



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

Appeal Order No. D-244-246 /UT/RTI/SSP, dated : 03.07.2023

Name of Appellant : Sh. Surinder Kumar Singal,
R/o SCO No. 15 IInd floor,
Sector 26, Chandigarh

Concerned CPIO : CPIO/South-West

Date of RTI application : 01.04.2023

Reply of CPIO : 02.05.2023

Date of 1st Appeal : 02.06.2023

The appellant has preferred 1st appeal dated 02.06.2023 against the disposal of his RTI application dated 01.04.2023 by CPIO/South-West with the contentions that requisite information was not provided to him.

Information sought vide RTI application :-

The appellant vide his RTI application dated 01.04.2023 had sought information regarding complaint bearing No. ICMS/2022/009664 dated 21.09.2022 filed by Mr. Karan Singal against the appellant i.e. copy of complaint, statements of all persons and police officials alongwith copy of all enclosures etc.

COMMENTS OF CPIO/South-West :-

CPIO/South-West vide his comments submitted that RTI application of the appellant was received in his office to obtain information regarding his complaint No. ICMS/2022/009664 dated 21.09.2022. Accordingly, requisite comments were obtained from SHO Police Station Maloya who reported that complaint No. ICMS/2022/009664 dated 21.09.2022 is still under inquiry, so the sought information was denied to the applicant as per provisions of section 8(1) (h) of RTI Act, 2005 and the appellant was apprised accordingly vide letter No. 75-RTI/CPIO/South-West dated 02.05.2023. It is also pertinent to mention here that the appellant has approached the Hon'ble High Court in the matter against the impugned order dated 07.02.2023 passed by the Court of Sh. Mayank Marwaha, JMIC, UT Chandigarh and the next date of hearing is fixed for 21.08.2023.

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 appellant had sought information regarding complaint bearing No. ICMS/2022/009664 dated

21.09.2022 filed by Mr. Karan Singal against the appellant i.e. copy of complaint, statements of all persons and police officials alongwith copy of all enclosures etc.

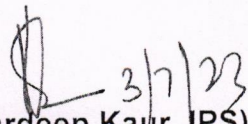
In reply, CPIO/South-West denied the requisite information to the appellant u/s 8(1) (h) of RTI Act as the compliant bearing No. ICMS/2022/009664 dated 21.09.2022 was under enquiry at that stage.

So far as the appeal is concerned, the complaint in question is still under enquiry. Moreover, it is also worthwhile to mention that the appellant has approached the Hon'ble High Court in the matter against the impugned order dated 07.02.2023 passed by the Court of Sh. Mayank Marwaha, JMIC, UT Chandigarh and the next date of hearing is fixed for 21.08.2023. So, the matter is sub-judice before the Hon'ble High Court. Hence, complete information cannot be supplied to the appellant at this stage also and the same is denied u/s 8 (1) (h) of RTI Act.

However, as the appellant himself is accused in the above mentioned complaint, therefore, in the interest of justice, CPIO/South-West is hereby directed to supply the copy of complaint to the appellant in accordance with 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.


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

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Copies to :-

- 1 CPIO/South-West
- 2 Computer Section.