



**THE SUPERINTENDENT OF POLICE HQs.-CUM-APPELLATE AUTHORITY-
HQs., UNDER RIGHT TO INFORMATION ACT, 2005.**

Order on First Appeal u/s 19 RTI Act.

This is an order on the online appeal bearing no. PODEP/A/E/20/00020 dated 26.04.2020 preferred by Sh. Nand Lal r/o H.No. 779, HUDA quarters, Sector-19, Panchkula, Haryana under RTI Act 2005 and received in this office on 30.04.2020 through the office of SSP/UT. The appellant has filed this appeal against the disposal of his online RTI application bearing no. PODEP/R/E/00095/1 dated 25.03.2020 by CPIO/Hqrs. and no. PODEP/R/E/00095/2 dated 25.03.2020 by CPIO/Communication Wing.

2. The appellant, vide his application dated 26.04.2020, under RTI Act, had requested Nodal Officer(RTI) to supply him some information in 27 points pertaining to complaints made by him vide No. PW201918168, PW-201919292 and PW-201919295. Nodal Officer further transferred the said RTI application point-wise to the concerned CPIOs i.e. (Point No. 1 to 4 to CPIO/HQs, Point No. 5,6,8 to 27 to CPIO/South and Point No. 7 to CPIO/Communication Wing) to dispose of at their own level/end. The undersigned is the first appellate authority w.r.t. CPIOs/HQs., and Communication Wing only.

3. The information sought by the appellant in the RTI application and the information supplied by the CPIO/HQs. and Communication Wing, are as given below:-

Information Sought in RTI application	Information supplied
<p align="center"><u>Point No. 1 to 4 relates to CPIO/HQs.</u></p> <p>Point No. 1) Certified copy of each & every remark recorded by the SSP, UT Chandigarh on the above complaints PW No.201918168, PW No.201919292 and 201919295, be supplied.</p> <p>Point No. 2) Certified copy of each & every communication received from Home Secretary-UT and/or DGP-UT to SSP-UT pursuant to PW No.201918168, PW No.201919292 and 201919295, be supplied.</p> <p>Point No. 3) Certified copy of each & every letter/communication vide which comments of any public authority/officer/official/ delinquent has been sought pursuant to PW No.201918168, PW No.201919292 and 201919295, be supplied.</p> <p>Point No. 4) Copy of each & every letter/reply vide which comments of any public authority/officer/official/delinquent has been submitted pursuant to PW No.201918168, PW No.201919292 and 201919295, be supplied.</p>	<p>The requisite information is ready to be delivered in shape of eighty five (85) pages. Kindly send Rs 220/- as additional fee plus postal charges to proceed further in the matter.</p>
<p align="center"><u>Point No. 07 relates to CPIO/Communication Wing.</u></p> <p>Point No. 7) Copy of each & every DDR registered by Police Control Room in pursuance to the call made at 100 from mobile no. 99155-74204 on 20.09.2019 with regard to dispute held at H.No 2396/B (EWS), Sector-63, Chandigarh, be supplied.</p>	<p>The requisite information (point No. 07) relates with Communication Wing containing 3 pages as supplied by Inspector/Communication (Admn.) is available in this office. So you are intimated to deposit the additional requisite fees of Rs 6/- to dispose off your application.</p>

4. The comments of CPIO/HQs. and CPIO/Communication, have been called for. The Ground for Appeal, comments of the CPIOs and decision of the undersigned being first appellate authority is as under:

