



**Nilay Paliwal,
Behind Anamey Ashram,
Civil Lines, Datia,
Haryana, Pin:475661**

Subject: Information sought under Right to Information Act, 2005.
Ref: RTI application No.: NITSN/R/E/20/00017 dated 23/08/2020.
RTI Appeal No.: NITSN/A/E/20/00002 dated 27/08/2020

With regards to your RTI application dated 23/08/2020 & Subsequent Appeal dated 27/08/2020, Kindly find enclosed herewith, the relevant information as desired.

If you are aggrieved with this reply, you may prefer an appeal with the First Appellate Authority, Dean Faculty welfare; National Institute of Technology, Hazratbal, Srinagar; within thirty days from the date of the receipt of this response.

Dr. Kaiser Bukhari,
Registrar & PIO

Mohammad Haseeb

Office of the Registrar

Annexure I

Following is the list of students who have completed their B.Tech Degree in the Department of Mechanical Engineering during the year 2009.

S.No	Name of the student	Father's Name	Roll No	Enrolment No	CGPA	Result Pass/Fail
1.	Sandeep Kumar	Shri Madan Lal	8301	11/05	7.06	Pass
2.	Manjeet Kumar	Mr.Pana Lal	8302	12/05	7.29	Pass
3.	Rakeshkumar	Babu Ram	8303	18/05	7.02	Pass
4.	Rajiv Kumar	Shiv Shankar Barnwal	8304	45/05	8.35	Pass
5.	Niranjan Kumar	Ram Pukar	8305	54/05	9.23	Pass
6.	Mohit Kotwal	Rajinder Singh Kotwal	8306	59/05	8.12	Pass
7.	Nikhil Gupta	S.P Gupta	8307	60/05	6.72	Pass
8.	Sadha Shiva Reddy		8308	63/05	8.21	Pass
9.	James Wellesly	G.Wellesly	8309	69/05	8.35	Pass
10.	Kanav Jerath	HEM Chander Jerath	8310	74/05	8.57	Pass
11.	Narendr Gochar	Sh.Amar Lal Gochar	8311	75/05	8.28	Pass
12.	Kacho Sajjad Hussain	K.Gulzar Ahmad	8312	80/05	7.49	Pass
13.	Surender Kumar Sharma	Ram Lal Sharma	8313	81/05	8.12	Pass
14.	D.Sujith	V. Dinesh Kumar	8314	87/05	6.32	Pass
15.	Khursheed Ahmad Wani	Mohd Akram Wani	8315	93/05	7.45	Pass
16.	Aadil Ahmad Nengroo	Mohd Amin Nengroo	8316	96/05	8.40	Pass
17.	Mohit Gupta	Romesh Chander Gupta	8317	100/05	8.29	Pass
18.	Atul Sharma	Vijat Kumar Sharma	8318	108/05	7.52	Pass

C.D.A.
2005 batch.



Office of the Registrar

19.	Rajat Verma	Ramesh Verma	8319	113/05	8.91	Pass
20.	Ankita Paliwal	Arun Kumar Paliwal	8320	114/05	8.30	Pass
21.	Mohd Athar Ata	Mis. Waliullah	8321	115/05	8.11	Pass
22.	Nikhil Kumar	V.D.P. Singh	8322	133/05	8.98	Pass
23.	Altaf-Ul-Rasool	Gh. Rasool Sofi	8323	140/05	8.09	Pass
24.	R.Karthik K	T. V . Rame Swamy	8324	158/05	6.96	Pass
25.	Mohd Ashraf Wani	Bashir Ahmad Wani	8325	170/05	7.78	Pass
26.	Deepak Kushwaha	Ram Naresh Khuswaha	8326	176/05	6.85	Pass
27.	Rakesh Singh Parihar	Mahipal Singh Parihar	8327	179/05	7.39	Pass
28.	Dravida Krishana Murthy	Dr. M. C. Borboia	8328	208/05/	6.73	Pass
29.	Raj Kumar	Bijendera Singh	8329	217/04-05	9.04	Pass

