

Madras High Court on public servants' assets (2024)

Notice on DPDP Rules, 2025. The Digital Personal Data Protection Rules, 2025 were notified on 14 November 2025. With this notification, Section 44(3) of the Digital Personal Data Protection Act, 2023 became operational and amended Section 8(1)(j) of the Right to Information Act, 2005. The earlier public interest override within clause (j) stands removed. Public interest reasoning now operates through Section 8(2) of the RTI Act, which has not been amended. This page has been reviewed in the light of this change. For the full practitioner note, see [DPDP Rules, 2025: The amendment to Section 8\(1\)\(j\) of the RTI Act](#).

Did you know? Most All-India Service officers already **file an Annual Property Return under their conduct rules**. The information exists in government files. The Madras HC's 2024 direction simply acknowledged that records already in the government's keeping are not made private by labelling them “personal”.

In one line. The Madras High Court held that **Annual Property Returns** and similar asset disclosures filed by public servants in the ordinary course of duty are **disclosable under the RTI Act** where a specific public interest is pleaded under Section 8(2).

What that means in practice.

- Blanket refusal of public servants' asset data under Section 8(1)(j) is not sustainable.
- The applicant must plead a **specific public interest** — for example, suspicion of disproportionate assets, investigation of corruption, or institutional integrity.
- The relevant **conduct rules** (AIS Conduct Rules, Central Civil Services Conduct Rules, State equivalents) already require the filing of these returns.

Citation and context

Madras High Court order on RTI applications for public servants' asset disclosures, 2024. *Exact docket, parties, and the full text of the order should be consulted on the Madras High Court website and on Indian Kanoon for precise citation.*

The order sits within a broader 2024 re-affirmation across High Courts that transparency concerning public servants' conduct-related filings is constitutionally sustainable under the *Puttaswamy* proportionality framework.

The background

All-India Service officers and most Central and State Civil Service officers are required to **file an Annual Property Return** under their respective conduct rules. The returns list:

- Immovable property (land, buildings) held directly or by family members.
- Significant movable property (investments, vehicles).

- Loans and liabilities above the prescribed threshold.

The question that has come before several Information Commissions and High Courts is: **are these returns disclosable under the RTI Act?** The earlier Supreme Court line of cases — principally [Girish Ramchandra Deshpande \(2013\)](#) — held that such returns are generally exempt under Section 8(1)(j) unless a larger public interest is shown.

The Madras direction

The Madras High Court's 2024 order reaffirmed the **public-interest override** in Section 8(2) for such disclosures, and clarified the contours:

- The applicant must plead a **specific public interest** — not merely curiosity.
- Where the public interest is pleaded (for example, suspicion of disproportionate assets), the PIO must test that interest against the privacy harm.
- Section 10 severance applies to **family members' private data** — identifying information about the officer's non-public-servant family members should be redacted; the officer's own holdings disclosed.

Implications

- **For PIOs in State and Central public authorities** — requests for Annual Property Returns need case-by-case assessment. A generic “8(1)(j)” refusal is no longer defensible where public interest is pleaded.
- **For journalists and activists** — a well-drafted application that cites a specific public-interest ground (for instance, disproportionate-assets suspicion, policy-conflict-of-interest, integrity of a specific office) has a stronger footing.
- **For public servants** — the conduct-rules filing is effectively a semi-public record. Privacy extends to the officer's family members' individual data, not the officer's own holdings.

Related on this site

- [The RTI Act, 2005 — current text](#). Sections 8(1)(j), 8(2), 10.
- [Privacy of public servants](#).
- [Public interest](#).
- [Annual Confidential Report](#).
- [Girish Ramchandra Deshpande \(2013\)](#) — the foundational SC ruling on ACRs and property returns.
- [K.S. Puttaswamy \(2017\)](#) — privacy framework.
- [Case law library](#).

Status vs the 14 November 2025 DPDP amendment

The Madras direction applied Section 8(1)(j) in its **pre-amendment form**. Post-14 November 2025, the same reasoning is carried through Section 8(2). The public-interest override remains the operative route. The initial wave of Commission orders under the amended clause will test whether the Madras framework holds. See [DPDP Rules, 2025 — the amendment](#).

Sources

1. The Right to Information Act, 2005, Sections 8(1)(j), 8(2), 10.
2. The All India Services (Conduct) Rules, 1968.
3. The Central Civil Services (Conduct) Rules, 1964.
4. *Girish Ramchandra Deshpande v. Central Information Commissioner*, (2013) 1 SCC 212.
5. *Justice K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1.

Last reviewed on

20 April 2026

rti, case-law, madras-high-court, section-8-1-j, public-servants, property-returns, 2024



Right to Information Wiki

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



Read online

<https://righttoinformation.wiki/important-decisions/court/madras-hc-public-servants-assets-2024>

Main website

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