

**OFFICE OF THE SE00NIOR SUPERINTENDENT OF POLICE-CUM-1<sup>st</sup> APPELLATE  
AU0THORITY (UNDER RTI ACT 2005), UT, CHANDIGARH.**

**Appeal Order No. D-425 - 428**

**/UT/RTI/SSP, dated: 22.10.2020**

Name of Appellant	:	Sh. Hari Ram Sharma, R/o # 1062, PB transport Enclave, Sector 50B, Chandigarh
Concerned CPIOs	:	CPIO/PHQ & South
Date of RTI application	:	19.02.2020
Reply of CPIOs	:	28.02.2020 & 23.03.2020
Date of 1 <sup>st</sup> Appeal	:	25.09.2020

**ORDER**

The appellant has preferred his 1<sup>st</sup> appeal against the reply of CPIO/PHQ & South in connection with his RTI application with the contentions that requisite information was not supplied to him. The instant appeal was diarized vide No. 104/UT/RTI/FAA/SSP dated 25.09.2020 for further proceeding under RTI Act.

**INFORMATION SOUGHT VIDE RTI APPLICATION:**

The appellant had sought information on 2 point pertaining to his complaints No. 2019-104715, 2019-18399 & 201916653 i.e. copy of statements and final report etc.

**COMMENTS OF CPIO/PHQ:**

CPIO/PHQ submitted that RTI application of the appellant was received from CAPIO/PHQ vide no. 272/RTI/CAPIO/PWS/PHQ dated 19.02.2020 for supplying the requisite information. Thereafter, report from I/C HAC & CRU was obtained. After that appellant was asked to inspect the relevant filed and accordingly, requisite information in the shape of 5 pages regarding complaint No. 2019-04715 & 2019-18399 was supplied vide No. 187/DSP/Hqrs/RTI-2020 dated 28.02.2020. Moreover, RTI Application with regard to complaint No. 2019-16653 was transferred to CPIO/South as I/C CRU reported that the said complaint was sent to his office.

**COMMENTS OF CPIO/SOUTH:**

CPIO/South submitted that RTI application of the appellant was received from CPIO/PHQ for supplying the requisite information. Thereafter, report from SHO/49 was sought who reported that complaint in question i.e. 2019-16653 was under enquiry, therefore, the requisite information was denied u/s 8 (1)(h) of RTI Act, but the letter could not be delivered at his address as he was not found residing at the given address and DDR no. 46 in PS-49 was lodged in this regard. As of now, aforementioned complaint was sent to senior officer after completion of enquiry on 29.09.2020.

**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 appellant had sought information on 2 point pertaining to complaints No. 2019-104715, 2019-18399 & i.e. copy of statements and final report etc.

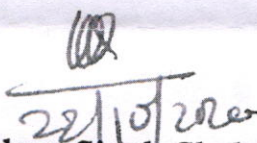
CPIO/PHQ had supplied the information (containing 05 pages) with respect to complaint nos. 2019-04715 & 2019-18399 and with regard to information of complaint no. 2019-16653, RTI application was transferred to CPIO/South u/s 6 (3) of the RTI Act.

CPIO/South had denied the requisite information u/s 8 (1) (h) of RTI Act as the complaint bearing no. 2019-16653 was under enquiry at that time but this information could not be delivered at his address as he was not found residing at the given address.

So far as the appeal is concerned, it is clear that the information pertaining to complaint nos. 2019-04715 & 2019-18399 (containing 05 pages) has been supplied and information pertaining to complaint bearing No. 2019-16653 is pending as the same is still under consideration. Hence, the same cannot be supplied at this stage as per section 8(1) (h) of RTI act.

However, taking note of the fact that appellant is complainant in the said complaint; therefore, CPIO/PHQ is hereby directed to supply the requisite information pertaining to complaint no. 2019-16653 as and when the enquiry is finalized. With these observations, 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.

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

1. Sh. Hari Ram Sharma,  
R/o # 1062,  
PB transport Enclave, Sector 50B, Chandigarh.  
Mob. 98559-06797
2. CPIO/ PHQ
3. CPIO/South
4. Computer Section.

Computer Section

Rec. No. 1314

Dated 23/10/2020

to Sanjay Kumar  
Insp  
I/c Com Sec  
dt 23/10/2020