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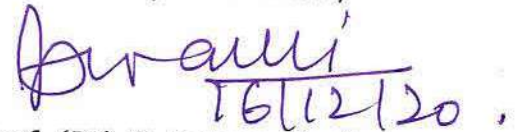
Muzzafar Gulzar,
Ganaie Mohllah, Tarzoo,
Sopore, Baramulla,
Pin:193201, J&K

Subject: Information sought under Right to Information Act, 2005.
Ref: RTI Application No.: NITSN/R/E/20/00030 dated 07/12/2020
RTI Appeal No.: NITSN/A/E/20/00003 dated 14/12/2020.

With regards to your RTI Appeal NITSN/A/E/20/00003 dated 14/12/2020 made in reference to the RTI application dated 07/12/2020; please note, the undersigned has pursued the contents of the reply communicated by the PIO of this Institute vide No: NIT/RTI/2020/14 dated 09/12/2020 and as such, upholds the stand taken by the PIO as correct.

A public authority is not bound to answer Interrogative queries viz. "How/Why/When" under the ambit of RTI Act. In Dr. Celsa Pinto Vs. Goa State Information Commission (W.P.No.419 of 2007), the High Court of Bombay, in its order dated 03.04.2008, held: - *"The definition (of information) cannot include within its fold answers to the question "why" which would be the same thing as asking the reason for a justification for a particular thing. The Public Information Authorities cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of a justification because the citizen makes a requisition about information. Justifications are matter within the domain of adjudicating authorities and cannot properly be classified as information."*

In view of the above, no obligation can be cast on the Public Authority to provide any further information to the appellant in the present case beyond what they have already given to you. The appeal is disposed of accordingly.


16/12/20

Prof. (Dr) M. Farooq Wani
Dean Faculty Welfare & FAA



Bashir Ahmad Sheikh,
S/o Ghulam Hassan Sheikh
R/o Sicop Bijhbehara

Subject: Appeal under Right to Information Act, 2005.

RTI Application	Date: nil
RTI Application receipt by PA	Date: 26/11/2020.
Dispatch of reply to RTI by PIO	Date: 21/12/2020.
RTI Appeal Application to FAA	Date: 10/01/2021.
RTI Appeal receipt by FAA	Date: 13/01/2021.

With regards to your RTI Appeal dated 10/01/2021 made in reference to the RTI application; please note, the undersigned has pursued the contents of your RTI application & subsequent appeal along with the relevant communication undertaken by the PIO of this Institute and as such, upholds the stand taken by the PIO as correct.

Decision:

The appellant has alleged that no response to the RTI application was received from the Public authority within the prescribed period. However, after perusing the records, it was noted that an offline RTI Application under the name of Mr. Bashir Ahmad Sheikh, with no date mentioned on it, was received at the office of the Public Authority on 26/11/2020. There-on the concerned PIO vide letter No: NIT/RTI/2020/148 dated 18/12/2020 communicated its response to the aforementioned RTI Application. The letter was posted to the address mentioned in the RTI application on date 21/12/2020 vide India Post Tracking No. EE872675021IN.

As such, the records reflect that the PIO has responded within the prescribed 30 day period with regards the concerned RTI Application [U/s 7 (1) of the RTI Act, 2005]. Hence, the charge levied at point No.7 (a) of the Appeal Application is dismissed.




