



Appasaheb Birnale College of Pharmacy, Sangli
South Shivajinagar, Sangli-Miraj Road, Sangli 416416
Maharashtra

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**Statutory Declaration under
Section 4(1) (b) of the RTI
Act, 2005**

**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 Parent Trust	Shri Vasantao Banduji Patil Trust
2.	Name of the Organization	Appasaheb Birnale College of Pharmacy, Sangli
3.	Postal address	South Shivajinagar, Sangli-Miraj Road, Sangli 416416. Maharashtra
4.	Website	www.abcpsangli.edu.in
5.	E-mail	abcpsangli@yahoo.co.in , contact@abcpsangli.edu.in
6.	Phone Number	(0233) 2320062, 2324360, 2324370
7.	Approval and affiliation	Approved by PCI, New Delhi, AICTE New Delhi Recognized by Govt. of Maharashtra, DTE Maharashtra Affiliated to Shivaji University, Kolhapur, Maharashtra.
8.	The founder	Late Shri. Vasantao Dada Patil
9.	Chairman	Shri. Sameer Babanrao Birnale
10.	Principal	Dr. Sanaula Abdulrahim Tamboli




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Courses Offered


Undergraduate Course

<i>Name of the Course</i>	<i>Existing Intake</i>
<i>Bachelor of Pharmacy</i>	100

Post-Graduate Courses

<i>Name of the Course</i>	<i>Existing Intake</i>
<i>M. Pharm. in <u>Pharmaceutical Chemistry</u></i>	15
<i>M. Pharm. in <u>Pharmacology</u></i>	15
<i>M. Pharm. in <u>Pharmaceutics</u></i>	15
<i>M. Pharm. in <u>Pharmaceutical Quality Assurance</u></i>	15




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About College:

Appasaheb Birnale College of Pharmacy, Sangli is built with deep vision. This institution is first pioneer institution in Shivaji University, Kolhapur which runs on no aid basis. The college has made pioneering efforts in providing the comprehensive education and training in pharmaceutical sciences to the students coming particularly from the rural areas.

The constant efforts, inspiration and motivation and support of management have brought a commendable progress in a short period of time. The college helps the students to achieve individual excellence. With liberation of economy and globalization of world market under GATT, Pharmacy education has to keep pace with the fast development in Pharmaceutical Technology, Pharmaceutical Marketing and Pharmaceutical Research in the global context. The management and faculty members of our college are endeavouring towards this object.

Appasaheb Birnale College of Pharmacy, Sangli was established in 1985 with Diploma in Pharmacy, affiliated to Board of Technical Examination, later Degree course in Pharmacy was introduced in 1991 and in permanently affiliated to Shivaji University, Kolhapur. It has been awarded the status of 2F and 12 B by the University Grants Commission New Delhi. The Post graduate courses in Pharmacy were introduced from 2002 onwards and offer courses in Pharm Chem., Pharmacology, Pharmaceutics, and Pharmaceutical Quality Assurance, all affiliated to Shivaji University, Kolhapur.

Institute was first unaided NBA accredited in India for the period of 2002-2005. MSBTE has honoured our college with "Excellent grade" since 2011 to till date

The College is an approved Ph. D Centre of Shivaji University, Kolhapur for pursuing Doctoral studies in Pharmacy.

All the courses are approved by All India Council for Technical Education, New Delhi; Pharmacy Council of India, New Delhi; Govt. of Maharashtra, Director of Technical Education, Mumbai, Shivaji University, Kolhapur and MSBTE Mumbai (Diploma Pharmacy)


Constant efforts are made from academics to co-curricular activities and from extracurricular activity to personality development, every aspect of the students have been taken care of to groom their skills. Lots of Students and staff have won many awards in these areas. Interaction with industry experts and visits to industry hospitals, drug store etc. are arranged so students get hands on experience to update knowledge of their profession.

College has good infrastructural facility, well equipped labs, digital library. College has consistent record of good results. Dedicated faculties is main stay of the college. Institute has around ten doctorate faculties and many of the faculties are pursuing for their PhD. Many of our students have proved their skills and reached top position in academics, industry, and entrepreneurship and brought name and fame to our college.

"Develop passion for learning. If you do, you will never cease to grow."

This is the main reason that continues success of our college.




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Vision, Mission and PEOs of the Institute

VISION

“Emerge as a centre of excellence by synergizing knowledge, skill, research and technology in pharmaceutical care for the well-being of the society, by nurturing the students for professional integrity”

MISSION

- M1** – Providing knowledge for excelling in pharmaceutical education, research, and technology.
- M2** – Developing critical thinking abilities for problem analysis to work effectively through proper organization and time management.
- M3** – Developing skilled professionals for meeting current advancements in the pharmacy profession.
- M4** – Providing unique profession to the society for health care, environmental care, effective communication and strive for continuing education.
- M5** – Developing students for professional identity with ethical ground.

PROGRAM EDUCATIONAL OBJECTIVES

Academic Excellence

To Provide Comprehensive Pharmaceutical Education with Strong Theoretical and Fundamental Knowledge

Professional Skills

To Inculcate Professional and Ethical attitude, teamwork skills, troubleshooting attitude effective communication skills and multidisciplinary approach in students

Core Competence

To provide students with a strong foundation by integrating pharmacy knowledge and skills with pharmaceuticals research to meet advances in pharmaceuticals, Pharm. Chem, Pharmacology, Pharmacognosy and other pharmaceutical fields

Social Contribution

To create awareness among the students about their responsibilities towards society for contributing to the healthcare system

Multidisciplinary Approach

To develop students with sound knowledge and practical skills to meet the various multidisciplinary aspects.




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Statutory Declaration under the RTI Act, 2005

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Our college is un-aided Pharmacy College run by Shri. Vasantao Banduji Patil Trust, Sangli which is a Public Trust.

This college falls under "Self-financing" category. The financial transaction made herein 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 PCI and AICTE norms.

RIGHT TO INFORMATION AND OBLIGATIONS OF PUBLIC AUTHORITIES

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

3. Right to information. Subject to the provisions of this Act, all citizens shall have the right to information.

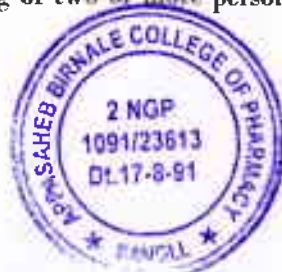
4. Obligations of public authorities —

(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 computerised are, within a reasonable time and subject to availability of resources, computerised 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 organisation, 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




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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 important policies on announcing the decisions which affect public;
- (d) provide reasons for its administrative or quasi-judicial decisions to affected persons.
- (2) It shall be a constant endeavour of every public authority to take steps in accordance with the requirements of clause (b) of sub-section (1) to provide a means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information.

The applications received under the RTI Act are replied to as per the judgement 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.




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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.

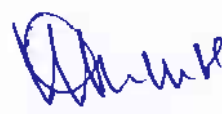
-VERSUS -

- 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 : 28th APRIL, 2009.




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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



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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.




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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




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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




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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




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provisions of the Right to Information Act will have to first prove that a 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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