

Delhi High Court PhD Theses Ruling: A Landmark RTI Decision on Academic Transparency vs Privacy (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? The Delhi High Court's 2024 direction brought PhD theses at publicly-funded universities squarely within the Right to Information Act, 2005. The judgment reaffirms that research produced on the public rupee belongs, in principle, in the public domain — with narrow privacy carve-outs under Section 8(1)(j).

A practitioner-ready analysis of the Delhi High Court's December 2024 direction on disclosure of PhD theses under the Right to Information Act, 2005. Written for researchers, advocates, journalists, Public Information Officers at universities, and students who want to understand the legal basis for accessing publicly-funded academic research. Current with the 14 November 2025 DPDP Rules amendment.

Introduction — the headline

In **December 2024**, a Single Judge of the **Delhi High Court** held that **PhD theses lodged**

with a central university library are public records accessible under the Right to Information Act, 2005, subject only to the specific exemptions in Section 8(1). The university's attempt to deny access on a blanket privacy ground was rejected. The order builds directly on the Supreme Court's reasoning in *Central Board of Secondary Education v. Aditya Bandopadhyay*, (2011) 8 SCC 497, which established the primacy of disclosure for records of public authorities.

The ruling lands at a charged moment. Section 44(3) of the **Digital Personal Data Protection Act, 2023** came into force on **14 November 2025** with the notification of the DPDP Rules, 2025 — substituting Section 8(1)(j) of the RTI Act and removing the “not-denied-to-Parliament” proviso. The Delhi High Court's PhD theses direction therefore sits at the exact intersection of three debates: **academic transparency**, the **scope of “personal information”** under Section 8(1)(j), and the **public-interest override** under Section 8(2). For every Indian citizen who has wondered whether a thesis produced with taxpayer funds should be freely readable, the answer has, on the current record, tilted toward transparency.

Background — where the law stood before

PhD theses have always occupied an awkward slot under the RTI Act. On one hand, they are **original research** whose author retains certain copyright interests. On the other hand, at a publicly-funded central or State university, a thesis is:

- **Paid for in part by the exchequer** through the university's grants and the candidate's fellowship;
- **Submitted and retained by the university library** as a record of award of the degree;
- **Held by a “public authority”** under Section 2(h) of the RTI Act.

The **University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degrees) Regulations, 2016** require every awarding university to **deposit an electronic copy of every PhD thesis** in the INFLIBNET Shodhganga repository within thirty days of the award. In practice, this has meant that the **thesis text itself is already in the public domain** for the vast majority of post-2016 awards.

The debate narrows to two recurring categories of dispute:

- **Pre-Shodhganga theses** — awards made before 2010 where no digital copy is available and the hard copy sits in a specific university library.
- **Theses where disclosure is objected to on Section 8(1)(j) grounds** — personal information, third-party privacy, or fiduciary relationship between the guide and the scholar.

Before the 2024 Delhi High Court direction, the jurisprudence was patchy. The Central Information Commission had, in a line of orders from 2009 onward, generally held theses to be disclosable subject to copyright. The Bombay and Madras High Courts had reinforced the general rule of disclosure for academic records. But a clean High Court articulation of the specific principle for PhD theses — explicitly weighing Section 8(1)(j) against Section 8(2) — was missing.

Delhi HC PhD Theses RTI Ruling

December 2024 · Academic transparency under the Right to Information Act, 2005

THE PATH TO THE JUDGMENT

- 1

RTI filed

Applicant seeks PhD thesis held at central-university library under Section 6(1).
- 2

PIO refuses

University invokes Section 8(1)(j) privacy as blanket ground.
- 3

First appeal

FAA under Section 19(1) upholds refusal within 30 days.
- 4

Second appeal

CIC partially sets aside refusal; directs disclosure.
- 5

Writ petition

University challenges CIC direction before Delhi HC under Article 226.
- 6

Delhi HC rules

December 2024: Blanket denial unsustainable. Disclosure + severance.

THE COURT'S THREE KEY FINDINGS

§ 2(f)

A thesis is information

Theses held by a public authority squarely fall within the statutory definition of 'information'.

§ 8(1)(j)

Narrow reading

The privacy clause protects personal information unconnected to public activity. A publicly-funded thesis is a public activity.

§ 10

Severance is the answer

Where portions contain third-party personal data, the PIO must redact those portions, not refuse the whole thesis.

FOR PUBLIC INFORMATION OFFICERS

Default: Disclose the thesis text held in library.

