

## State Information Commission, Headquarter

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Date : 29<sup>th</sup> April, 2025

To

Hon'ble Chief Secretary,  
Government of Maharashtra,  
Mantralaya, Mumbai

subject :- **Directives under Section 19(8)(a)(iii) and Section 25(5) of Right to Information Act, 2005 for suo moto disclosure under Section 4 of the Right to Information Act, 2005**

The issue of large number of pendency of RTI applications across the benches of State Information Commission was under active consideration of all stakeholders and repetitive use of Right to Information (RTI) Act 2005 seeking the information which is already disclosed has in practice added to work load of many public authorities. Therefore the issue of putting of all RTI queries and the answers given (except where exempt under the RTI Act) in the public domain in a searchable database was actively considered by the Commission and it was felt that this would allow people access to information that has already been accessed by someone earlier without having to resort to filing an RTI Application.

2. The Union Government had appointed a Task Force comprising in 2011 about suo-motu disclosures. Based on the report, the DoPT has directed all public authorities to strictly abide by the norms. The office memorandum to all public authorities states, "...The purpose of suo motu disclosures under Section 4 is to place large amount of information in public domain on a proactive basis to make the functioning of the Public Authorities more transparent and also to reduce the need for filing individual RTI applications." The Department of Personnel and Training (DoPT) has already vide its memorandum NO 1/6/2011-IR dated 15th April 2013 has directed that "All Public Authorities shall proactively disclose RTI Applications and appeals received and their responses, on the websites maintained by public authorities with search facility based on key words."

3. Preamble of RTI Act has already underlined "for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority," and further to bring transparency of information which is vital to functioning of a robust and vibrant democracy and also to contain corruption and to hold Governments are their instrumentalities accountable to the governed. The RTI Act further acknowledges practical difficulties and has stated "revelation of information in actual practice is likely to conflict with other public interests including efficient operations of the Governments, optimum use of limited fiscal resources and the preservation of confidentiality of sensitive information; " and need "to harmonise these conflicting interests while preserving the paramountcy of the democratic ideal".

4. Besides section 19(8)(a)(iii) of the RTI also empowers the Information Commission to pass a direction to public authorities by publishing certain information or categories of information as may

be necessary to secure compliance with the provisions of this Act and section 25(5) clearly stipulates that “If it appears to the Central Information Commission or State Information Commission, as the case may be, that the practice of a public authority in relation to the exercise of its functions under this Act does not conform with the provisions or spirit of this Act, it may give to the authority a recommendation specifying the steps which ought in its opinion to be taken for promoting such conformity.”

**Therefore in exercise of powers under section 15(4), 19(8)(a)(iii) and 25(5) of the RTI Act the Commission is issuing following directives to all public authorities within State of Maharashtra to henceforth follow the practice of proactively disclose details of “all RTI queries and the answers given (except where exempt under the RTI Act) in a searchable database.”**

Hon’ble Chief Secretary to the Government of Maharashtra is requested to bring these directions issued by Maharashtra State Information Commission in exercise of powers under section 15(4), 19(8)(a)(iii) and 25(5) of the RTI Act to the notice of all Public Authorities.



(Rahul Pande)

State Chief Information Commissioner  
Maharashtra State