

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या/ Second Appeal No. CIC/UGCOM/A/2020/697907

In the matter of:

Dr Rajiv Khatri

... अपीलकर्ता/Appellant

VERSUS

बनाम

CPIO,
University Grants Commission
Bahadur Shah Zafar Marg,
New Delhi- 110002

...प्रतिवादीगण /Respondent

Relevant dates emerging from the appeal:

RTI Application filed on	:	16.09.2020
CPIO replied on	:	Not on Record
First Appeal filed on	:	26.10.2020
First Appellate Authority order	:	Not on Record
Second Appeal received on	:	28.12.2020
Date of Hearing	:	20.05.2022

The following were present:

Appellant: Dr Rajiv Khatri, participated in the hearing through video conferencing from NIC Jabalpur

Respondent: Dr. Ravindra Kumar, Education Officer/UGC, Ms. Vamsika C, Education Officer/UGC, Ms. Shashi Malik, Under Secretary/UGC (Pay Scale Section), Shri Shyam Bahadur, Section Officer, participated in the hearing in person.

ORDER

Information sought:

The Appellant filed an online RTI Application dated 16.09.2020 seeking information on the following three points:

The University Grants Commission (UGC) is a statutory Organization of the Government of India by an Act of Parliament in 1956, for the coordination, determination and maintenance of standards of teaching, examination and research in university education.

A University included in the UGC 'List of Universities' under Section 2(f) of the UGC Act, 1956 must fulfill various rules, norms and standards as stipulated from time to time by the UGC.

UGC notifies implementation of pay scales and qualification related norms and standards for all the universities and affiliated colleges to these universities.

Also, all the Universities under the list of Universities under section 12 (f) must have Grievance Redressal System for the Faculty and Staff Members of the Affiliated Colleges including private self financing colleges of State University.

It is requested to provide the following information related to above -

- | | |
|-----|--|
| 6.1 | Certified copy of the Mechanism of Grievance Redressal for faculty members of affiliated private self financing colleges of such Universities under the 'List of Universities' of UGC. |
| 6.2 | Certified copy of the Mechanism (or standard operating procedure) of processing of a complaint to the University by a faculty member of affiliated private self financing college of such Universities under the 'List of Universities' of UGC. |
| 6.3 | When a University under the 'List of Universities' of UGC do not act on a complaint by the Faculty member of affiliated private self financing college of such University - information regarding - the procedure and 'name and address' of the Authority to whom a complaint be made against this non-action of such University. |

Having not received any information from the CPIO, the Appellant filed a **First Appeal** dated 26.10.2020, which has not been adjudicated by the First Appellate Authority as per available records.

Grounds for Second Appeal:

The Appellant filed a Second Appeal u/s 19 of the Act on the ground of non-receipt of information from the Respondent. Appellant requested the Commission to direct the CPIO to provide complete information sought for.

Submissions made by Appellant and Respondent during Hearing:

The Appellant stated that he is not satisfied with the information provided by the Respondent qua the instant RTI Application.

Ms. Shashi Malik, Under Secretary/UGC (Pay Scale Section), submitted that she has received the instant RTI Application on 28.12.2020 from Dr. Supriya Dahiya, CPIO and accordingly a reply has been given to the Appellant through online mode on 29.12.2020 wherein the Appellant has been informed that no such information is available in Pay Scale Section, UGC. She further added that First Appeal has been adjudicated on 12.02.2021. The contents of the same are as under:

Sir, Please refer to The UGC Regulations on Minimum Qualification for appointment of Teachers and Other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education 2018. are self explanatory and framed after detailed deliberation. These regulations are available on UGC website www.ugc.ac.in Except this any additional information is not available on the subject matter.

Dr. Ravindra Kumar, Education Officer/UGC, submitted that after multiple transfer of the RTI Application, an online reply has been given to the Appellant on 13.04.2021, which is as under:

Applicant Name	Dr Rajiv Khatri			
Text of Application	Respected Sir, Information under section 6(1) of RTI act regarding provisions of reversal of grievance of Faculty Members of private colleges affiliated to State University is requested to be provided. The details of information sought is enclosed in the PDF attached. Regards. Dr. Rajiv Khatri			
Reply of Application	Reply has already been given by the pay scale bureau.			
SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	23/09/2020	Nodal Officer	UGCOM/R/E/20/07006
2	REQUEST FORWARDED TO CPIO	23/09/2020	Nodal Officer	Forwarded to CPIO(s) :
3	REQUEST TRANSFERRED TO OTHER CPIO	09/10/2020	Mr. M. K. Meena (Sport, COVID)- (CPIO)	Transferred to CPIO(s) : (1) D.S. Baniwal (Pay Scale)
4	REQUEST TRANSFERRED TO OTHER CPIO	14/10/2020	D.S. Baniwal (Pay Scale)- (CPIO)	Transferred to CPIO(s) : (1) Mr. M. K. Meena (Sport, COVID)
5	REQUEST TRANSFERRED TO OTHER CPIO	19/01/2021	Mr. M. K. Meena (Sport, COVID)- (CPIO)	Transferred to CPIO(s) : (1) (CPP -I ,Colleges)
6	REQUEST TRANSFERRED TO OTHER CPIO	22/01/2021	(CPP -I ,Colleges)- (CPIO)	Transferred to CPIO(s) : (1) Mr. M. K. Meena (Sport, COVID)
7	REQUEST TRANSFERRED TO OTHER CPIO	28/01/2021	Mr. M. K. Meena (Sport, COVID)- (CPIO)	Transferred to CPIO(s) : (1) (CPP -I ,Colleges)
8	REQUEST TRANSFERRED TO OTHER CPIO	28/01/2021	(CPP -I ,Colleges)- (CPIO)	Transferred to CPIO(s) : (1) Mr. M. K. Meena (Sport, COVID)
9	REQUEST TRANSFERRED TO OTHER CPIO	28/01/2021	(CPP -I ,Colleges)- (CPIO)	Transferred to CPIO(s) : (1) Mr. M. K. Meena (Sport, COVID)
10	REQUEST TRANSFERRED TO OTHER CPIO	03/02/2021	Mr. M. K. Meena (Sport, COVID)- (CPIO)	Transferred to CPIO(s) : (1) (CPP -I ,Colleges)
11	REQUEST TRANSFERRED TO OTHER CPIO	05/02/2021	(CPP -I ,Colleges)- (CPIO)	Transferred to CPIO(s) : (1) Mr. M. K. Meena (Sport, COVID)
12	REQUEST TRANSFERRED TO OTHER CPIO	24/02/2021	Mr. M. K. Meena (Sport, COVID)- (CPIO)	Transferred to CPIO(s) : (1) Dr. Diksha Rajput (Annual Report, QIP)

