

Shri Mahatma Basweshwar Education Society's  
**M.S. BIDVE ENGINEERING COLLEGE**

( Approved by AICTE, New Delhi & DTE, Mumbai, Affiliated to Dr. Babasaheb Ambedkar Technological University, Lonere )  
P. O. Box No. 112, Barshi Road, Latur - 413 531 (Maharashtra)

'NAAC' Accredited

DTE Code : EN 2129

Ph.:(02382): EPBX 221255,(D)221846 Fax.: 221455, +919922050100 website : www.msbecl.ac.in e-mail: principal@msbecl.ac.in

Ref.No.

**Prof. B.V. Dharne**

Date :

M.E.Mech.(Cad/cam)

**Principal**

## Statutory Declaration under Section 4(1) (b)

### Right To Information (RTI) Act, 2005

The particulars of the organization

Sr. No.	Title	Details
1.	Name of the Organization	Shri Mahatma Basweshwar Education Society's, M.S. Bidve Engineering College, Latur.
2.	Postal address	P.O. Box No. 112, Barshi Road, Latur 413531 (Maharashtra)
3.	Website	<a href="https://www.msbecl.ac.in">https://www.msbecl.ac.in</a>
4.	E-mail	<a href="mailto:principal@msbecl.ac.in">principal@msbecl.ac.in</a>
5.	Phone Number	(02382) 221255, 9922885409
6.	Approval and affiliation	Approved by AICTE Recognized by Govt. of Maharashtra, DTE, Affiliated to Dr. Babasaheb Ambedkar Technological University, Lonere. Dist. Raigad, Maharashtra.
7.	The founder	Hon'ble Late. Mallikarjunappa S. Bidve
8.	Chairman	Shri. Shivshinkar M. Bidve
9.	Principal	Prof. B.V. Dharne



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**Courses offered:**

**Under Graduate:**

- 1) B.E. Civil Engineering
- 2) B.E. Computer Science and Engineering
- 3) B.E. Electrical Engg (Electrical and Power)
- 4) B.E. Electronics Engineering
- 5) B.E. Mechanical Engineering
- 6) B.E. Information Technology

**Post Graduate:**

- 1) Structural Engineering
- 2) Computer Engineering
- 3) Electronics and Communication Engineering
- 4) Machine Design
- 5) Master in Computer Application (MCA)



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**About College:**

Shri Mahatma Basweshwar Education Society's Trust runs the M.S.BIDVE ENGINEERING COLLEGE, LATUR at LATUR, DIST. LATUR, which is the one of the important industrial town & district headquarters of Maharashtra state. Shri Mahatma Basweshwar Education Society's M.S. BIDVE ENGINEERING COLLEGE, LATUR campus is lush green spread over 20 acres area. The campus is well equipped with important amenities such as classrooms, drawing halls, laboratories, seminar halls, library, computer center, workshop, hostels, canteen .

- The Institute is accredited by National Assessment and Accreditation Council (NAAC) with CGPA of 2.75 on a seven point scale at B+ Grade, valid for a period of Five Years from 25-09-2023 (Vide certificate No : EC(SC)/32A&A/MHCOGN101181, dated 26.09.2018).
- To impart innovative teaching and learning
- To provide quality education with futuristic trends in engineering and technology
- To develop the institute as a research center for academic excellence
- To ensure continual improvement in quality management system
- To inculcate social values, patriotism and professional ethics among the students

**VISION**

To attain technical excellence for the welfare of mankind.

**MISSION**

It is our mission to impart qualitative technical education at affordable cost for the students hailing from vernacular background and deprived classes. It is our conviction to make them competitive in global environment through dissemination of knowledge, development of technical and social skills & by inculcating human values. We, the management, the principal, faculty and staff find the privilege and pride to commit whole heartedly to accomplish this goal.

  
Principal



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**Principal**

## Statutory Declaration under the RTI Act, 2005

Website: [www.msbecl.ac.in](http://www.msbecl.ac.in)

Our college is un-aided college run by Shri Mahatma Basewshwar Education Society's , Latur which is a Public Trust.

