

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

Appeal Order No. D-361-363

/UT/RTI/SSP, dated : 28.06.2019

Name of Appellant : Sh. Shiv Shakti Sharma,
R/o # 1098, Sector 26,
Panchkula.

Concerned CPIOs : CPIO/South

Date of RTI applications : 15.05.2019

Reply of CPIOs : 30.05.2019

Date of 1st Appeal : 30.05.2019

ORDER

The appellant has preferred his online 1st appeal bearing registration no. PODEP/A/2019/60034 dated 30.05.2019 against the reply/order of CPIO/South in connection with his online RTI application bearing registration no. PODEP/R/2019/50384 dated 15.05.2019 with the contentions that requisite information was not supplied to him. The instant appeal was diarized vide No. R-104/UT/RTI/FAA/SSP dated 30.05.2019 for further proceeding under RTI Act.

Information sought vide RTI application :

The appellant had sought information on two points i.e. (1) information of date and time on which FIR No. 422/2016 was registered in PS 34 and name & address of various persons against whom said FIR was registered. (2) Information of date and time and name of various other persons who's names are later inserted in the said FIR.

Comments of CPIO/South :

CPIO/South submitted that online RTI application of the appellant was received in her office vide registration no. PODEP/R/2019/50384 dated 15.05.2019 for supplying information on two points i.e. (1) information of date and time on which FIR No. 422/2016 was registered in PS 34 and name & address of various persons against whom said FIR was registered. (2) Information of date and time and name of various other persons who's names are later inserted in the said FIR. Thereafter, requisite information was obtained from SHO PS Sector 34 and the same was supplied to the appellant vide letter no. 264/CPIO/South dated 25.05.2019. As far as the appeal is concerned, available information had already been supplied to the appellant.

Decision :

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/South vis-à-vis material available on record which revealed that the appellant had sought information on two points i.e. (1) information of date and time on which FIR No. 422/2016 was registered in PS 34 and name & address of

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various persons against whom said FIR was registered. (2) Information of date and time and name of various other persons who's names are later inserted in the said FIR.

In reply, CPIO/South had supplied the requisite information i.e. date & time of registering of FIR no. 422/2016 in PS Sector 34 and date of arrest of all accused persons i.e. Jagdish Bansal on 03.03.2017 and Rajinder Singh and Darshan Singh on 10.08.2018.

So far as the appeal is concerned, appellant alleged that incomplete information was supplied to him, he was not informed about the date of insertion of names of Sh. Rajinder Singh and Darshan Singh in FIR no. 422 dated 05.12.2016 PS 34, Chandigarh. Whereas, CPIO/South asserted that available information has been supplied to the appellant.

Keeping in view the aforementioned facts, it is clear that arrest of Darshan Singh and Rajinder Singh were effected on 10.08.2018 during the investigation of the aforementioned case FIR on the basis of some evidence that came on record at that stage. Moreover, as per contents of RTI application of the appellant, names of Darshan Singh and Rajinder Singh were not mentioned anywhere, applicant only mentioned "various other persons" whereas vide his appeal he is seeking information about Sh. Darshan Singh and Rajinder Singh which is contrary to the RTI act.

However, keeping in view the fact that appellant is complainant in the aforementioned case FIR, CPIO/South is hereby directed to supply the copy of FIR to the appellant and also apprised him about the requisite facts of point no. 02, as per RTI act. With these observations, the instant appeal stands disposed of accordingly.

In case, the appellant is not satisfied with the disposal of this appeal, 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.

28/6/2019
(Nilambari Jagdale, IPS)
Senior Superintendent of Police
Union Territory, Chandigarh-cum-
1st Appellate Authority.

1. Sh. Shiv Shakti Sharma
R/o # 1098, Sector 26,
Panchkula, HR
2. CPIO/South
3. Computer Section

hc Sangar
for nlg

Kuldeep
Insp,
Computer Section
28-28/6/19