

Central Information Commission  
Baba Gang Nath Marg,  
Munirka, New Delhi – 110 067

CIC/AA/A/2020/66  
CICOM/A/E/20/00036  
CICOM/R/E/2020/00109

Name of the Appellant: Shri Shashank Sekhar Mahapatra  
Panchugaon, Banpur, Khurda, Odisha.  
Pin – 752 035

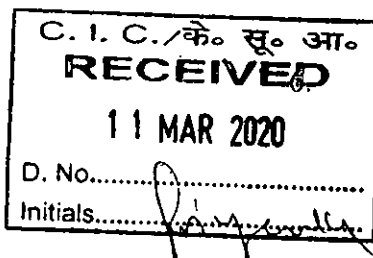
1.	Date of RTI application	07.02.2020
2.	Date of reply of the RTI application	27.02.2020
4.	CPIO (s) who furnished reply	Sh. A. K. Assija, Deputy Registrar to IC-(VN)
3.	1 <sup>st</sup> Appeal Date	04.03.2020
5.	Date of Decision	09.03.2020

**Brief Facts of the case:-**

1. The appellant, through his RTI application asked for following information, referring his e-mails, dated 06.02.2020 to the Information Commissioner Hon'ble Vanaja N. Sarna regarding his Second Appeal:

1. After considering the fact of email, which type of appropriate action has taken by honourable madam Vanja N. Sara.
2. The Second appeal appellant had submitted his written submission before 7 days of hearing. Provide the information if any, after considering the fact of the written submission the Central Information Commission decided to provide monetary compensation to the RTI Second appeal appellant.
3. Which type of punitive action has taken by Central Information Commission against the AICTE PIO, AICTE FAA and Centurion University PIO for not providing the information within time and for Providing false incomplete information.
4. Central Information Commissioner has only provided the 5 students name list those are admitted for nomenclature course M-Tech. in Computer Science and Engineering by Centurion Institute of Technology (a constituent college of Centurion University Odisha) under 18 intake capacity provided by AICTE.
5. Provide the information if any, in written submission to CIC the appellant has described the Centurion University included in corruption and the university official are graduation is also in arts with no physics and mathematics as subject paper in Intermediate. The PIO of Centurion University providing false information in RTI reply that the student was a Science Graduate. After that CIC directs to AICTE for taking punitive action against Centurion University.

If the Second Appeal appellant would be not satisfied with Vanaja N. Sarna Decision on his Second Appeal then provide the information to whom the appellant may file a complaint report.



7. Provide the information the Chief Information Commissioner only has provided 5 M-Tech in Computer Science and Engineering Course but not 4 M-Tech in Computer Science and Engineering Student with including 1 M-Tech in Computer Science student. Because;
  - i) M-Tech in Computer Science and engineering versus,
  - ii) M-Tech in Computer Science both are different course and to got enrolled for each courses the eligibility criteria is different too. The AICTE record is only Showing 5 M-Tech in Computer Science and Engineering Student had enrolled by Centurion University. So CIC should be provide the 5 M-Tech in Computer Science and Engineering student name list under RTI Act.

**Reply of CPIO:-**

2. In response to the RTI application Sh. A. K. Assija, Deputy Registrar to IC-(VN), CIC provided following information to the appellant:
  1. In your e-mail dated 06.02.2020, you had stated that for hearing of the case on Video Conferencing you reached at the New Collectorate Building instead of going to the Old Collectorate Building. In the process, when you reached at the correct venue of the hearing i.e. Old Collectorate Building, the hearing of the case was already over. Giving consideration to the said fact, you were heard over phone in your case. The said fact has been elaborated in the Order passed in the above case under the heading "Submissions made by Appellant and Respondent during hearing". Hence it is stated that appropriate action has been taken on your e-mail referred to above.
  2. The submissions received either from the respondent or from the appellant are linked to the E-Book of the case and the said E-Book is available for perusal by the Information Commissioner during the hearing of the case. In the order issued by the Commission, there is no mention of compensation to the appellant.
  3. Seeking answer to questions/clarifications/comments/ views on an issue are not covered under the definition of 'Information' given under Section 2(f) of the RTI Act. CPIO can provide the information which is available on records. It is stated that no information with regard to the punitive action against the public authority is available in the records.
  4. It is stated that the Order passed by the Commission is final and no review of the same can be considered by the Commission, since it is bereft of the powers to review its own order under the RTI Act. Except the Order of the Commission, no further information is available on record.
  5. The decision part of order of the Commission is stated below:  
*"The CPIO, AICTE is directed to seek assistance u/s 5(4) of the RTI Act from the Centurion Institute of Technology and provide complete information to the appellant within a period of 20 days from the date of receipt of this order under intimation to the Commission."*  
 Except the above direction, no other direction has been issued to AICTE. However, in case, you are not satisfied with the order of the Commission, you may like to approach the appropriate High Court, for seeking relief, if any.

6. In case, you are not satisfied with the order of the Commission, you may like to approach the appropriate High Court, for seeking relief, if any.
7. The Commission has already passed the Order and has given direction the CPIO, AICTE, to provide the required information.

**Ground of First Appeal:-**

3. Aggrieved with the reply sent by the CPIO, the appellant filed 1<sup>st</sup> appeal before the First Appellate Authority, CIC alleging that

"Incomplete and false information provided by CPIO Bhupendra Goswami collected from Centurion Institutes of Technology (A constituent Institution of State Private University Centurion University, Odisha) under section 5(4) of RTI Act for CIC decision NO. CIC/AICTE/A/2018/636959/02838 and file no. CIC/AICTE/A/2018/636959."

**Decision with reasons:-**

4. On perusal of the Appeal, RTI application and CPIO's reply it is observed that the appellant, in his first appeal petition, has not complained against any information provided by the CPIO, CIC, Sh. A. K. Assija, Deputy Registrar to IC-(VN). He has only complained against the information supplied by the CPIO, AICTE in compliance with the order passed by the Commission in respect to his Second appeal.

In light of the above, the undersigned observes that the information provided by the CPIO, CIC is factual and as per provision of the RTI Act, 2005 and hence no further intervention is required on the part of FAA. However, if the appellant has any complaint against non-compliance of the second appeal order, the appellant may file non-compliance petition with the concerned bench of CIC separately.

5. The appeal is being disposed of accordingly.

6. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi - 110 067 against this order within 90 days.

**Dated: March 09, 2020.**

*T. Balimane*  
09/3/2020  
(Smt. Meena Balimane Sharma)

**First Appellate Authority**

**Tel: 26162290**

**Copy to:-**

1. Sh. T. B. J. S. Rajapa, CPIO, RTI Cell, CIC, New Delhi.
2. Sh. A. K. Assija, Deputy Registrar to IC-(VN), CIC, New Delhi.

*Wasta*  
11/3/20