



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

**Appeal Order No.** D-153-155      **/UT/RTI/SSP, dated :** 22.05.2023

**Name of Appellant** : Sh. A. K. Dhadwal,  
R/o H. No. 2221, Sector 19 C,  
Chandigarh

**Concerned CPIO** : CPIO/East

**Date of RTI application** : 06.01.2023, received on 10.01.2023

**Reply of CPIO** : 23.01.2023.

**Date of 1<sup>st</sup> Appeal** : 16.03.2023

**ORDER**

The appellant has preferred 1<sup>st</sup> appeal dated 16.03.2023 against the disposal of his RTI application dated 06.01.2023, received on 10.01.2023 by CPIO/East with the contentions that requisite information was not provided to him.

**Information sought vide RTI application :-**

The appellant vide his RTI application dated 06.01.2023, received on 10.01.2023, had sought information on two (02) points pertaining to complaints bearing Nos. ICMS/2022/12282 dated 28.10.2022 and ICMS/2022/15599 dated 12.12.2022 i.e. action taken reports on these complaints and date & time to inspect the noting/correspondence of these files etc.

**COMMENTS OF CPIO/East :-**

CPIO/East vide his comments submitted that RTI application of the appellant was received through CAPIO/PHQ vide No. 27/RTI/CAPIO/PHQ/UT/PWS dated 10.01.2023. Accordingly, requisite information was obtained from SHO PS Sector 19, Chandigarh who reported that complaint bearing No. ICMS/2022/15599 dated 12.12.2022 was not found received in her office and as per online ICMS portal, the said complaint was enquired by PCC Branch and now consigned with record in HAC branch after completion of enquiry. Hence, RTI application was also transferred to CPIO/Hqrs for supplying requisite information at his own level. Further, complaint bearing No. ICMS/2022/12282 dated 28.10.2022 was found under enquiry with SI Ravel Singh, PS 19. The applicant was informed accordingly vide letter No. 11-RTI/CPIO/East dated 23.01.2023. Moreover, applicant was given suitable time to inspect the relevant record of complaint No. ICMS/2022/12282 dated 28.10.2022. Thereafter, on 28.01.2023, applicant inspected the relevant record and also given inspection note but left without taking inspection receipt. Further, on 04.03.2023, a letter was received from applicant stating therein that after conducting inspection, no receipt was provided to him and inspection



should have been provided in the office of CPIO/East. Again on 13.03.2023, applicant inspected the relevant record and given inspection note "the file was inspected and the enquiry was yet to be finalized. The final inspection be accorded after completion of the enquiry and information of certified copies be supplied free of cost. The date of inspection after the completion of this instant RTI request be intimated under RTI act". After inspection, applicant was asked to take the receipt of inspection but he denied by saying that enquiry is yet to be finalized. Presently, as per record of this office as well as ICMS portal, the complaint in question i.e. ICMS/2022/12282 dated 28.10.2022 has been sent to senior officers after completion of enquiry for finalization.

**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 had sought information on two (02) points pertaining to Complaints bearing Nos. ICMS/2022/12282 dated 28.10.2022 and ICMS/2022/15599 dated 12.12.2022 i.e. action taken reports on these complaints and date & time to inspect the noting/correspondence of these files etc.

In reply, CPIO/East informed the appellant that complaint bearing No. ICMS/2022/15599 dated 12.12.2022 was not found received in her office and as per online ICMS portal, the said complaint was enquired by PCC Branch and now consigned with record in HAC branch after completion of enquiry. Hence, RTI application was also transferred to CPIO/Hqrs for supplying requisite information at his own level. Further, complaint bearing No. ICMS/2022/12282 dated 28.10.2022 was found under enquiry with SI Ravel Singh, PS 19.

Moreover, applicant was given suitable time to inspect the relevant record of complaint No. ICMS/2022/12282 dated 28.10.2022. Thereafter, on 28.01.2023, applicant inspected the relevant record and also given inspection note but left without taking inspection receipt. Further, on 04.03.2023, a letter was received from applicant stating therein that after conducting inspection, no receipt was provided to him and inspection should have been provided in the office of CPIO/East. Again on 13.03.2023, applicant inspected the relevant record and given inspection note "the file was inspected and the enquiry was yet to be finalized. The final inspection be accorded after completion of the enquiry and information of certified copies be supplied free of cost. The date of inspection after the completion of this instant RTI request be intimated under RTI act". After inspection, applicant was asked to take the receipt of inspection but he denied by saying that enquiry is yet to be finalized. Presently, as per record of this office as well as ICMS portal, the complaint in question i.e. ICMS/2022/12282 dated 28.10.2022 has been sent to senior officers after completion of enquiry for finalization.

In view of above, it clearly evident that complaint bearing No. ICMS/2022/12282 dated 28.10.2022 was under enquiry at the time of disposing of RTI



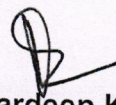
application and the appellant was properly informed accordingly vide letter dated 23.01.2023. So, there was no need to offer him inspection of an under enquiry file. After inspecting the file, appellant started dictating the terms on his own way by giving inspection notes in writing and denied to take inspection receipt which are unnecessary and futile exercises and need not be undertaken under RTI act. Appellant should only be informed about the latest status of his complaint file, there was no need to offer inspection of an under enquiry complaint file. So far as the present status of complaint bearing No. ICMS/2022/12282 dated 28.10.2022 is concerned, the same is yet to be finalized.

It is also pertinent to mention here that after inspecting the file appellant was busy in giving inspection notes according to his suitability and not bother about filing 1<sup>st</sup> appeal within specified period of time of 30 days from date of reply of CPIO i.e. from 23.01.2023 to 23.02.2023. He has filed his instant 1<sup>st</sup> appeal after delay 22 days.

However, for upholding the spirit of RTI act, CPIO/Hqrs is hereby directed to provide the available information pertaining to complaint no. ICMS/2022/15599 dated 12.12.2022 to the appellant in accordance with RTI act. CPIO/East is also directed to provide the available information pertaining to complaint no. ICMS/2022/12282 dated 28.10.2022 as per RTI as and when enquiry into the same is finalized. CPIO/East is further directed not to offer inspection of under enquiry files to the applicants.

With these observations, instant appeal stands disposed off.

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.

  
(Kanwardeep Kaur, IPS)  
Senior Superintendent of Police  
Union Territory, Chandigarh-cum-  
1<sup>st</sup> Appellate Authority.

Sh. A. K. Dhadwal,  
R/o H. No. 2221, Sector 19 C,  
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Copies to :-

- 1 CPIO/East
- 2 Computer Section.