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

Appeal Order No. D-64-66 **/UT/RTI/SSP, dated:** 07.02.19

Name of Appellant	:	Mr. Rakesh Sharma R/o # 2257 Golden Enclave, Sector 49, Chandigarh.
Concerned CPIOs	:	CPIO/South
Date of RTI application	:	29.11.2018
Reply of CPIOs	:	12.12.2018
Date of 1st Appeal	:	09.01.2019

ORDER

The appellant has preferred his 1st appeal against the reply/order of CPIO/South with the contentions that requite information was not supplied to him. The same was diarized vide No. R-08/UT/RTI/SSP dated 09.09.2019.

Information sought vide RTI application:

The appellant had sought the copy of compliant No. PW201817450 dated 16.10.2018 along with G.D. No. 70 dated 19.11.2018, PS 34, Chandigarh.

Comments of CPIO/South

CPIO/South submitted that RTI application was received in his office from Public Window vide letter no. 2020/RTI/CAPIO(PHQ)/UT/PWS dated 29.11.2018. Thereafter comments of SHO/ PS-34 were obtained who reported that the complaint No. PW201817450 dated 16.10.2018 was under enquiry and the same is denied under section 8(1)(h) of RTI Act. However, copy of DDR No. 70 dated 19.11.2018 was supplied to the appellant. As far as the appeal is concerned, CPIO submitted that in the reply to the RTI application, complaint No. PW 201808224 was erroneously mentioned instead of PW 201817450, which was pending at that time. However, at present, complaint No. 201817450 was sent to senior officers on 14.12.2018 for taking final decision.

Decision:

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

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revealed that the appellant had sought the copy of compliant No. PW201817450 dated 16.10.2018 along with G.D. No. 70 dated 19.11.2018, PS 34, Chandigarh

In reply, CPIO/South had denied the requisite information to the appellant under section 8 (1) (h) of RTI Act. However, a copy of DDR was supplied to the appellant.

So far as the appeal is concerned, CPIO/South has not appropriately applied the section 8(1) (h) of RTI Act and denied the part information i.e. copy of complaint without going through the contents of RTI application, however, copy of DDR was supplied to the appellant. On perusing the contents of RTI application, it is evidently clear that appellant had sought only copy of complaint (PW201817450 dated 16.10.2018) filed against him by Pardeep Sharma rather than enquiry report. Moreover, CPIO/South had mentioned wrong complaint No. i.e. 201801815 in her reply to RTI application.

In view of above, CPIO/South is hereby directed to mention correct facts in her RTI replies and supply the requisite information i.e. copy of complaint No. PW201817450 dated 16.10.2018 to the appellant, as per RTI Act.

With these observations, the appeal stands dispose of accordingly

In case, the appellant is not satisfied with the disposal of his appeal, as above, he 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.

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

1. Mr. Rakesh Sharma
   R/o # 2257 Golden Enclave,
   Sector 49, Chandigarh
2. CPIO/South
3. Computer Section