CHANDIGARH POLICE

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

Appeal Order No. D-156-158 **/UT/RTI/SSP, dated :** 22.05.2023

Name of Appellant	:	Sh. Kulwinder Singh S/o Late Sh. Charanjit Singh C/o SCF No. 35, Phase II, FF, Mohali, Punjab
Concerned CPIO	:	CPIO/South-West & Hqrs
Date of RTI application	:	20.01.2023, received on 24.01.2023
Reply of CPIO	:	sent on 02.02.2023
Date of 1st Appeal	:	09.03.2023

ORDER

The appellant has preferred 1st appeal dated 09.03.2023 against the disposal of his RTI application dated 20.01.2023, received on 24.01.2023 by CPIO/South-West with the contentions that requisite information was not supplied to him.

Information sought vide RTI application :-

The appellant vide his RTI application had sought information pertaining to complaint bearing No. ICMS/2022/006631 dated 22.08.2022 filed by Ms. Minakshi against Rajat Narula i.e. certified copy of complaint alongwith compromise/settlement effected in the matter as well as final report of Police etc.

COMMENTS OF CPIO/South-West :-

CPIO/South-West vide his comments submitted that RTI application of the appellant was received in his office from CAPIO/PHQ vide No. 62/RTI/CAPIO/PHQ/UT/PWS dated 24.01.2023 for supplying information pertaining to complaint bearing No. ICMS/2022/006631 dated 22.08.2022. Thereafter, requisite information was obtained from SHO PS Sector 39, Chandigarh and the record of CPIO/Hqrs was also perused which revealed that complaint in question alongwith all enclosures was sent to CRU after conducting enquiry vide No. ICMS-912/SDPO/South-West dated 17.11.2022. Accordingly, RTI application was also transferred to CPIO/Hqrs through registered post vide letter No. RTI-18/CPIO/South-West dated 02.02.2023. But due to some unknown reasons, it has been found that the RTI application of the appellant could not be delivered to CPIO/Hqrs inadvertently, resultantly, requisite information also could not be supplied to the appellant. As far as the present status of the complaint bearing No. ICMS/2022/006631 dated 22.08.2022 is concerned, the same has been filed after completion of enquiry and now consigned to record on 16.03.2023. Thereafter, enquiry report alongwith all other relevant documents were obtained from concerned record branch (HAC branch) and after perusal of the same, it is further revealed that the appellant is neither complainant nor accused in the said complaint, he only signed underneath the statement of the alleged Rajat Narula, hence, notice u/s 11(1) of RTI act, has been served upon the complainant of the complaint Ms. Minakshi who in turn, replied that

information concerning to the complaint filed by her will not be disclosed to the appellant or anyone. Hence, requisite information could not be supplied to the appellant and denied u/s 8(1)(j) of RTI act, being third party information.

DECISION :-

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/South-West vis-à-vis material available on record which revealed that the appellant had sought information pertaining to complaint bearing No. ICMS/2022/006631 dated 22.08.2022 filed by Ms. Minakshi against Rajat Narula i.e. certified copy of complaint alongwith compromise/settlement effected in the matter as well as final report of Police etc.

In reply, CPIO/South-West denied the requisite information to the appellant u/s 8(1)(j) of RTI act, being third party information as the appellant is neither complainant nor accused in the said complaint, he only signed underneath the statement of the alleged Rajat Narula in the matter, hence, notice u/s 11(1) of RTI act, has been served upon the complainant of the complaint Ms. Minakshi who in turn, replied that information concerning to the complaint filed by her will not be disclosed to the appellant or anyone.

However, it is also pertinent to mention here that RTI application of the appellant could not be disposed off earlier as the same was not found delivered to the CPIO/Hqrs due to some inadvertent reasons despite the same was sent through registered post.

So far as the instant appeal is concerned, it is clear that the appellant is neither complainant nor accused in the complaint, he only signed underneath the statement of the accused person. So, CPIO rightly denied the requisite information u/s 8(1)(j)) of RTI act, being third party information. Only complainant and accused can obtain the information about the complaint in question.

Moreover, CPIO/South-West is hereby directed to deal the RTI applications in a careful manner and ensure their proper disposal in accordance with RTI act. 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-
1st Appellate Authority.

Sh. Kulwinder Singh S/o Late Sh. Charanjit Singh
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Copies to :-

1 CPIO/South-West
2 Computer Section.