

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

Appeal Order No. D-481-483 /UT/RTI/SSP, dated : 05.08.2019
Name of Appellant : Mr. Darshan Singh,
Vill. Chandana Distt. Kaithal, HR
Concerned CPIOs : CPIO/South & PHQ
Date of RTI application : 17.06.2019
Reply of CPIOs : 28.06.2019
Date of 1st Appeal : 10.07.2019

ORDER

The appellant has preferred his first appeal against the reply/order of CPIO/PHQ and South in connection with RTI application with the contentions that requisite information was not supplied to him. The instant appeal was diarized vide No. 135/UT/RTI/FAA/SSP dated 10.07.2019 for further proceeding under RTI Act.

Information sought vide RTI application:

The appellant had sought information on 03 points i.e. name of EO and action taken report with regard to his complaint dated 06.06.2019, bearing No. 2019-10468.

Comments of CPIO/PHQ:

CPIO/PHQ submitted that RTI application of the appellant was received from CAPIO/PHQ vide letter No. 1341/RTI/CAPIO/PHQ/UT/PWS dated 17.06.2019 for supplying requisite information. After obtaining relevant files i.e. complaint Nos. 2014-10408 & 201410147 from I/C HAC Branch, vide letter No. 979/DSP/Hqrs./RTI-19, D-998 dated 28.06.2019, appellant was asked to deposit Rs. 200/- as requisite information containing 48 pages is ready for supplying. However, appellant had not deposited the said amount till date.

Comments of CPIO/South :

CPIO/South submitted that RTI application of the appellant was received from CAPIO/PHQ vide letter no. 1341/RTI/CAPIO/PHQ/UT/PWS dated 17.06.2019 for supplying requisite information. After obtaining the report from SHO/PS Sector 34, requisite information was denied u/s 8(1) (h) of RTI Act as the complaint No. 2019-10468 was under enquiry with SI Sharminder Singh at that time. Accordingly, the appellant was informed in this regard vide letter No. 459/CPIO/South dated 27.07.2019.

Decision :

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/Hqrs & South vis-à-vis material available on record which revealed that the

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appellant had sought information on 03 points i.e. name of Enquiry Officer and action taken report with regard to his complaint dated 06.06.2019, bearing No. 2019-10468.

In reply, CPIO/PHQ has informed that requisite information are ready for supplying and appellant was asked to deposit Rs. 200/- additional fees so that information can be supplied.

CPIO/South denied the requisite information to the appellant as the complaint in question 2019-10468 was under enquiry at that time.

So far as the appeal is concerned, it is clear from the perusal of RTI application that appellant had sought Public window number of his complaint dated 06.06.2019 and the name & designation of enquiry officer along with status of his complaint bearing No. 2019-10468 in which he had complained with regard to complaint No. 2014-10408, 2014-10147. In this regard, CPIO/South had rightly informed the appellant that complaint in question 2019-10468 is under enquiry with SI Sharminder Singh, PS-34, and the same cannot be supplied at this stage u/s 8(1)(h) of RTI Act.

However, taking note of the fact that appellant is complainant in the complaint in question, therefore, CPIO/South is hereby directed to apprise him the present status of complaint.

It is pertinent to mention here that the RTI application of the appellant is merely related with CPIO/South as the complaint reference i.e. 2014-10408 & 2014-10147 made in the application, is related to complaint dated 06.06.2019 of the appellant. Hence, CPIO/PHQ has no role in this RTI application. 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.

5/8/2019
(Nilambari Jagdale, IPS)
Senior Superintendent of Police
Union Territory, Chandigarh-cum-
1st Appellate Authority.

1. Mr. Darshan Singh,
Vill. Chandana Distt. Kaithal, HR
2. CPIO/PHQ & South
3. Computer Section

for Sangay
for my
K. S. Singh
Insp.
Computer Section
at 5/8/19