If request contains:

- Third-party interview transcripts or field-subject data
- Sensitive personal data (medical, financial) of the scholar or subjects

→ **Redact those specific portions under Section 10. Release the rest.**

→ **Blanket refusal is not defensible after the December 2024 direction.**

Source: RTI Wiki — righttoinformation.wiki · RTI Act, 2005, Sections 2(f), 6, 8(1)(j), 8(2), 10

Right to Information Wiki · righttoinformation.wiki

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Case details — what the Court held

The facts

An applicant filed an RTI application under Section 6(1) of the Act before the Public Information Officer of a central university, seeking access to a specific PhD thesis deposited in the university's library. The PIO denied access invoking **Section 8(1)(j)** on the ground that the thesis contained the author's **personal information** and that disclosure would constitute an **unwarranted invasion of privacy**. The first appeal under Section 19(1) was rejected. The second appeal before the **Central Information Commission** partially set aside the PIO's order and directed disclosure. The university challenged the Commission's direction by a writ petition before the **Delhi High Court** under Article 226.

The arguments

- **For the university.** PhD theses contain the research scholar's personal data — biographical details, acknowledgements naming family members, references to unpublished field interviews. Disclosure to any third-party RTI applicant would invade the scholar's privacy. The Supreme Court's reasoning in *//K.S. Puttaswamy v. Union of India//*, (2017) 10 SCC 1 recognises privacy as a fundamental right. Section 8(1)(j) should be read through that constitutional lens.
- **For the applicant.** A thesis submitted to a public authority for the award of a public degree is, by its nature, a **public record**. Section 2(i) of the RTI Act includes theses held by a public authority. The relevant test is not whether personal data is embedded in a record, but whether the **public interest in disclosure** outweighs the narrow category of genuinely personal information. Section 10 of the Act obliges the PIO to **sever** and release the non-exempt portion.

The Court's direction

The High Court held that the university's blanket denial was unsustainable. Three strands of the direction are practitioner-relevant:

1. **Theses are “information” under Section 2(f).** The thesis text falls squarely within the statutory definition — a record held by a public authority.
2. **Section 8(1)(j) must be read narrowly.** The clause protects personal information that has **no relationship to any public activity or interest**. A PhD thesis produced under a public-authority scholarship and submitted for a public degree is, by definition, tied to a public activity.
3. **Severance is the answer where privacy is genuinely engaged.** Where a specific portion of the thesis contains personal information of a third party (for example, interview subjects in a field-work study), the PIO must redact only that portion under Section 10 and release the rest — not refuse the whole record.

Timeline

Date	Event
Pre-2024	RTI application filed under Section 6(1) seeking specific PhD thesis from a central-university library.

Date	Event
Within 30 days	Public Information Officer refuses citing Section 8(1)(j) personal information and privacy.
+30 days	First appeal under Section 19(1) before the First Appellate Authority. Refusal upheld.
+90 days	Second appeal under Section 19(3) filed before the Central Information Commission.
Later	Central Information Commission partially sets aside the refusal and directs disclosure.
—	University challenges the Commission's direction before the Delhi High Court by writ petition under Article 226.
December 2024	Delhi High Court dismisses the writ; directs disclosure subject to severance of any genuinely personal third-party data under Section 10.
14 November 2025	Section 8(1)(j) substituted by Section 44(3) of the DPDP Act, 2023 via DPDP Rules, 2025. Earlier "Parliament proviso" removed; Section 8(2) override route retained.

Date markers and procedural steps are set out at the level of the Court's narrative. For the precise docket, parties, and the text of the final order, readers should consult the judgment on the Delhi High Court website or the Indian Kanoon repository.

Key implications

For universities and Public Information Officers

- **Blanket Section 8(1)(j) denials of PhD theses are no longer defensible.** A PIO must test each request against the specific record and identify the parts that genuinely contain third-party personal information.
- **Severance under Section 10 is the default remedy.** Universities should build a standard workflow: on an RTI for a thesis, retrieve the file, redact only names of interviewees or field subjects, and release the rest within thirty days.
- **Shodhganga integration reduces RTI burden.** Where a post-2016 thesis is already on Shodhganga, the PIO can satisfy the RTI by providing the public URL — no fresh scanning required.

For researchers and scholars

- **Publicly-funded PhD research is a public good.** Scholars should assume their thesis will be readable by others — and cite, acknowledge, and anonymise field data accordingly.
- **Genuinely confidential content needs protection by design.** Where a thesis draws on interviews with vulnerable subjects, anonymisation at the thesis-writing stage is the protection — not reliance on Section 8(1)(j) to withhold the whole record.

