



# ASSOCIATION OF THE MANAGEMENTS OF POLYTECHNICS

(Reg. No. MH / 75 / 2005 / Nashik, dtd. 24-2-2005)

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Ref: Poly. Asso. / 784/2012

Date: 7<sup>th</sup> December 2012

To,  
The Director,  
Directorate of Technical Education,  
Maharashtra State,  
3, Mahapalika Marg,  
Mumbai - 400 001

**Sub.: Regarding applicability of the provisions of the Right to Information Act, 2005 to the un-aided Polytechnics in the State of Maharashtra.**

**Ref: 1) Our letter No.KKWES/Poly.Aссо./438/2008 dtd.04/04/2008.**


- 2) Judgement of High Court of Judicature at Bombay, Nagpur Bench (W.No.5132 of 2008)
- 3) Judgement of High Court of Judicature at Bombay, Bench at Aurangabad (W.No.4264 of 2008)
- 4) Letter from Jt.Director, DTE, RO, Pune (No.RO,Pune/2012/8781 dtd.6/11/2012)

Respected Sir,

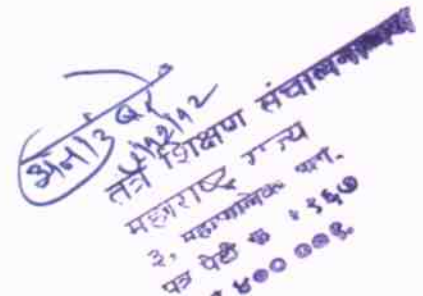
- 1] As our above referred letter (Ref.No.1) the Association of the Managements of Polytechnics have already submitted our representation regarding applicability of the Provisions of the Right to Information Act, 2005 to the Un-aided Polytechnics in the State of Maharashtra.
- 2] As per the above referred Judgement (Ref. No. 2 & 3) the RTI Act is not applicable to the Petitioner.
- 3] The Educational Institution and the Public Charitable Trust registered under the Bombay Public Trusts Act, 1950 and or a Society registered under the Societies Registration Act, 1860 is not a "Public Authority" within the meaning of Section 2(h) of the Right To Information Act, 2005 as it is not a "Public Authority" established or constituted under the Constitution, law made by Parliament, law made by State Legislature or by notification issued or order made by the appropriate Government and it is also not a body owned, controlled or substantially financed by the Government or a non- Government Organization substantially financed directly or indirectly by funds provided by the appropriate Government.
- 4] Since Educational Institutions are not a "Public Authority", therefore, the Right To Information Act, 2005 is not applicable to the Educational Institutions.
- 5] Therefore, you are kindly requested to inform all the Joint Directors of Directorate of Technical Education, Maharashtra State regarding non-applicability of RTI,2005.

Thanking you in anticipation,

Yours faithfully,

  
(Prof. K.S. Bandi)  
Chief Secretary

Association of the Managements of Un-aided Polytechnics,



Encls: As above