

**OFFICE OF THE SENIOR SUPERINTENDENT OF POLICE-CUM-1<sup>st</sup> APPELLATE  
AUTHORITY (UNDER RTI ACT 2005), UNION TERRITORY, CHANDIGARH**

**Appeal Order No. D-107-109**

**/UT/RTI/SSP, dated : 18.3.19**

Name of Appellant :

Mr. Prakash Singh,  
R/o # 120 Sector 51-A,  
Chandigarh.

Concerned CPIOs :

CPIO/PHQ & PCR

Date of RTI application :

11.01.2019

Reply of CPIOs :

15.02.2019

Date of 1<sup>st</sup> Appeal :

25.02.2019

**ORDER**

The appellant has preferred his 1<sup>st</sup> appeal against the reply/order of CPIO/PHQ with the contentions that requisite information was not supplied to him. The same was diarized vide No. R-32/UT/RTI/FAA/SSP dated 25.02.2019 for further proceeding under RTI Act.

**Information sought vide RTI application :**

The appellant had sought information on 4 points regarding complaint filed by him against HC Anup Singh on 12<sup>th</sup> Nov. 2018 i.e. copy of enquiry report, action taken report on his complaint along with his letter dated 10.01.2019.

**Comments of CPIO/PHQ :**

CPIO/PHQ submitted that RTI application was received from CAPIO, PHQ-9, Chandigarh vide memo No. 236/RTI/CAPIO/PWS dated 11.01.2019 for supplying the information with regard to complaint Nos. 18813/2018, 19178/2018 & 21268/2018. Thereafter, in this regard report from I/C CRU was obtained who reported complaints in question were transferred to DSP/PCR on 15.01.2019. Thereafter, the RTI application was transferred to CPIO/PCR who returned the RTI application with the remarks that enquiry report on these complaints was already submitted to o/o SSP/UT on 23.01.2018. After that, once again the report of I/C CRU was obtained who submitted that the complaints in question was still under consideration with senior officer for final decision. Accordingly, the relevant information was denied vide letter No. 191/DSP/Hqrs/RTI-19, D-415 dated 15.02.2019 to the appellant.

**Comments of CPIO/PCR**

CPIO/PCR submitted that RTI application was received from the office of CPIO/PHQ vide letter No. 191/DSP/Hqrs/RTI-19(D-93) dated 22.01.2019 for supplying the information with regard to complaint Nos. 18813/2018, 19178/2018 & 21268/2018. Thereafter, on 28.01.2019, the said RTI application was transferred to CPIO/PHQ as

*y* 18/3/19



the enquiry report on these complaints was already submitted to o/o W/SSP/UT on 23.01.2018 for final decision.

**Decision :**

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/PHQ vis-à-vis material available on record which revealed that the appellant had sought information on 4 points regarding complaint filed by him against HC Anup Singh on 12<sup>th</sup> Nov. 2018 i.e. copy of enquiry report, action taken report on his complaint along with his letter dated 10.01.2019.

In reply, CPIO/PHQ denied the requisite information to the appellant u/s 8(1) (h) of RTI Act.

So far as the appeal is concerned, after pursuing the record in hand as well as reply submitted by CPIO/PHQ, it reveals that the complaints in question i.e. 18813/2018, 19178/2018 & 21268/2018 are still under consideration for final decision by competent authority and the same cannot be supplied at this stage. Hence, CPIO/PHQ had rightly denied the requisite information u/s 8(1) (h) of RTI Act.

However, considering the fact that appellant is the complainant in these complaints. Therefore, CPIO/PHQ is hereby directed to furnish the requisite information to the appellant as per RTI Act as and when the competent authority finalizes these complaints.

With aforementioned observations, the instant appeal is disposed of accordingly.

In case, the appellant is not satisfied with the disposal of his appeal, as above, he can file second appeal before the Hon'ble CIC, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi - 110067 under the RTI Act within 90 days.

*18/3/19*  
(Nilambari Jagdale, IPS)  
Senior Superintendent of Police  
Union Territory, Chandigarh-cum-  
1<sup>st</sup> Appellate Authority.

1. Mr. Prakash Singh,  
R/o # 120 Sector 51-A,  
Chandigarh
2. CPIO/PCR & PHQ.
3. Computer Section

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*for me*  
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*Computer Section*  
*10/3/19*