

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

Appeal Order No. **D-415-417** /UT/RTI/SSP, dated: **12.07.2019**
Name of Appellant : Ms. Sunila Kohli,
R/o # 167 Sector -21-A, Chandigarh.
Concerned CPIOs : CPIO/PHQ & East
Date of RTI application : 08.05.2019
CPIOs Reply : 21.05.2019 & 18.06.2019
Date of 1st Appeal : 27.06.2019

ORDER

The appellant has preferred her 1st appeal against the reply/order of CPIO/PHQ & East with the contentions that requisite information was not supplied to her. The same was diarized vide No. 120/UT/RTI/FAA/SSP dated 27.06.2019.

Information sought vide RTI application:

The appellant had sought the status and action taken report with regard to her complaint dated 01.05.2019 (bearing PW No. 2019-8279 dated 08.05.2019) along with statement, if any.

Comments of CPIO/PHQ:

CPIO/PHQ submitted that RTI application of the appellant was received from CAPIO, PHQ vide letter No. 1061/CAPIO/PHQ/UT/PWS dated 08.05.2019 for supplying the requisite information. Thereafter, report from I/C Public Window was obtained, who reported that complaint in question i.e. PW 2019-08279 was under enquiry with PS-19, thereafter, RTI application was transferred to CPIO/East vide letter No. 786/DSP/Hqrs./RTI-19, D-835 dated 21.05.2019 under intimation to the appellant.

Comments of CPIO/East:

CPIO/East submitted that RTI application of the appellant was received from CPIO/PHQ vide letter No. 786/DSP/Hqrs./RTI-19, D-835 dated 21.05.2019 for supplying the information pertaining to PW 2019-08279. After obtaining the report from SHO/PS-19 who reported that complaint in question is under enquiry, therefore, requisite information was denied u/s 8(1) (h) of RTI Act to the appellant vide letter No. 264/RTI/CPIO/East dated 18.05.2019.

vy 12/7/2019

DECISION :

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/PHQ & East vis-à-vis material available on record which revealed that the appellant had sought the status and action taken report with regard to her complaint dated 01.05.2019 (bearing PW No. 2019-08279 dated 08.05.2019) along with statement, if any.

In reply, CPIO/PHQ transferred the RTI application to the CPIO/East as the complaint No. 2019-08279 was pending with PS-19.

CPIO/East denied the requisite information u/s 8(1) (h) of RTI act as the complaint in question was under enquiry.

So far as the appeal is concerned, it is manifestly clear from the record in hand that complaint in question i.e. 2019-08279 is still under enquiry; therefore, the requisite information cannot be supplied at this stage. Hence, CPIO/East had rightly dispose of the RTI application by applying section 8(1)(h) of RTI act.

However, considering the fact that appellant is the complainant in the aforementioned complaint; therefore, CPIO/East is hereby directed to cooperate with the appellant and apprise her about the progress/status of above said complaint.

With these observations, the instant appeal is hereby filed 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.

12/7/2019
(Nilambari Jagadale, IPS)
Senior Superintendent of Police
Union Territory, Chandigarh-cum-
1st Appellate Authority.

1. Ms. Sunila Kohli
R/o # 167, Sector 21A, Chandigarh.
2. CPIO/PHQ & East
3. Computer Section

NC Sangray
for nlg
Kunika
Insp.
Computer Section
dt 12/7/19