

CENTRAL INFORMATION COMMISSION

(Room No.315, B-Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi 110 066)

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CIC/CC/C/2015/000027

C. G. Nitash v. PIO, IIT, Ponda.

Important Dates and time taken:

RTI: 20.09.2014	FAO: Nil	SA: 02.01.2014
Directions issued	Hearing: 12.12.2016	Decided on: 23.12.2016

Parties Present:

1. Complainant: Absent
Public authority: Absent

FACTS:

2. The appellant sought certified copies of law under which his original certified copies were retained by Director. PIO stated that his certificated were retained for verification process with his consent which the appellant denied.

Decision:

3. The appellant alleged that PIO gave false information saying "NIT Goa retains the original certificates of the employees for the purpose of verification with the consent of appellant for verification. The appellant stated that he never gave consent. In letter dated 21.10.2014, PIO has stated that the NIT Goa had retained original certificates with his consent.

4. The University Grants Commission (UGC) has asked universities and colleges to 'not retain' original certificates of the students who opt out after taking admission. The UGC also asked the institutions to implement prescribed fee refund policy in case a student withdraws after taking admission. In a letter sent to the Vice-Chancellors of all Universities, UGC has asked them to comply with

UGC policy on fee refund and non-retention of original documents during counselling and admission process by *UGC notification of April 23, 2007*, according to which it would not be permissible for institutions and Universities to retain the School/Institution Leaving Certificate, mark sheet, caste certificate and other documents in original. Another *UGC notification of June 2011* states that the institutions/universities, by way of retaining the certificate in original, force retention of admitted students which limits the opportunities for the candidates from exercising other options of joining other institutions of their choice.

5. The Commission directs the PIO to show cause why maximum penalty should not be imposed against him for misleading the appellant with wrongful information, and explain why the public authority should not be directed to pay compensation to the appellant for harassing him without giving him his original certificates and by giving wrongful information, before 1.01.2017. The Commission directs UGC also to evolve a mechanism to inform the students about this circular and send the copies of this order along with that circular, with a direction to place them on the official website of universities including the deemed universities and the respondent authority. The Commission also directs the public authority to inform the appellant by what time they will be returning the original certificates, within 30 days from the date of receipt of this order.

SD

(M. Sridhar Acharyulu)
Central Information Commissioner

Authenticated true copy

(Dinesh Kumar)
Deputy Registrar

Copy of decision given to the parties free of cost.

Addresses of the parties:

1. The CPIO under RTI,
Indian Institute of Technology,
Farmagudi, Ponda,

Goa-403401.

2. Shri C. G. Nitash,
1016, Muddo, PO-Carona Bardez,
Goa-403523.