Furthermore, the appellant is aggrieved with the response received from the PIO against the RTI Application. The PIO in its reply dated 18/12/2020 had invited the applicant to personally inspect the records on prior appointment citing the following; *'the information sought is voluminous in nature, held over multiple files/locations and not maintained by this authority in the format as desired by the applicant. As such compilation of the desired information would result in disproportionate diversion of the Institute resources [U/s 7 (9) of the RTI Act, 2005].'*

Upon perusing the details & the nature of the information sought in the RTI Application, some of it dating as far back as to the year 1988, this appellate authority is satisfied by the stand taken by the PIO. This is reiterated by Hon'ble Supreme Court in decision dated 09/08/2011 in the matter of CBSE & Anr. Vs. Aditya Bandopadhyay & Ors. (C.A. No. 6454 of 2011) held: *"35..... But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non-available information and then furnish it to an applicant..... 67..... The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritizing information furnishing, at the cost of their normal and regular duties"*

Moreover, as per the record furnished by this Public Authority, the PIO has already extended an appointment in favour of the RTI applicant, Mr Bashir Ahmad Sheikh, vide letter No: NIT/RTI/2021/06 dated 15/01/2021 for personally inspecting the records. The receipt of which has been duly acknowledged by the Applicant under his signatures.

As such, the charges levied at point No.7 (b) & (c) of the aforementioned Appeal Application are dismissed. The appeal is disposed of accordingly.


Prof. (Dr) Shamim Ahmad Lone
Dean Faculty Welfare & FAA



Lakhan Chandola,
H. No. 22A, Block D II, Hari Nagar Extn.,
Jaitpur, Badarpur,
New Delhi, Pin: 110044

Subject: Appeal under Right to Information Act, 2005.

RTI Application No.	NITSN/R/E/21/00005
RTI Application	Date: 23/01/2021
RTI Application receipt by PA	Date: 23/01/2021
Upload of reply to RTI by PIO	Date: 25/01/2021
RTI Appeal Application to FAA	Date: 25/01/2021
RTI Appeal receipt by FAA	Date: 25/01/2021

With regards to your RTI Appeal dated 25/01/2021 made in reference to the RTI application; please note, the undersigned has pursued the contents of your RTI application & subsequent appeal along with the relevant communication undertaken by the PIO of this Institute and as such, upholds the stand taken by the PIO as correct.

Decision:

The appellant has alleged that no information was provided with regards to the RTI application. However, it is pertinent to note here that a public authority is not bound to answer Interrogative queries viz. "How/Why/When" under the ambit of RTI Act. In Dr. Celsa Pinto Vs. Goa State Information Commission (W.P.No.419 of 2007), the High Court of Bombay, in its order dated 03.04.2008, held; - *"The definition (of information) cannot include within its fold answers to the question "why" which would be the same thing as asking the reason for a justification for a particular thing. The Public Information Authorities cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of a justification because the citizen makes a requisition about information. Justifications are matter within the domain of adjudicating authorities and cannot properly be classified as information."*

National
Institute of
Technology
Srinagar

राष्ट्रीय प्रौद्योगिकी संस्थान श्रीनगर
हजरतबल | श्रीनगर | जम्मू और कश्मीर | 190006
www.nitsri.ac.in



Office of the Dean Faculty Welfare

NIT/RTI/2021/19

Dated: 12/02/2021

In view of the above, no obligation can be cast on the Public Authority to provide any further information to the appellant in the present case beyond what they have already given to you. The appeal is disposed of accordingly.

Prof. (Dr) Shamim Ahmad Lone
Dean Faculty Welfare & FAA



Dr Shakeel Ahmad Sofi,
House No. 72, Lane No. 8,
Gousia Mohalla, Umer Colony,
Lal Bazar, Srinagar,
Jammu and Kashmir,
Pin: 190023

Subject: Appeal under Right to Information Act, 2005.

RTI Application No.	NITSN/R/E/21/00007
RTI Application	Date: 31/01/2021
Reply to RTI by PIO	Date: 04/02/2021.
RTI Appeal Application No.	NITSN/A/E/21/00002
RTI Appeal Application to FAA	Date: 18/02/2021

With regards to your RTI Appeal dated 18/02/2021 made in reference to the aforementioned RTI application; please note, the undersigned has pursued the contents of your RTI application & subsequent appeal along with the relevant communication undertaken by the PIO of this Institute and as such, upholds the stand taken by the PIO as correct.

