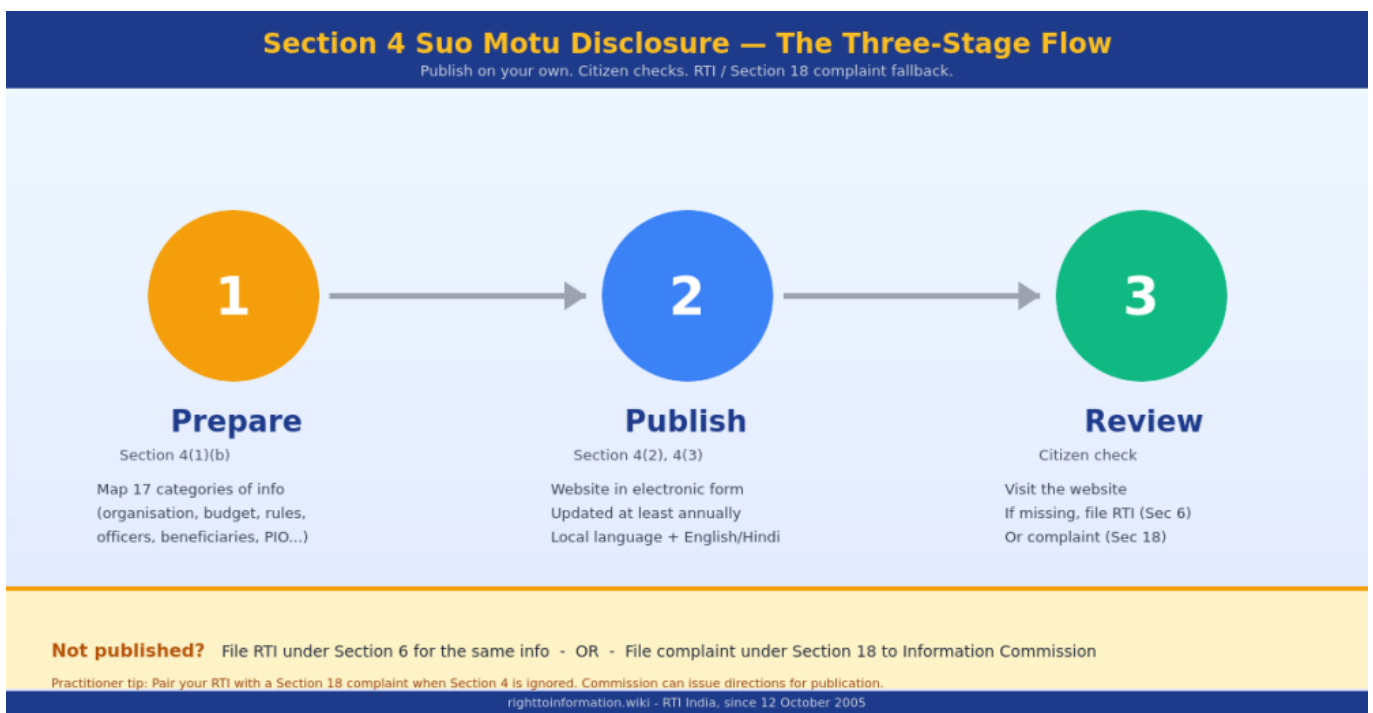
Suo Moto Disclosure under RTI

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In one line: Section 4 of the RTI Act, 2005 requires every public authority to **publish 17 categories of information on its own**, without waiting for an RTI application. The disclosure must be in **electronic form where possible**, in the **local language**, and **updated at least once a year**. If a department fails, a citizen can (a) file an RTI for the same information under Section 6, **or** (b) file a complaint under Section 18 with the Information Commission.

Did you know? The Supreme Court observed in *Anjali Bhardwaj v. Union of India*, (2020) 11 SCC 345, that **good Section 4 compliance would eliminate up to 70 percent of RTI applications**. Non-compliance is therefore not a minor lapse — it is the single largest avoidable cause of Commission backlog.

The 3-stage flow



Legal basis

- **Section 4(1)(b)** — 17 categories of information every public authority must publish.
- **Section 4(1)(c)** — publish all relevant facts while formulating important policies or announcing decisions.
- **Section 4(1)(d)** — provide reasons for administrative or quasi-judicial decisions to affected persons.
- **Section 4(2)** — endeavour to disseminate proactively so that citizens need minimum recourse to formal requests.
- **Section 4(3)** — disseminate through notice boards, newspapers, public announcements, media, internet, or **any other means**.
- **Section 4(4)** — all dissemination “*at reasonable cost of the medium in local language*”.

The 17 mandatory categories (Section 4(1)(b))

#	Category	Think of it as
1	Particulars of the organisation, functions and duties	What the department is and does
2	Powers and duties of officers and employees	Who can decide what
3	Procedure followed in decision-making, including channels of supervision	The paper trail of decisions
4	Norms set for the discharge of functions	Service-delivery standards
5	Rules, regulations, instructions, manuals, records	The department's internal rulebook
6	Categories of documents held or under control	What files exist, by category
7	Arrangements for consultation with members of the public	How citizens' views are sought
8	Boards, councils, committees and other bodies — with minutes accessible	Who advises the department

#	Category	Think of it as
9	Directory of officers and employees	Name and designation list
10	Monthly remuneration (pay scales, compensation system)	What officers are paid
11	Budget allocated to each agency, plans, proposed expenditure, disbursements	The money map
12	Manner of execution of subsidy programmes	Subsidy mechanics
13	Particulars of recipients of concessions, permits or authorisations	Who gets benefits from the State
14	Information available in an electronic form	What is on the website or database
15	Particulars of facilities available to citizens for obtaining information	Reading rooms, citizen-charter centres
16	Names, designations and particulars of Public Information Officers	Who to contact for RTI
17	Such other information as may be prescribed	Additional items by rule

When suo motu disclosure is missing — your enforcement moves

Move 1 — File a Section 6 RTI

Frame the request precisely:

Under Section 6 of the RTI Act, 2005, I request:

1. A copy of the information required to be published under Section 4(1)(b), sub-clauses (i) to (xvii), as they stand for the [department name] as on [date].
2. The date(s) on which the above information was last updated on the department's website, with the URL(s).
3. A copy of the complete file noting on the decision to not publish, if any category is deliberately withheld.