CPIO/PHQ

Ground for Appeal	Comments of CPIO/HQs.	Decision of First Appellate Authority
The respondent CPIO be directed to supply complete correct & pointwise information pertaining to all the points and that too duly attested and "free of cost" as per the provisions contained in Section 7(6) of RTI Act, 2005 and they be directed to adhere the provisions of RTI Act in true letter and spirit.	In this regard, it is submitted that RTI application of Sh. Nand Lal was received in this office through online bearing its Regd. No. PODEP/R/E/20/00095/1 dated 25/03/2020 to supply the information of point no. 01 to 04, regarding complaint nos. PW-201918168, PW-201919292 & PW-201919295. As the requisite files were consigned with HAC branch. So, on 26/03/2020, I/C HAC was directed to supply the relevant files. On 09/04/2020, who reported that in view of the present prevailing of COVID-19, all the officials who maintained the record pertaining to the RTI matter are already deployed for law & order duty, so that all the RTI applications received with this office are under consideration. After repeatedly requests, HAC Branch did not provide the relevant files to the office of undersigned. On 01/05/2020, after receiving the relevant files from quarter concerned, appellant was informed through online that sought information is ready to deliver in the shape of eighty five (85) pages and requested to send rupees 220/- as additional fee plus postal charges to proceed further in the matter, but appellant didn't turn up and not deposited the requisite fee so far. Further, on scrutinize of relevant files, it found that some of the information sought by the appellant relates with CPIO South Sub Division, so point no. 08 to 27 of this RTI application has been transferred to CPIO South Sub Division under the provision of RTI Act.	The contents of the RTI application of the appellant do not fall under the provision of Section 7(1) i.e. supplying of information within 48 hours concerning life & liberty of the appellant. However the CPIO has failed to provide the information within prescribed period of 30 days, therefore, he is directed to supply information to the appellant within 7 days of issue of this order and free of cost.

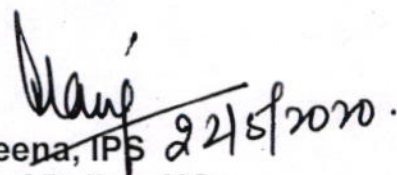
CPIO/Communication Wing

Ground for Appeal	Comments of CPIO/Comm.	Decision of First Appellate Authority
The demand if Rs. 6/- by CPIO Communication on 03.04.20 was unjust, illegal and erroneous as the sought information was liable to be supplied within 48 hours in view of strict terms of life & liberty of citizens for which a criminal misc. Petition was in fact pending adjudication before the Hon'ble Punjab & Haryana High Court, Chandigarh. However finding no other alternative or remedy the sought fee was deposited online under protest. The information sought was supplied by the CPIO after the lapse of more than 48 hours. The three supplied pages were unattested. The CPIO may be directed to supply all 03 pages duly attested besides order for refund of Rs. 6/- being charged against the provisions of the RTI Act, 2005.	From the perusal of contents of PDF attached appeal, the appellant has not mentioned about any deny of information relates with this wing, as the requisite information of Point No. 07 had already been supplied to him by this office. Hence, there is no delaying/delay in supplying of information to the applicant by this office.	The contents of the RTI application of the appellant do not fall under the provision of Section 7(1) i.e. supplying of information within 48 hours concerning life & liberty of the appellant. The appellant has provided the information within due period. However the CPIO has failed to provide the attested copies of the information hence he is directed to supply the information duly attested

		within 7 days of issue of this order. The information be provided free of cost.
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The appeal is disposed of accordingly.

The appellant, if not satisfied with the disposal of appeal in the manner as above can file second appeal with the Hon'ble Chief Information Commission, CIC Bhawan, Baba Gangnath Marg, Munrika, New Delhi-110067 within a period of 90 days.


Manoj Kumar Meena, IPS 22/5/2020.
Superintendent of Police, HQs.,
-cum-Appellate Authority/HQs & Comm.
U.T., Chandigarh.

Sh. Nand Lal r/o H.No. 779,
HUDA quarters, Sector-19, Panchkula, Haryana.

No. D- 945-48 /RTI/SP/HQs. dated Chandigarh, the: - 22.5.20

Copies to:

1. DSP-cum-CPIO/HQs.
2. DSP-cum-CPIO/Communication
3. I/C Computer Section for updating the Web.