

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

Appeal Order No. D-56-58

/UT/RTI/SSP, dated: 01.02.2019

Name of Appellant	:	L/C Manpreet Kaur No. 4028/CP R/o Vill. Dangdhehra, PO Sarsini, Distt. Mohali, Punjab.
Concerned CPIOs	:	CPIO/PHQ
Date of RTI application	:	19.11.2018
Reply of CPIOs	:	10.12.2018
Date of 1 st Appeal	:	31.12.2018

ORDER

The appellant has preferred her 1st appeal against the reply/order of CPIO/PHQ with the contentions that requisite information was not supplied to her. The same was diarized vide No. R-772/UT/RTI/SSP dated 31.12.2018.

Information sought vide RTI application:

The appellant had sought information on 5 points pertaining to her Belt rest, copy of exemption order for duties issued by SP/Hqrs, copy of list of duties vide which L/C Manpreet Kaur 4028/CP was deployed on outside duties, name of Ladies posted in Account branch & their period of Belt rest and list of outside duties of lady constables posted in Account Branch during their belt rest period from 2014 to 2018.

Comments of CPIO/PHQ:

CPIO/PHQ submitted that RTI application was received in his office from Public Window vide letter no. 1960/RTI/CAPIO(PHQ)/UT/PWS dated 20.11.2018. Thereafter comments of PEB/Branch were obtained who reported that requisite information could not be supplied as no larger public interest is involved for furnishing the same. Accordingly, the requisite information was denied u/s 8 (1) (e) of RTI Act to the appellant vide letter No. 1161/DSP/Hqrs/RTI-18, D-1432 dated 10.12.2018.

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 5 points pertaining to her Belt rest, copy of exemption order for duties issued by SP/Hqrs, copy of list of duties vide which L/C Manpreet Kaur 4028/CP was deployed on outside duties, name of Ladies posted in Account branch & their period of Belt rest and list of outside duties of lady constables posted in Account Branch during their belt rest period from 2014 to 2018.

In reply, CPIO/PHQ had denied the requisite information to the appellant under section 8 (1) (e) of RTI Act with the remarks that no larger public interest is involved in the matter.

So far as the appeal is concerned, the CPIO/Hqrs has not appropriately applied the section 8(1) (e) of RTI Act and straightway denied the requisite information in one go. He should have perused the contents of RTI application thoroughly.

On perusing the contents of RTI application, it is evidently clear that not complete information comes under the preview of section 8 (1)(e) of RTI Act. Information with respect to point Nos. 1 to 3 is primarily related to the appellant and that can be supplied.

As far as point No. 4 is concerned, list of total lady constables posted in Accounts Branch during 2014 to 2018 can be supplied but duration of belt rest period cannot be supplied without taking consent of concerned lady constables as the same is their personal information.

Further, as far as point No. 5 is concerned, duty list of lady constables posted in Accounts Branch during their Belt rest period from 2014 to 2018, cannot be supplied as such information can disclose the identities of those lady constables who were on their family way/planning. Hence, this information cannot be supplied without taking consent of concerned lady constables, being a personal and third party information.

In view of above, CPIO/PHQ is hereby directed to supply requisite information pertaining to point Nos. 1 to 3 and part information with regard to point No. 4 as discussed above, as per RTI Act.

With respect to remaining information of point No. 4 and information pertaining to point No. 5 is concerned, the same is a personal and third party information, hence, CPIO is further directed to take consent of concerned lady constables u/s 11 of RTI Act and supply the available information after considering the provisions of section 8(1) (j) of RTI Act.

With these observations, the appeal stands dispose 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.

17/11/2019
(Nilambari Jagadale, IPS)
Senior Superintendent of Police
Union Territory, Chandigarh-cum-
1st Appellate Authority.

1. L/C Manpreet Kaur No. 4028/CP
R/o Vill. Dangdhehra, PO Sarsini,
Distt. Mohali, Punjab.
2. CPIO/PHQ
3. Computer Section

HC Sanjay
for me
Insp.
Computer Section
02-11-2018