Decision:


The appellant has alleged that PIO has denied the information sought in the RTI Application. However, after perusing the records, it was noted that the PIO in its reply dated 04/02/2021 had invited the applicant to personally inspect the records on prior appointment citing the following; *'the information sought is voluminous in nature, held over multiple files/locations and not maintained by this authority in the format as desired by the applicant. As such compilation of the desired information would result in disproportionate diversion of the Institute resources [U/s 7 (9) of the RTI Act, 2005].'*

Upon perusing the details & the nature of the information sought in the RTI Application, pertaining to the year 2018 & prior, this appellate authority is satisfied by the stand taken by the PIO. This is reiterated by Hon'ble Supreme Court in decision dated 09/08/2011 in the matter of CBSE & Anr. Vs. Aditya Bandopadhyay &



Ors. (C.A. No. 6454 of 2011) held: "35..... But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non-available information and then furnish it to an applicant..... 67..... The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritizing information furnishing, at the cost of their normal and regular duties"

As such, the records reflect that the PIO has not denied the information but has invited the appellant to inspect the records personally. Hence, the charge levied in the Appeal Application is dismissed. The appeal is disposed of accordingly.


16/03/2021
Prof. (Dr) Shamim Ahmad Lone
Dean Faculty Welfare & FAA

Vijay Kumar Sattiraju,
Manipal, Madhav Nagar,
Manipal, Pin: 576104
Karnataka

Subject: Appeal under Right to Information Act, 2005.

RTI Application No.	NITSN/R/E/20/00033
RTI Application	Date: 24/12/2020
RTI Application receipt by PA	Date: 24/12/2020
Upload of reply to RTI by PIO	Date: 30/12/2020
RTI Appeal Application No	NITSN/A/E/21/00003
RTI Appeal Application to FAA	Date: 09/03/2021*

**beyond 30 Day Prescribed Period*

With regards to your RTI Appeal dated 24/12/2020 made in reference to the aforementioned RTI application; please note, the undersigned has pursued the contents of your RTI application & subsequent appeal along with the relevant communication undertaken by the PIO of this Institute and as such, upholds the stand taken by the PIO as correct.

Decision:

The appellant has alleged that information was not provided or was inappropriate with regards to the RTI application. As such, after perusing the records, it was noted that the PIO in its reply dated 30/12/2020 had replied that no information was to be furnished citing that the interrogative queries do not fall under the ambit of information as defined u/s 2 (f) of the RTI Act, 2005.

There-upon, perusing the details & the nature of the information sought in the RTI Application, enclosed in form of a questionnaire, this appellate authority is satisfied by the stand taken by the PIO. This is reiterated in Dr. Celsa Pinto Vs. Goa State Information Commission (W.P.No.419 of 2007), the High Court of Bombay, in its order dated 03.04.2008, held: - *"The definition (of information) cannot include within its fold answers to the question "why" which would be the same thing as asking the reason for a justification for a particular thing. The Public Information Authorities cannot expect to communicate to the citizen the reason why a certain*

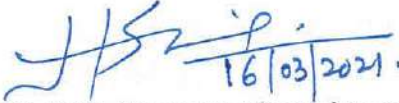


thing was done or not done in the sense of a justification because the citizen makes a requisition about information. Justifications are matter within the domain of adjudicating authorities and cannot properly be classified as information."

Moreover, as per the record furnished by this Public Authority, the PIO had already enclosed the Intellectual Property Rights Policy document of the Institute within its RTI reply dated 30/12/2020.

As such, the records reflect that the PIO has acted in concordance with the provisions of the RTI Act, 2005. Hence, the charge levied in the Appeal Application is dismissed. The appeal is disposed of accordingly.

Nevertheless, this office recognizes the requisition of data is in the spirit of research and therefore suggests that the appellant may get in touch with the office of the Dean, Research & Consultancy at this Institute for the purpose. The relevant contact details are available on the Institute website.


16/03/2021.
Prof. (Dr) Shamim Ahmad Lone
Dean Faculty Welfare & FAA