



CHANDIGARH POLICE

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

Appeal Order No. *D - 111 - 113* /UT/RTI/SSP, dated : *04-03-2023*
Name of Appellant : Sh. Ramesh Chand and Nakul,
R/o Village Sarwan Majra, PO Bhadson,
Karnal, Haryana. Mob. 97297-63006
Concerned CPIO : CPIO/East
Date of RTI application : 20.12.2022
Reply of CPIO : 23.01.2023
Date of 1st Appeal : 30.01.2023

ORDER

The appellant has preferred online 1st appeal bearing No. PODEP/A/E/23/00007 dated 30.01.2023 against the disposal of his online RTI application bearing No. PODEP/R/E/22/01012 dated 20.12.2022 by CPIO/East with the contentions that CPIO has provided incomplete, misleading and false information.

Information sought vide RTI application :-

The appellant vide his online RTI application bearing No. PODEP/R/E/22/01012 dated 20.12.2022 had sought information on 09 points pertaining to complaint nos. 2021-22236 and 2021-22198 i.e. Certified copies of complaint/FIR, name, designation, phone number of I/O, copies of case diaries, copies of investigation report, statements of accused and witnesses, documents, copy of status report, copy of challan/chargesheet etc.

COMMENTS OF CPIO/East :-

CPIO/East vide his comments submitted that RTI application of the appellant was received in his office through online RTI portal vide no. PODEP/R/E/22/01012 dated 20.12.2022 for supplying requisite information. Thereafter, report from SHO PS 26 was obtained who submitted that complaints bearing nos. 2021-22236 and 2021-22198 were under enquiry and no case has been registered in the matter. However, information w.r.t. point nos. 1 & 2 (Certified copy of complaints information about enquiry officer) was supplied to the appellant. Whereas, information w.r.t. point nos. 5, 6 & 7 were denied u/s 8(1)(h) of RTI Act and information w.r.t. point nos. 3, 4, 8 & 9 was not applicable or exists as no case has been registered in the matter. This entire information was supplied to the appellant vide letter No. 345+346-RTI/CPIO/East dated 18.01.2023. CPIO/East further submitted that available information has already been provided to the appellant.

Personal Hearing :-

Personal hearing in the matter was scheduled to be held in the office of the undersigned on 02.03.2023 which was not attended by appellant. On the very day of

hearing i.e. on 02.03.2023, the appellant was called by this office twice on his given mobile number but he did not respond.

DECISION :-

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/East vis-à-vis material available on record which revealed that the appellant has information on 09 points pertaining to complaint nos. 2021-22236 and 2021-22198 i.e. Certified copies of complaint/FIR, name, designation, phone number of I/O, copies of case diaries, copies of investigation report, statements of accused and witnesses, documents, copy of status report, copy of challan/charge-sheet etc.

In reply, CPIO/East supplied the information w.r.t. point nos. 1 & 2 i.e. Certified copy of complaints information about enquiry officer to the appellant. Whereas, information w.r.t. point nos. 5, 6 & 7 were denied u/s 8(1)(h) of RTI Act as the complaints were under enquiry at that stage and information w.r.t. point nos. 3, 4, 8 & 9 was not applicable or exists as no case has been registered in the matter.

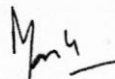
In view of above it is clear that available information has already been supplied to the appellant by CPIO and rest of the information cannot be supplied at this stage and denied 8(1)(h) of RTI Act as both the complaints are still under enquiry.

Moreover, Personal hearing in the matter was scheduled to be held in the office of the undersigned on 02.03.2023 and the intimation in this regard, was already sent to the appellant through registered post. But the same was not attended by the appellant. Even on the very day of hearing i.e. on 02.03.2023, the appellant was called by this office twice on his given mobile number but he did not respond. So, the instant appeal is being decided as ex-parte.

However, for the satisfaction of the appellant and to uphold the spirit of RTI act, CPIO/East is hereby directed to supply the requisite information to the appellant as and when enquiries into the complaints are completed, if not exempted under RTI Act.

With these observations, the instant appeal stands disposed off accordingly.

In case, the appellant is not satisfied with the disposal of his 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.


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

Sh. Ramesh Chand and Nakul,
R/o Village Sarwan Majra, PO Bhadson,
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Copies to:-

- 1 CPIO/East
- 2 Computer Section.

