

**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 online RTI appeal bearing No. PODEP/A/E/20/00006 dated 11.02.2020 preferred by Sh. Tushar Kanti Behera, R/o H.No. # 110, Sector- 19A, Chandigarh under RTI Act 2005, received in this office through online RTI portal against the disposal of his online RTI application bearing No. PODEP/R/E/20/00056 dated 10.02.2020 by DSP Hqrs-cum- Nodal Officer(RTI), UT, Chandigarh.

(2) The appellant, vide his application dated 10.02.2020 under RTI Act 2005, had requested the Nodal Officer (RTI) to supply him some information pertaining to Inquiry report and CCTV footage in connection with missing file from the office of Chief Ministers, Punjab. The Nodal Officer(RTI) disposed of the RTI application by requesting him to approach Punjab Police, the same day.

(3) The appellant, not satisfied with the manner in which his application was disposed of by the Nodal Officer (RTI), filed the instant appeal aggrieving that the information sought by him is available in the office of SSP, Chandigarh itself.

(4) The comments of DSP HQs.-cum-Nodal Officer (RTI) have been called for. He has reported that the online RTI application of Sh. Tushar Kanti Behera bearing regd. no. PODEP/R/E/20/00056 dated 10.02.2020 was received on the portal of Nodal Officer Module of RTI-MIS. The RTI application was returned to appellant in original on the same day, with the remarks that matter of RTI application relates with Punjab Police and requested him to approach the concerned authority. It is pertinent to mention here that appellant did not mention the complete particulars/contents in his RTI applications regarding enquiry report.

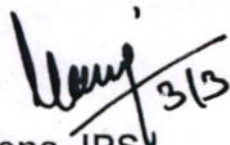
Now the appellant has mentioned in his first appeal that enquiry report of Punjab Police was sent to W/SSP, UT, Chandigarh and the same was marked to Inspr. Mohan Lal Sharma, P.P. Lake, Chandigarh for further enquiry. From the perusal and contents of 1st appeal, it revealed that the matter of RTI application falls under the jurisdiction of Central Sub Division. So the concerned officer(Public Authority) may kindly be directed to furnish the requisite information to the appellant.

(5) I have gone through the RTI appeal, vis-a-vis facts of the RTI application & comments by DSP HQs.-cum-Nodal Officer(RTI). The information sought by the applicant, supplied by the CPIO, grievances raised in the first 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. Attested copy of inquiry report by Sh. Balwant Kaur,	In this regard, you are intimated that	The information sought is about the inquiry report of Punjab Police	The undersigned, being first appellate authority is of the view that the

Inspector (Administration), Special Protection Unit, Punjab along with CCTV footage sent to your office by ACS, Forest, Government of Punjab in connection to file missing from the office of Chief Minister, Punjab.	sought information relates with Punjab Police, so you are requested to approach to the concerned authority.	which was sent to Senior Superintendent of Police, Chandigarh and one officer named Mr. Mohan Lal Sharma from PS-Sukhna Lake, Chandigarh Police did further inquiry. So the information is available in office of SSP, Chandigarh.	approach of both appellant and Nodal officer(RTI) was casual towards the matter. Firstly the appellant didn't feel it necessary to make his version clear as he did later in his first appeal. The Nodal Officer also returned the RTI in a haste whereas the appellant has mentioned in the RTI application that the enquiry report of Sh. Balwant kour, Inspector was sent to this office by ACS, Forest, Government of Punjab. However, now, the DSP/HQs.-cum-Nodal Officer RTI is directed to ascertain the custodian of the information/Public Authority and transfer the RTI application to him u/s 6(3) of RTI Act for its disposal at his end. The appeal is disposed of accordingly.
2. Attested copy of covering letter through this above mentioned report was received in your office.			

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/HQs.,
Under RTI Act, U.T., Chandigarh.

Sh. Tushar Kanti Behera,
R/o H.No. # 110, Sector- 19A, Chandigarh.

No. D- 281-83 /RTI/SP/HQs. dated Chandigarh, the: - 3/3/2020.

Copies to the: -

1. DSP HQs-cum-Nodal Officer for necessary action.
- ✓ 2. I/C Computer Section for updating the Web.