Move 2 — File a Section 18 complaint

If the RTI itself is refused or delayed, complaint to the Information Commission:

Complaint under Section 18(1) of the RTI Act, 2005 against [department name] for systemic non-compliance with Section 4.

- (i) Section 4(1)(b) requires publication of 17 categories.
- (ii) An inspection of the department's website on [date] shows [X] categories missing or over a year out of date.
- (iii) An RTI application dated [Y] sought the same information; the reply was [refused / silent].
- (iv) The Commission is requested to direct publication under Section 19(8)(a)(i)-(vi), with a monthly progress report until full compliance.

The Commission has supervisory jurisdiction and can impose personal costs on the designated PIO for persistent non-compliance under Section 20.

Landmark rulings

- **Anjali Bhardwaj v. Union of India, (2020) 11 SCC 345** — Supreme Court recognised the centrality of Section 4 and directed Information Commissions to supervise proactive compliance.
- **CIC Decision CIC/SA/A/2013/000132** — Commission may direct a public authority to publish outstanding Section 4 categories within a time-bound schedule, with compliance reports.
- **DoPT Office Memorandum No. 1/6/2011-IR dated 15 April 2013** — reiterates the 17-category obligation and prescribes templates.
- **Subhash Chandra Agarwal v. CPIO SC, (2020) 5 SCC 481** — Supreme Court administrative side is a public authority; proactive disclosure applies.

Practical checklist for the common citizen

1. **Open the department's official website.** Look for a link named “RTI”, “Right to Information” or “Transparency”.
2. **Spot-check 5 of the 17 categories** — PIO list, directory of officers, budget, rules, monthly remuneration. If any is missing or older than a year, Section 4 is not complied with.
3. **Screenshot the website** with the URL and date visible. That is your evidence.
4. **File an RTI** using the wording above.
5. **On refusal or delay**, file a Section 18 complaint with the Information Commission within 90 days.
6. **Attend the hearing** — complaints on systemic issues rank higher than individual appeals.

Pro-tip

Include a request for the **Section 4 compliance report** in your RTI. Many departments file an annual Section 4 self-audit to the Information Commission. Asking for that report is a fast way to reveal the gap between claim and reality.

Frequently asked questions

Can I get damages for non-compliance?

Not as such, but Section 19(8)(b) empowers the Commission to award **compensation** to an applicant harmed by inaction. Section 4 non-compliance combined with Section 6 refusal often supports a compensation claim.

Are private schools, NGOs, cooperative societies covered?

Only if they qualify as public authorities under Section 2(h). The Thalappalam test applies.

What counts as "electronic form"?

Any format readable on a standard browser — HTML pages, PDFs, machine-readable tables. Scanned PDFs with no OCR are legally compliant but practically unhelpful; the Commission has cautioned against them.

How often must the information be updated?

At least annually under Section 4(1)(b) read with DoPT guidelines. Items that change more frequently (budget allocations, pay orders) must be updated as soon as they are revised.

Which law overrides — RTI or privacy?

After the 14 November 2025 amendment to Section 8(1)(j) by DPDP Rules 2025, personal information of third parties (e.g., beneficiaries' names with addresses) is tested against the amended privacy proviso. Aggregate or suitably-redacted data remains disclosable.

Call to action

Spend 10 minutes today on any department's website. Open the “RTI” link. Count how many of the 17 categories are current. For every gap, you have a Section 4 case. Use the templates above. Start with our [First RTI template](#) and adapt.

Related

- [The RTI Act, 2005 \(as amended\)](#)
- [All explanations](#)
- [Public authority — Section 2\(h\)](#)
- [Substantially financed — Thalappalam test](#)
- [Speaking-order requirement — Section 7\(8\)](#)
- [Missing files under RTI](#)
- [Deemed CPIO — Section 5\(5\)](#)
- [First RTI template](#)
- [First Appeal template](#)
- [Why RTI gets rejected](#)
- [Inspection under RTI](#)
- [PIO reply after DPDP 2025](#)

Sources

1. Right to Information Act, 2005, Section 4 read with Sections 2(h), 6, 18, 19.
2. Department of Personnel and Training, Office Memorandum No. 1/6/2011-IR dated 15 April 2013.
3. *Anjali Bhardwaj v. Union of India*, (2020) 11 SCC 345.
4. *Subhash Chandra Agarwal v. CPIO SC*, (2020) 5 SCC 481.
5. Central Information Commission, *Annual Report 2023-24*.
6. *Thalappalam Service Coop. Bank Ltd. v. State of Kerala*, (2013) 16 SCC 82.

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[rti](#), [explanations](#), [section-4](#), [suo-motu](#), [proactive-disclosure](#), [17-categories](#), [section-18](#), [practice](#),

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Right to Information Wiki

The working reference for India's Right to Information Act, 2005.



Read online

<https://righttoinformation.wiki/explanations/suo-moto-disclosure-under-rti>

Main website

<https://righttoinformation.wiki/>

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