

Appeal No. 001/2006
Shri I. Bhattacharya
Appellate Authority
DOEACC Society, Electronics Niketan,
6, CGO Complex, New Delhi

In the matter of appeal filed by

Dr. Rakesh Navkhandewala

Date of impugned order January 5th, 2006

Date of Decision (03/06/2006) :

Judgement

This is an appeal referred by Dr. Rakesh Navkhandewala under Right to Information Act, 2005 (hereinafter referred as RTI Act) against the order of Sh. M.J. Quazi, Admn. Officer, Assistant Public Information Officer passed on 5th January, 2006. The present appeal was received by my office on 30th January, 2006. Since the reply of Aurangabad Centre was received in the end of the month for gathering information sometime was taken & the present appeal could not be disposed off within 30-days. The same is however, being disposed off well within 45-days, the maximum period as per the RTI Act.

The information which was sought by the appellant is given hereunder :-

- a. List of STCS, CFS and other centers approved by CEDTI Aurangabad 1/4/96 till today with dates of approval, period & addresses.
- b. Number of students appeared for each examination of CEDTI, Aurangabad for all certificates courses, CIT course and Diploma courses conducted under STCS, CFS and any other scheme from 1/4/96 to 30/11/2005 from each exam.
- c. Total fees received by CEDTI from 1/4/96 till today for all above exams centerwise and examwise with mode of payment and name of payee center/Agency.
- d. Present status of all centers.

That the learned APIO, has turned down the request of the appellant in view of the provisions of Section 8 (1) (d) (e) (g) (h).

The appellant has contested the above appeal on the ground that the information sought is already published in the Annual Reports of erstwhile CEDTI and therefore the details of the same cannot be denied. In addition, that the information is of public interest and not covered under any Official Secrecy Act. It was contested that under Clause (d) of Section 8(1) of RTI Act, since the information sought by the appellant is of commercial confidence, trade secret or intellectual property and the disclosure of the same would harm the competitive position of the third party. It was contested that under Clause (e) they should not give the information relating to the persons which was received in their capacity of fiduciary relationship. It was also contested that Clauses (g) & (h) applies and the information sought by the appellant is exempted under these Clauses as well.

On perusal of the appeal and the reply, I am of the opinion that as far as the details sought by the appellant with regard to;

- a. List of STCS, CFS and other centers approved by CEDTI Aurangabad 1/4/96 till today with dates of approval, period & addresses (and)
- d. Present status of all centers;

the same shall not be denied to the appellant since the same is not covered under any of the exemptions as given under RTI Act. As far as information sought for point

- b. Number of students appeared for each examination of CEDTI, Aurangabad for all certificates courses, CIT course and Diploma courses conducted under STCS, CFS and any other scheme from 1/4/96 to 30/11/2005 from each exam
- c. Total fees received by CEDTI from 1/4/96 till today for all above exams centerwise and examwise with mode of payment and name of payee center/Agency

is concerned, the same is exempted from disclosure under Sub-Section (d) & (e) of Section 8(1) of RTI, Act.

The appeal is accordingly disposed off.

To,

1. Sh. Rakesh Navkhandewala
15, Bansilalnagar,
Aurangabad – 431 005.
2. Sh. M.J. Quazi,
Asst. Public Information Officer,
DOEACC Centre,
Dr. B.A.M. University Campus,
Aurangabad – 431 004.

Copy to :

1. Sh. S.C. Bhatia,
Dy. Sec.
Central Information Commission,
Block No. 4, (5th Floor),
Old JNU Campus,
New Delhi – 110 067.
2. Sh. Sudhakar Chopra,
Public Information Officer,
DOEACC Society, HQ
Electronics Niketan, 6, CGO Complex,
New Delhi – 110 003.