For RTI applicants and activists

- **Ask for the specific thesis, not "all PhD theses".** A narrow, specific request is harder to refuse on Section 7(9) grounds of disproportionate diversion of resources.
- **Invoke Section 8(2) preemptively.** Even before the PIO invokes an exemption, the

applicant should state the public interest — exposure of plagiarism, advancement of knowledge, academic accountability, verification of public-funded research outcomes.

Concerns and the other side of the balance

- **Copyright.** The thesis author retains copyright under the Copyright Act, 1957. RTI access is for **inspection and copying for personal reference**, not for commercial republication. Section 9 of the RTI Act preserves copyright objections.
- **Genuine third-party privacy.** Where a thesis contains interview transcripts, raw biographical data of field subjects, or medical records, those specific portions fall within Section 8(1)(j) and must be redacted.
- **Unpublished negative findings.** Some theses contain preliminary findings the author has not yet put in a peer-reviewed paper. Courts have not yet definitively addressed the question of protecting **priority of publication** — a matter to watch.

Related developments

The Delhi High Court's direction is part of a **wider 2024 reset of RTI jurisprudence around research and public records**:

- **Madras High Court on public servants' assets** (2024). Confirmed that Annual Property Returns of public servants filed in the ordinary course of duty are disclosable under Section 8(2) where a public interest is pleaded.
- **Bhagat Singh v. Chief Information Commissioner**, Delhi High Court (2007) — still the foundational writ-level statement that the RTI Act is a Parliamentary imposition on government secrecy.
- **Electoral Bonds ADR judgment** (Supreme Court, 2024) — reaffirmed the primacy of transparency in public-money transactions.

The 2024 PhD theses direction also sits uneasily next to the **DPDP Rules, 2025** substitution of Section 8(1)(j). The new text tightens the personal-data test. A future Court revisiting the PhD thesis question under the amended Section 8(1)(j) may reach a different balance — especially for **theses containing sensitive personal data** as newly defined under the DPDP Act. The 2024 direction remains good law for now, but practitioners should follow the first Commission orders under the amended clause carefully. For the practitioner note on the amendment, see [DPDP Rules, 2025: The amendment to Section 8\(1\)\(j\) and PIO reply after DPDP Rules, 2025](#).

Practical guide — how to file an RTI for a PhD thesis

Before you file

1. **Check Shodhganga** first. If the thesis is post-2016 and the university has complied with the UGC 2016 regulations, the thesis is already downloadable.
2. If not on Shodhganga, confirm the **university library's catalogue** — search the **OPAC** for the thesis title and confirm the accession number.
3. Identify the **Public Information Officer of the concerned university**. Most central universities list the PIO on their website under a “Right to Information” tab.

Draft the application

Address to **The Public Information Officer** at the university. Keep the text short and specific:

Subject: Request for information under Section 6(1) of the Right to Information Act, 2005.

I request certified photocopies of the following records held by [University Name]:

1. The %PhD% thesis titled "[exact title as listed in the library catalogue]" by [scholar's full name] awarded in [year of award] under the supervision of [supervisor's name] in the Department of [department].
2. The accession number assigned to the thesis in the university library, and the shelf reference at which it is held.
3. A copy of the abstract and the certificate of award from the concerned file.

I rely on the Delhi High Court's December 2024 direction in the matter of disclosure of %PhD% theses under the Right to Information Act, 2005.

I have enclosed the prescribed fee of Rs 10 by Indian Postal Order. I am a citizen of India.

[Name, address, PIN, date, signature]

For a ready drafting template see [Template: first RTI application](#) and the broader [How to File RTI Online in India — 2026 Step-by-Step Guide](#).

If the PIO refuses

1. File a **first appeal under Section 19(1)** within thirty days. Cite the December 2024 Delhi HC direction and Section 10 severance. Use [Template: first appeal](#).
2. If refused again, file a **second appeal under Section 19(3)** before the **Central Information Commission** within ninety days. See [Template: second appeal](#).

If the thesis really does contain sensitive third-party data

Ask for **redacted disclosure under Section 10** rather than withholding the whole record. This is the Court's prescribed path and is much harder for a PIO to refuse.

Frequently asked questions

1. Can I get the full thesis text via RTI?

Yes, in most cases. For post-2016 awards the thesis is on Shodhganga as a matter of UGC regulation. For older theses the university library holds the record and the PIO must release it, subject only to severance of any genuinely personal third-party data under Section 10.

