



**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 - 246 - 248**

/UT/RTI/SSP, dated **26** 07.2021

Name of Appellant : Mr. Vizant Kumar,  
R/o # 174 Sector 30A, Chandigarh.

Concerned CPIOs : CPIO/PHQ

Date of RTI application : 26.05.2021

Date of CPIO's Reply : 01.06.2021

Date of 1<sup>st</sup> Appeal : 28.06.2021

**ORDER**

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The appellant has preferred 1<sup>st</sup> appeal (bearing No. PODEP/A/E/21/00051 dated 28.06.2021) against the reply of CPIO/PHQ in connection with his RTI application (bearing No. PODEP/R/E/21/00295 dated 26.05.2021) with the contentions that requisite information was not supplied to him. These appeals were diarized vide No. 56/UT/RTI/FAA/SSP dated 28.06.2021 for further proceeding under RTI Act.

**INFORMATION SOUGHT IN RTI APPLICATION:-**

The appellant has sought information on 06 points pertaining to HC Sunil Kumar No. 3503/CP i.e. no. of pending or completed complaints, enquiries and no. of complaints withdrawn by complaints etc.

**COMMENTS OF CPIO/PHQ: -**

CPIO/PHQ submitted that appellant has sought information through online RTI application. From perusal of RTI application, it found that appellant sought information pertaining to HC Sunil Kumar, No.

3503/CP posted in PP-22, Chandigarh. Thereafter, HC Sunil Kumar has been asked for his consent for disclosing his personal information and in response to this, he had given in writing for not disclosing his personal information to any person. Accordingly, requisite information was denied to the appellant u/s 8(1) (j) of RTI act. Moreover, there is no larger public interest is involved for disclosing such personal information of HC Pawan Kumar.

#### **DECISION:-**

I have gone through the contents of RTI application & appeal of the appellant, comments of CPIO/PHQ vis-à-vis material available on record which revealed that appellant had sought information on 06 points pertaining to HC Sunil Kumar No. 3503/CP i.e. no. of pending or completed complaints, enquiries and no. of complaints withdrawn by complaints etc.

Insofar appeal is concerned, from the perusal of the reply of the CPIO/PHQ, it is clear that requisite information i.e. complaints and enquiries pending or completed against HC Sunil Kumar, are personal information and no larger public interest can be achieved by disclosing such personal information of above Head Constable and he had also given his dissent for supplying the same.

Moreover, the Hon'ble Supreme Court of India in Girish Ramchandra Deshpande case (SLP (Civil) No. 27734 of 2012) has categorically clarified the term personal information of an employee which is reproduced as under :-

*"We are in agreement with the CIC and the courts below that the details called for by the petitioner i.e. copies of all memos issued to the third respondent, show cause notices and orders of censure/punishment etc. are qualified to be personal information as defined in clause (j) of Section 8(1) of the RTI Act. The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information", the disclosure of which*

*has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right."*

In the light of above directions of Hon'ble Supreme Court, it is manifestly clear that complaints initiated or completed against HC Sunil Kumar are primarily a matter between him and Police Department which fall under the expression "personal information". Thus, CPIO/PHQ had rightly applied section 8(1)(j) of RTI Act. Hence, instant appeal stands disposed of.

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



**(Kuldeep Singh Chahal, IPS)  
Senior Superintendent of Police  
Union Territory, Chandigarh-cum-  
1<sup>st</sup> Appellate Authority.**

1. Mr. Vizant Kumar,  
R/o # 174 Sector 30A, Chandigarh.
2. CPIO/PHQ
3. Computer Section.