

**THE SUPERINTENDENT OF POLICE, HQs.-CUM-APPELLATE  
AUTHORITY-HQs., UNDER RIGHT TO INFORMATION ACT, 2005.**

**ORDER**

**Order on First Appeal u/s 19 RTI Act.**

This is an order on the appeal dated nil preferred by Sh. Jatinder Malik r/o #1430, sector-45, Chandigarh under RTI Act 2005, received in this office through the office of SSP/UT, against the disposal of his RTI Application dated 23.11.2019.

(2) The appellant, vide his application dated 23.11.19 under RTI Act 2005, had requested CPIO-cum-DSP HQs. to supply him some information pertaining some phone calls made by him in Police Control Room and matter dealt by PP-Burail. The RTI application was transferred by CAPIO/PHQ. to DSP-cum/CPIO-South and DSP-cum-CPIO/Communication. CPIO/Communication contacted the applicant to deliver the information.

(3) The appellant, has filed the instant appeal on the ground that she is not satisfied with the response of the CPIO/South who had also been transferred the RTI application by CAPIO/PHQ..

(4) The comments of DSP-cum-CPIO/Communications have been called for. He has reported that this appeal contains grievances of applicant against the working CPIO South Office not CPIO/Communication.

It is pertinent to mentioned here that this office had received the reference RTI request of applicant which was transferred to this office by CAPIO (PHQs) Vide No. 2318/RTI/(PHQ)/UT/PWS dt 25.11.2019. In which he had clearly mentioned that he had received the information from Police Control Room regarding call made on 29.08.2019 at 1.25 and 1.32 PM and on the basis of that information he required information pertains to Police Post Burial falls under CPIO/South office.

However, on receipt of above RTI application, the applicant was apprised telephonically by this office, to obtain the requisite information on deposit of requisite fees on 18.12.2019, but the applicant replied that so far as CPIO/Communication is concerned he had already received the information timely hence, no need to proceed further on his above reference request by this office because he wants information from CPIO/South. Accordingly the reference RTI application was disposed of under intimation to applicant vide this office No. RTI-186/SP/Comm. dated 18.12.2019.

(5) I have gone through the RTI appeal, vis-a-vis facts of the RTI application & comments by CPIO/Communication. The information sought by the applicant, supplied by the CPIO, grievances raised by the appellant in RTI appeal and the order/decision of the undersigned being first appellate authority is given below:

Information sought	Information supplied	Grievances raised in first appeal	Decision of the First Appellant Authority.
1. Please provide only numbers of DDRs with serial number which are registered in the record of PP Burail between 1.20pm to 5.20pm on dated 29.08.19 and also supply the copies of those DDRs which	So far as information relating to communication wing, you have been contacted on 18.12.19 at	I had submitted RTI application dated 23.11.18 vide letter No. Jsc45/2019/76/ 23/11/2019 to PWS(phq) and my application forwarded to CPIO/South for its disposal	The instant RTI appeal was transferred to the undersigned by SSP/UT-cum-Appellate Authority as the RTI