13	REQUEST TRANSFERRED TO OTHER CPIO	15/03/2021	Dr. Diksha Rajput (Annual Report, QIP)- (CPIO)	Transferred to CPIO(s) : (1) Mr. M. K. Meena (Sport, COVID)
14	REQUEST TRANSFERRED TO OTHER CPIO	16/03/2021	Mr. M. K. Meena (Sport, COVID)- (CPIO)	Transferred to CPIO(s) : (1) Dr. Diksha Rajput (Annual Report, QIP)
15	REQUEST TRANSFERRED TO OTHER CPIO	05/04/2021	Dr. Diksha Rajput (Annual Report, QIP)- (CPIO)	Transferred to CPIO(s) : (1) Mr. M. K. Meena (Sport, COVID)
16	REQUEST DISPOSED OF	13/04/2021	Mr. M. K. Meena (Sport, COVID)- (CPIO)	

Ms. Vamsika C, Education Officer/UGC, submitted that the information qua which the Appellant is seeking information through the instant RTI Application is not available with them. She further added that though they have the guidelines for addressing grievance of the students but there are no such mandatory guideline/directions by the UGC for addressing grievance of faculty members working in self financing institution affiliated to UGC. She further added that they have a separate grievance cell for any kind of grievance and Dr. Amit Verma, Nodal Officer, RIA (Right to Information Act) Cell, is the nodal officer of the RIA Cell.

A written submission has been received by the Commission from Smt. Sakshi Malik, Under Secretary & CPIO vide letter dated 09.05.2022, and the same has been marked to the appellant wherein the Commission has been apprised as under:

Sir,

The undersigned is directed to refer to the reference No.CIC/UGCOM/A/2020/697907 dated 22.04.2022 in the case of Dr. Rajiv Khatri and the applicant is hereby informed that reply on his RTI and Appeal has already been provided which are found satisfactory. A copy each of UGC replies is attached herewith for reference. It is also to inform that except this, any additional information is not available on the subject matter in the Pay Scale Section, UGC.

A written submission has been received by the Commission from Dr. Ravindra Kumar, Education Officer & CPIO vide letter dated 17.05.2022 and the same has been marked to the appellant, wherein the Commission has been apprised as under:

With reference to CIC Notice of Hearing No. CIC/UGCOM/A/2020/697907 dated 22.04.2022 on the above subject, I am directed to inform you that PIO vide online dated 13.04.2021(Copy enclosed) has already replied to the applicant and the RTI appeal had not been received in the section.

Decision:

Upon perusal of the facts on record as well as on the basis of the proceedings during the hearing, the Commission is extremely irked to note that the onus of replying to the instant RTI Application is being shifted across different division of UGC. The Commission expresses severe displeasure for showcasing lackadaisical approach of the Respondent in the instant matter. The Commission further notes that even after an efflux of 2 years of time, the Respondent public authority is yet to ascertain the actual custodian of the information. The Commission treats this as a blatant error and willful violation of the provisions of the RTI Act and the said conduct of the Respondent Authority is highly admonished.

Be that as it may, Ms. Vamsika C, Education Officer/UGC, has submitted that RIA (Right to Information Act) Cell, is looking after the grievance cell.

Hence, the Commission deems it fit to direct the concerned Nodal Officer, RIA (Right to Information Act) Cell, UGC, to provide a revised and categorical reply to the Appellant within 15 days from the date of receipt of this.

With the above observations, the instant Second Appeal is disposed of.

Copy of the decision be provided free of cost to the parties.

The Appeal, hereby, stands disposed of.

Amita Pandove (अमिता पांडव)

Information Commissioner (सूचना आयुक्त)

दिनांक / Date: 06.06.2022

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

B. S. Kasana (बी. एस. कसाना)

Dy. Registrar (उप-पंजीयक)

011-26105027

Addresses of the parties:

1. The First Appellate Authority (FAA)

University Grants Commission

Bahadur Shah Zafar Marg,

New Delhi - 110002

2. The Central Public Information Officer

University Grants Commission

Bahadur Shah Zafar Marg,

New Delhi- 110002

3. Dr Rajiv Khatri

