

CENTRAL INFORMATION COMMISSION
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Decision No. CIC/SG/C/2012/000025/18735
Complaint No. CIC/SG/C/2012/000025

Complainant : R. Venkatanarayanan
Formerly Secretary to Government of India
House No. 22, Sector-14A, Noida-201301

Respondent : Mr. S. L. Sharma
CPIO & Administrative Officer
Nalanda University
Under Ministry of External Affairs
1st Floor, Indian Building Congress
Sector VI, R K Puram
New Delhi-110022

Complaint filed on : 22/12/2011
Date of Hearing : 03/05/2012

Facts arising from the Complaint:

The Complainant has filed the present Complaint under Section 18 of the RTI Act (hereinafter 'the Act'), with the Commission against Nalanda University regarding non-compliance of Section 4 (1) (b) of the Act 2005:

On the basis of the complaint the Commission issued a notice to both the parties on 07/02/2012 to provide evidence regarding whether the said organization is a public authority or not for the purpose of the RTI Act. The following information should be provided to the Commission before 03/03/2012.

In response to the Commission's notice dated 07/02/2012 the Respondent/Vice Chancellor Dr. Gopa Sabharwal sent his submissions to the Commission on 05/03/2012 stating that,

- "(1) *The Nalanda University has been established under an Act of Parliament (39 of 2010).*
(2) *It is an autonomous body and the Ministry of External Affairs is its administrative Ministry.*
(3) *It is substantially financed directly by the funds provided by the Government of India.*
(4) *Under Section 8(1) of the Act, the Governing Board is responsible for all the policies and directions of the University and management of its affairs.*
(5) *The University has its web site launched on 7th October, 2011."*

Relevant Facts emerging during the hearing:

The following were present:

Complainant: Absent;

Respondent: Mr. Suhir Kumar, FAA & Consultant Administration, Mr. S. L. Sharma CPIO & Administrative Officer and Dr. P. Misra, OSD (Finance);

The Respondents state that they accept that Nalanda University is a Public Authority as defined under Section 2(h) of the RTI Act. Since the University was setup only in November 2010 and has very few staff it has not been able to comply with all the RTI requirements initially. They have also produced before the Commission a Gazette Notification dated 06/04/2012 by which the Statutes of the University has been notified. They have also shown the Commission the Nalanda University Act 2010 by which the University was setup. The University has appointed PIO and First Appellate Authority who have appeared before the Commission and they have assured the Commission that Nalanda University would be a model in RTI implementation. They have also given the Commission the

information Handbook consisting of 17 Chapters as per the requirements of Section 4(1)(b) of the RTI Act. They informed the Commission that the website is www.nalandauniv.edu.in . The Commission appreciates the proactive manner in which the University is making efforts to implement the RTI Act and looks forward to its growth.

Decision:

The Complaint is allowed.

Nalanda University is a Public Authority as defined under Section 2(h) of the RTI Act.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Shailesh Gandhi
Information Commissioner
03 May 2012

(In any correspondence on this decision, mention the complete decision number.) (RM)