

**OFFICE OF THE SENIOR SUPERINTENDENT OF POLICE-CUM-FIRST APPELLATE
AUTHORITY (UNDER RTI ACT), UT, CHANDIGARH**

Appeal Order No. **D-379-381** /UT/RTI/SSP, dated: **1.07.19**

Name of Appellant : Ms. Arshdeep Kaur
R/o # 485 Phase-1, Mohali.

Concerned CPIOs : CPIO/South,

Date of RTI application : 15.05.2019

Reply of CPIOs : 24.05.2019

Date of 1st Appeal : 03.06.2019

ORDER

The appellant has preferred her 1st appeal against the reply/order of CPIO/South with the contentions that requisite information was not supplied to her. The same was diarized vide No. 105/UT/RTI/FAA/SSP dated 03.06.2019.

Information sought vide RTI application :

The appellant had sought documents & statements recorded in case FIR No. 344/2018, PS-39 and with regard to all her complaints.

Comments of CPIO/South:

CPIO/South submitted that RTI application of the appellant was received in his office from CAPIO, PHQ vide letter No. 1112/CAPIO/PHQ/UT/PWS dated 15.05.2019 for supplying the requisite information. Thereafter, report from SHO/PS-39 was obtained who submitted that FIR No. 344 dated 27.08.2018 u/s 354, 354-D IPC, PS-39 is under investigation therefore, copy of statements and documents cannot be supplied as it would impede the process of enquiry. Hence, denied u/s 8(1) (h) of RTI Act. However, as per record of PS-39 complaint Nos. 2019-03536, 2019-03817 and 2019-03923 are still pending under enquiry, so the information related to these complaints were denied u/s 8(1) (h) of RTI Act.

Personnel Hearing:-

Personal hearing in the matter was conducted on 01.07.2019 in the presence of both parties i.e. CPIO/South and appellant. All the issues were discussed in detail. The appellant raised her grievance about case FIR No. 344/2018, PS-39 which are not covered under the purview of RTI Act. Thereafter, it was decided that requisite information be supplied to the appellant as per RTI Act.

J 11/7/2019

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 documents & statements recorded in case FIR No. 344/2018, PS-39 and with regard to all her complaints.

In reply, CPIO/South had denied the requisite information to the appellant by applying section 8 (1) (h) of RTI Act.

So far as the appeal is concerned, all the issues were discussed in detail during personal hearing which revealed that the appellant raised her grievance about case FIR No. 344/2018, PS-39 which are not covered under the purview of RTI Act. As far as present status of the case FIR is concerned, the same is still under investigation; hence, complete information cannot be supplied. However, CPIO/South is hereby directed to supply the copy of FIR to the appellant.

Since both the complaints of the appellant filed in the year 2018 bearing Nos. 2018-10171 & 2018-11170 have already been consigned with the HAC branch, therefore, information with regard to these complaints can be supplied to the appellant. With respect to complaints filed during the year 2019, the same are still under enquiry therefore, the same cannot be supplied at this stage.

In view of above, CPIO/South is hereby directed to supply the information of complaints No. 2018-10171 & 2018-11170 to the appellant 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 her appeal, as above, she can file second appeal within 90 days under the RTI Act before the Hon'ble CIC, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi – 110067.

11/7/2019
(Nilambari Jagadale, IPS)
Senior Superintendent of Police
Union Territory, Chandigarh-cum-
1st Appellate Authority.

1. Ms. Arshdeep Kaur
R/o # 485 Phase-1, Mohali.
2. CPIO/South
3. Computer Section

hc Sangay
for n/a
Kumar Ken
Insp.
Computer Section
dt 2/7/19