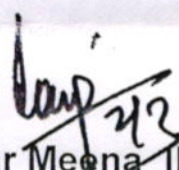
<p>are related to complaint calls of Jatinder Malik, in which mention PP Burail received information from police control room regarding 2 complaint calls and note down information in our record (1.25pm and 1.32pm) on dated 29.08.2019. If any DDR is not registered in which complainant Jatinder Malik name mentioned then simply reply no DDRs registered in PP Burail between 1.25pm to 5pm dated 29.08.19 in which Jatinder Malik's name mentioned as a complainant(Please don't provide DDRs no. 27 and 30 dated 29.08.19 because these times are different and not matched with my complaint calls time.</p> <p>2. According to my information Police Post Burail didn't register any DDR and also didn't take any action against my complaint calls which are made by me on dated 29.08.19 at 1.25pm and 1.32pm and not maintained the record of both complaint calls and also intentionally conveyed the wrong message to police control room that Jatinder Malik doesn't want any police action. If I am right then please provide the reason for injustice, if they registered any single DDR against my both calls in which action report mentioned (1.25pm and 1.31pm) with the name of complainant i.e. Jatinder Malik then supply the record or DDR. Please provide DDRs before verify time call times and complainant name.</p> <p>3. Please provide copy of DDR or action taken report in which mentioned that any IO reached on the spot from PP Burail against my complaint call(1.25pm, 1.32pm and 2.33pm dated 29.08.19) after receiving information from Police Control Room and meet or recorded the statement of complainant Jatinder Malik that he wants Police action or not. If any IO of police post did not meet Jatinder Malik and further not recorded his version then please reply that no DDR is registered in which mention any IO of PP Burail meet Jatinder Malik against his complaint calls.</p> <p>4. Please provide information, your office provided me the DDR no.32 dated 29.08.19 PP Burail against my previous RTI related to my complaint call or</p>	<p>1535 hrs on your given mobile number, you replied that you had already received the information relates with this wing. Hence no need to proceed further in the matter and your request is treated as disposed off.</p>	<p>under section 6(3) under RTI Act 2005 but till date I haven't received any information from the side of CPIO South. Even before this, I have submitted many RTI application in CPIO/South, office of the CPIO always gives the answer to our applications late, but the amazing thing is that firstly CPIO/South sends the reply late but intentionally mentioned back date on the reply and send it to our house without speed/regular post or through police officials. So the applicant is facing problems due to this act of office of the CPIO/South plays with the RTI Act. Before this, SSP Chandigarh also passed orders against my previous RTI appeal in 2017 that " In future CPIO provide information within period otherwise CPIO will be responsible for delay." And I already proved 2 times that CPIO provided to RTI reply after much delay but till date the circular or directions are not followed by CPIO. Please supply following information:</p> <p>1) Whether any action taken against CPIO and concerned officer due to non providing information within 30 days. Please supply details.</p> <p>2) Please supply information if concerned IO is responsible for the delay or the CPIO.</p> <p>3) Please provide reason for delay in my RTI application reply.</p>	<p>application of the appellant was transferred by CPIO/PHQ. to CPIO/South and CPIO/Comm. The undersigned is appellate authority w.r.t. CPIO/Communication. But from the perusal of the RTI Appeal and comments of CPIO/Comm. it became clear that he is aggrieved by the alleged intentional delay in disposal of his RTI applications by CPIO/South. Nowhere has he mentioned anything against CPIO/Comm. In the comments, CPIO/Comm. has stated that the applicant was contacted telephonically who told that he had received the information relating to CPIO/Comm. timely.</p> <p><b>Hence the First Appeal w.r.t. CPIO/Communication is hereby filed.</b></p>
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related to Rakesh Kumar complaint call if it is related to my complaint call then please provide reason for which capacity I.O recorded the statement Mr. Rakesh Kumar against my complaint call but not recorded my statement even I am complainant.. It it is related to Mr. Rakesh Kumar then please provide reason that your office provided me intentionally wrong information in RTI or by mistake or only to save police officials for their mistakes.

5. Please provide information ASI Manoj Kumar investigated any complaint calls of Jatinder Malik or not on 29.08.19 during 1.25pm to 5pm, if investigated any complaint call then supply the copy of DDR in which mentioned that IO meet the complainant Jatinder Malik on the spot against his complaint calls (1.25pm, 1.32pm & 2.33pm dated 29.08.19).

The appellant, if not satisfied with the disposal of appeal in the manner as above can file second appeal to the Hon'ble Chief Information Commission, CIC Bhawan, Baba Gangnath Marg, Munrika, New Delhi-110067 within a period of 90 days.

  
**Manoj Kumar Meena IPS**  
 Superintendent of Police, HQs.,  
 -cum-Appellate Authority/ Commn.,  
 Under RTI Act, U.T., Chandigarh.

**Sh. Jatinder Malik**  
 r/o #1430, sector-45, Chandigarh.

No. D- 267-69 /RTI/SP/HQs. dated Chandigarh, the: - 2/3/2020.

Copies to the: -

1. SSP/UT-cum-Appellate Authority w.r.t. DSP-cum-CPIO/South.
2. SP-cum-CPIO/Communication for necessary action.
- ✓ 3. I/C Computer Section for updating the Web.