The college comes under "Private- Self financing" category and therefore financial transaction are audited by the Private auditors. The college has different bodies to maintain all types of discipline in the campus. All the Cells or Committees of the institution are constituted as per the AICTE norms.

Section 4(1) (b) of RTI Act, 2005 is as follows:

Right to information.--Subject to the provisions of this Act, all citizens shall have the right to information. 4. Obligations of public authorities.--(1) Every public authority shall-- (a) maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerized are, within a reasonable time and subject to availability of resources, computerized and connected through a network all over the country on different systems so that access to such records is facilitated; (b) publish within one hundred and twenty days from the enactment of this Act,-- (i) the particulars of its organization, functions and duties; (ii) the powers and duties of its officers and employees; (iii) the procedure followed in the decision making process, including channels of supervision and accountability; (iv) the norms set by it for the discharge of its functions; (v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions; (vi) a statement of the categories of documents that are held by it or under its control; (vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof; (viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public; (ix) a directory of its officers and employees; (x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations; (xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made; (xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes; (xiii) particulars of recipients of concessions, permits or authorisations granted by it; (xiv) details in respect of the information, available to or held by it, reduced in an electronic form; (xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use; (xvi) the names, designations and other particulars of the public Information Officers; (xvii) such other information as may be prescribed, and thereafter update these publications every year; (c) publish all relevant facts while formulating import.



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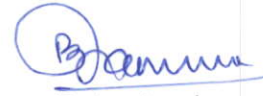
M.E.Mech.(Cad/cam)

**Principal**

Right to Information Committee

Sr. No.	Name	Designation	Mobile No.
01	Prof. B.V. Dharne	Appellate Authority	9922050100
02	Shri. S.M. Deshmukh	Public Information Officer	9168639899

The applications received under the RTI Act are given reply as per the judgment applicable to Public Trust passed in W.P. No.5294 of 2008 in the High Court of Judicature at Bombay at Nagpur Bench which is enclosed herewith.

  
Principal

FARAD CONTINUATION SHEET  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH AT NAGPUR.

WRIT PETITION NO.5294 OF 2008.

PETITIONER: Bhaskarrao Shankarrao Kulkarni,  
aged about 69 years, Occu" Legal  
Practitioner, Chief Trustee, Shree Govind  
Ramanand Samarth Sadguru Pralhad Maharaj  
(Ramdasi) Sansthan, Sakharkherda,  
Distt.Buldhana, R/o Ambad,  
Distt.Jalna.

-VERSUS -

RESPONDENTS: 1. State Information Commissioner, Nagpur  
(Vidarbha Region), Nagpur.  
2. Assistant Charity Commissioner,  
Buldhana and First Appellate Authority  
under Right of Information Act.  
3. Pravin Achyutrao Mahajan,  
aged Major, r/o 181, Bazar Road, Gokulpeth,  
Nagpur - 10.

=====  
Mr.R.L.Khapre, Advocate for the petitioner.  
Mr.N.W.Sambre, Government Pleader for respondent no.1 and 2.  
Mr.Dhumale, Advocate for respondent no.3.  
=====

Coram: C.L.PANGARKAR,J.  
Dated : 28<sup>th</sup> APRIL, 2009.

ORAL JUDGMENT:

1. Rule. Rule is made returnable forthwith. Heard finally with consent of the parties.
  
2. This writ petition is preferred by the Trust against the order passed by the State Information Commissioner as well as the Information Officer.
  
3. A few facts may be stated as follows -  
Respondent no.3 claims to be a disciple of Sadguru Pralhad Maharaj. There is a trust known as Shree Govind Ramnand Samarth Sadguru Pralhad Maharaj (Ramdasi) Sansthan. The petitioner is the Chief Trustee of the said trust. Respondent no.3 made an application to the said trust to supply certain information to him under the Right to Information Act. The petitioner trustee informed to respondent no.3 that information being confidential cannot be supplied. Respondent no.3, therefore, preferred an appeal to the Information Officer i.e. the Charity Commissioner. The Charity Commissioner ordered upon payment

of fees the information to be supplied. The petitioner, therefore, preferred second appeal to the State Information Commissioner at Nagpur. The State Information Commissioner rejected the appeal. Hence this writ petition.

