

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

**Appeal Order No. D-67-69**

**/UT/RTI/SSP, dated: 11.02.19**

Name of Appellant	:	Ms. Sunita, R/o # 1626 Daddu Majra, Near Chakki, UT, Chandigarh.
Concerned CPIOs	:	CPIO/W&CSU
Date of RTI application	:	01.01.2019
Reply of CPIOs	:	29.01.2019
Date of 1 <sup>st</sup> Appeal	:	29.01.2019

**ORDER**

The appellant has preferred her 1<sup>st</sup> appeal through online RTI portal vide registration No. PODEP/A/2019/60002 dated 29.01.2019 against the reply/order of CPIO/W&CSU with the contentions that requisite information was not supplied to her. The same was diarized vide No. R-17/UT/RTI/SSP dated 30.01.2019.

**Information sought vide RTI application:**

The appellant had sought information on 4 points w.r.t. compliant No. PW201815079 dated 11.09.2018 i.e. copy of complaint along with statements of parties/witnesses, Annexures, Zimneis / Notings, status of complaint and copy of enquiry report, if prepared, why FIR has not been registered till date and what is the maximum time to lodge an FIR etc.

**Comments of CPIO/W&CSU**

CPIO/W&CSU submitted that RTI application was received in her office through online RTI portal vide registration No. PODEP/R/2019/50011 dated 01.01.2019. Thereafter comments of SHOWPS were obtained who reported that the above said complaint No. PW201815079 was not related to the applicant as she has mentioned incorrect complaint number in her RTI application. As far as the appeal is concerned, comments of SHOWPS was again sought who reported that complaint No. PW201815079 was filed by Ms. Sunita r/o # 3121 Sector 25-D, Chandigarh but in her RTI application, she mentioned another address i.e. # 1626, Dadu Majra, Near Chakki Chandigarh and presently, the said complaint is still under enquiry with Women Police Station.

**Decision:**

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/W&CSU vis-à-vis material available on record which revealed that the appellant had sought information on 4 points w.r.t. compliant No. PW201815079 dated 11.09.2018 i.e. copy of complaint along with statements of parties/witnesses, Annexures, Zimneis / Notings, status of complaint and copy of enquiry report, if prepared, why FIR has not been registered till date and maximum time to lodge an FIR etc.

11/2/2019

In reply, CPIO/W&CSU had denied the requisite information to the appellant by mentioning, "The said complaint is not related to you as you have mentioned incorrect complaint number in the application".

So far as the appeal is concerned, CPIO/W&CSU has not appropriately disposed of the RTI application by mentioning that incorrect complaint number is provided by the appellant. Whereas, complaint number is correct in the RTI application as well as in the appeal, only addresses are differ in the complaint in question and RTI application. So, before denial of the information on the basis of report of SHO-WPS, appellant should be contacted by CPIO through her given mobile or through official correspondence for ascertaining the correctness of addresses provided by the appellant. Under the RTI act, it is the sole responsibility of CPIO to provide the information after taking assistance of his subordinate officers under section 5(4) & (5).

Moreover, appellant is complainant in the complaint in question i.e. PW201815079 which is still under enquiry and after perusing the RTI application it revealed that requisite information on point Nos. 1 & 2 i.e. copy of complaint and its present status along with statement of only complainant, can be supplied to appellant.

As far as point Nos. 3 & 4 are concerned, these points are in question form i.e. why & what which are not covered under the preview of RTI Act.

In view of above, CPIO/W&CSU is hereby directed to supply the requisite information on point Nos. 1 & 2 i.e. copy of complaint and its present status along with statement of only complainant, as per RTI Act.

CPIO is further directed to examine the contents of RTI application as well as relevant documents thoroughly in future as per RTI act before disposing of the RTI applications.

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.

14/12/2019  
(Nilambari Jagadale, IPS)  
Senior Superintendent of Police  
Union Territory, Chandigarh-cum-  
1<sup>st</sup> Appellate Authority.

1. Ms. Sunita,  
R/o # 1626 Daddu Majra,  
Near Chakki, UT, Chandigarh
2. CPIO/W&CSU
3. Computer Section

hc Sangay  
for Nilg  
Kumar Ka  
Ins. p.  
Computer Section  
dt 12/12/19