

**OFFICE OF THE SENIOR SUPERINTENDENT OF POLICE-CUM-1st
APPELLATE AUOTHORITY (UNDER RTI ACT 2005), UT, CHANDIGARH.**

Appeal Order No. D-401-403 /UT/RTI/SSP, dated: 08.10.2020
Name of Appellant : Prof. Himat Chand,
R/o # 463/E, Fauji Colony,
Dashmesh Nagar, Kharar, Mohali.

Concerned CPIOs : CPIO/PHQ
Date of RTI application : 10.08.2020
Reply of CPIOs : 03.09.2020
Date of 1st Appeal : 15.09.2020

ORDER

The appellant has preferred his 1st appeal against the reply of CPIO/PHQ in connection with his RTI application with the contentions that requisite information was not supplied to him. The instant appeal was diarized vide No. 94/UT/RTI/FAA/SSP dated 15.09.2020 for proceeding under RTI Act.

Information sought vide RTI application:

The appellant had sought information on six points pertaining to his complaint No. PW 2019-17562 i.e. copy of enquiry report, statements, name of IOs, names of alleged persons/officials of CRRID, copy of rules/law/Act and list of Chandigarh police officials arrested on corruption charges from 2017-18 to 2020-21 etc.

COMMENTS OF CPIO/PHQ:

CPIO/PHQ submitted that RTI application of the appellant was received for supplying the requisite information. Thereafter, report from I/C CRU was sought who reported the complaint in question i.e. 2019-17562 is under consideration with senior officer, therefore, requisite information was denied u/s 8(1)(h) of RTI Act to the appellant vide letter no. RTI-449/DSP/Hqrs/RTI-2020, D-646 dated 03.09.2020.

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 six points pertaining to his complaint No. PW 2019-17562 i.e. copy of enquiry report,

statements, name of IOs, names of alleged persons/officials of CRRID, copy of rules/law/Act and list of Chandigarh police officials arrested on corruption charges from 2017-18 to 2020-21 etc.

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

So far as the appeal is concerned, it is clear that complaint in question i.e. 2019-17562 is still under consideration, therefore, requisite information on point No. 1 & 4 cannot be supplied under section 8(1)(h) of RTI Act to the appellant.

Moreover, from the bare perusal of the contents of Point No. 5, it revealed that appellant has sought clarification/justification on enquiry procedures which is not covered under the definition of 'Information' defined under section 2 (j) of RTI Act.

As far as point No. 2, 3 and 6 are concerned i.e. name & designation of IO of enquiry & alleged persons/officials of CRRID against whom complaint is made by the appellant and list of the names of police officials arrested on corruption charges during the period of 2017 to 2020, can be supplied to the appellant.

In view of above, CPIO/PHQ is hereby directed to obtain the requisite information on point Nos. 2, 3 & 6 from the concerned branches and supply the same 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 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.

1. Prof. Himat Chand,
R/o# 463/E, Fauji Colony,
Dashmesh Nagar, Kharar, Mohali.
2. CPIO/PHQ
3. Computer Section.

(Kuldeep Singh Chahal, IPS)
Senior Superintendent of Police
Union Territory, Chandigarh-cum-
1st Appellate Authority.

HC Sanjay Kumar
Kuldeep
Insf
1/c com sec
dt 09/10/2020