4. I have heard the learned counsel for the petitioner and the respondents.

5. It is not necessary to go into the question as to what information was sought from the trust at all. The only contention of the petitioner is that Right to Information Act itself is not applicable to it and both authorities fell in error in directing the information to be supplied. The State Commissioner has refused to entertain this plea on the ground that it was not raised before the first appellate authority. The question related to the legality of the order passed by the first appellate authority as well as the jurisdiction of the first appellate authority to take cognizance of the appeal. It should have, therefore, dealt with the contention. Be that as it may.



6. We have therefore now to consider the question if a public trust registered under the Public Trust Act and Societies Act is governed by the Right to Information Act. A public trust to my mind cannot certainly be said to be falling within meaning of Article 12 of the Constitution of India. It is neither a local authority or other authority of India or an authority under the control of Government. It is not disputed that the present public trust is not provided any sort of grant by the Government. The only exception would, however, be the trust created by the Government and financed by the Government. A Public Trust has been defined in Section 2 of sub-Section 13 of the Bombay Public Trust Act as follows -

**“Public Trust”** means an express or constructive trust for either religious or charitable purpose or both and includes a temple, a math, [church, synagogue; agiary or other place of public religious worship] [a dharmada or any other religious or charitable endowment and a society formed either for a religious or charitable purpose or for both and registered under the Societies Registration Act, 1860 (XXI of 1860).

7. A trust is thus established for religious and charitable

purpose. It is created upon dedication of certain property by certain persons for certain purpose, such as religious or charitable. The question as to whether the public trust is or is not governed by the Right to Information Act has to be decided on the basis of the provisions of the Right to Information Act. It would be necessary to look into certain provisions of the Act. Section 4 of the Right to Information Act casts a duty on every public authority to maintain the record in such a manner to facilitate the supply of information. Section 5 speaks of appointment of Information Officer while Section 6 speaks of making an application to the Information Officer. Section 7 deals with the disposal of such request. It is clear from Section 4 that Act applies to the public authorities. The definition of public authority as given in the Act reads as follows.

“Public authority” means any authority or body or institution of self government established or constituted -

- (a) by or under the Constitution;
- (b) by any other law made by Parliament;
- (c) by any other law made by State Legislature;
- (d) by notification issued or order made by the

appropriate government, and includes any -

- (i) body owned, controlled or substantially financed;
- (ii) non-Government Organisation substantially financed directly or indirectly by funds provided by the appropriate Government.

8. A bare reading of definition would make it clear that public trust does not fall in either of the categories. It is not established or constituted under the Constitution of India, by law passed by the parliament, by any law of the State Legislature or by Notification issued by any appropriate Government. It is also not a body substantively financed or controlled by the Government nor is it a NGO financed by the Government nor does the trust receive any contribution or grant from the Government. It is not the contention of the State that the State provides any funds to the petitioner trust. It is, therefore, clear from the provisions of this definition that the Act cannot apply to the Public Trust. Any public trust, therefore, is not at all covered by the definition of the public authority. It is only the public authority which is bound by the provisions of the Act. Any person seeking to establish that a particular public trust is covered by the

provisions of the Right to Information Act will have to first prove that it is a public trust created by Government or Parliament or is substantively financed by the government. Until that is done, it must be held to be falling outside the scope of the Right to Information Act. If any person interested in the information of the trust, he can definitely apply to the Charity Commissioner under the provisions of the Public Trust Act to have such information, which the Charity Commissioner may deem fit to be provided. But as far as Right to Information Act is concerned, there is no need for any public trust to appoint any Information Officer and to entertain any such application under the Right to Information Act. In the circumstances, the petition has to be allowed. Order passed by both the authorities are set aside and quashed. Petition is allowed. Rule is made absolute.

JUDGE.

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