2. What about copyright?

The author retains copyright under the Copyright Act, 1957. RTI gives you a right of **access and inspection** for personal reference, citation, and academic use — not a right to republish commercially. Section 9 of the RTI Act preserves copyright-based objections for reproductions

that would infringe.

3. What about raw data or interview transcripts annexed to the thesis?

Where the raw data identifies third-party individuals who participated in confidence, Section 8(1)(j) applies to those specific portions. The PIO must **redact** those lines and release the remainder, not refuse the whole thesis.

4. Does the Delhi HC 2024 direction bind universities outside Delhi?

A Single Judge direction of one High Court is **persuasive** but not formally binding on universities in other States. In practice, Information Commissions across India cite such directions approvingly, and the underlying Supreme Court reasoning in *CBSE v. Aditya Bandopadhyay* (2011) applies nationwide.

5. Has the DPDP Rules, 2025 amendment changed this?

The 14 November 2025 substitution of Section 8(1)(j) changed the **analytical framework** but not the underlying result for most PhD theses. The public-interest override now runs only through **Section 8(2)**. Applicants should specifically plead a public interest in their application and, if refused, in the first appeal.

6. Can a thesis be withheld to protect the supervisor-scholar relationship under Section 8(1)(e) (fiduciary)?

Unlikely. The Supreme Court's narrow reading of "fiduciary" in *Reserve Bank of India v. Jayantilal Mistry*, (2016) 3 SCC 525, and the absence of any duty of confidentiality tied to a completed award, make a Section 8(1)(e) refusal of a PhD thesis difficult to defend.

7. What if the thesis contains medical or health data of the scholar or subjects?

That falls squarely within the narrow privacy carve-out in Section 8(1)(j) and the **sensitive personal data** concept under the DPDP framework. Those specific passages must be **redacted**; the remainder of the thesis remains disclosable.

Conclusion

The Delhi High Court's December 2024 direction restores a simple, citizen-facing principle: **research produced with public money is, in principle, public knowledge**. The narrow carve-outs in Section 8(1)(j) protect genuinely private data of identifiable third parties — not the research output itself. In the months ahead, watch for the first Central Information Commission orders applying the amended Section 8(1)(j), for possible appeals to the Division Bench of the Delhi High Court, and for the Madras and Bombay High Courts' own treatment of the principle.

If you have filed a PhD thesis RTI and received a refusal, share the story in the discussion at the bottom of this page. Documented refusals feed the [case-law library](#) and build cleaner precedent for the next applicant. The discussion is moderated; your comment will be public once approved.

More from the site. [File an RTI online in 2026](#) · [Why RTI applications get rejected](#) · [The twenty-five-question FAQ](#).

Related pages on this site

- The Right to Information Act, 2005 — current text, as amended.
- DPDP Rules, 2025 — the amendment to Section 8(1)(j).
- PIO reply after DPDP Rules, 2025.
- The RTI Act — a decade of change, 2015 to 2025.
- Grounds for rejection under Section 8.
- Public interest under the RTI Act.
- Privacy under RTI.
- CBSE v. Aditya Bandopadhyay.
- Case law library.
- How to File RTI Online in India — 2026 step-by-step.
- Why RTI applications get rejected.
- FAQ — twenty-five most asked questions.
- Template: first RTI application.
- Template: first appeal.
- Template: second appeal.

Sources

1. The Right to Information Act, 2005 (No. 22 of 2005), Sections 2(f), 2(h), 2(i), 6, 7, 8(1)(j), 8(2), 9, 10, 19.
2. The Digital Personal Data Protection Act, 2023 (No. 22 of 2023), Section 44(3).
3. The Digital Personal Data Protection Rules, 2025, notified on 14 November 2025.
4. UGC (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degrees) Regulations, 2016.
5. *Central Board of Secondary Education v. Aditya Bandopadhyay*, (2011) 8 SCC 497.
6. *Reserve Bank of India v. Jayantilal Mistry*, (2016) 3 SCC 525.
7. *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 SCC 1.
8. *Bhagat Singh v. Chief Information Commissioner and Anr.*, W.P. (C) 3114/2007, Delhi High Court.
9. Delhi High Court — PhD theses RTI direction, December 2024. *For the exact case number and full text of the judgment, readers are advised to consult the Delhi High Court website and Indian Kanoon.*

Last reviewed on

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delhi-high-court, phd-thesis-rti, academic-transparency, rti-2024, section-8-1-j, dpdp-2025, case-law, 2024



Right to Information Wiki

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



Read online

<https://righttoinformation.wiki/blog/delhi-hc-phd-theses-rti-ruling-2024>

Main website

<https://righttoinformation.wiki/>

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