



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

Appeal Order No. **0-251-253** /UT/RTI/SSP, dated : **25/07/2022**
Name of Appellant : Ms. Sangeeta Gupta,
R/o H. No. 299, Sector-10 A,
Gurugram, Haryana.
Concerned CPIOs : CPIO/East
Date of RTI application : 31.05.2022
Date of CPIO's Replies : 18.06.2022
Date of 1st Appeal : 21.06.2022

ORDER

The appellant has preferred 1st appeal through online RTI portal vide no. PODEP/A/E/22/00073 dated 21.06.2022 against the reply/order of CPIO/East in connection with her RTI application submitted through online RTI portal vide no. PODEP/R/E/22/00399 dated 31.05.2022 with the contention that access to information requested refused by CPIO.

INFORMATION SOUGHT IN RTI APPLICATION :-

The appellant vide her RTI application dated 31.05.2022 had sought information on 03 points regarding missing of original record from the files of Directorate General of Town & Country Planning, Plot No. 03, Sector 18 A, Madhya Marg, Chandigarh for which the matter was reported to Chandigarh Police for lodging FIR i.e. 1) Copy of letter received from Directorate General of Town & Country Planning, Plot No. 03, Sector 18 A, Madhya Marg, Chandigarh. 2) Copy of action taken/to be taken including the outcome/findings of investigation if any conducted in the above matter 3) if case FIR has been lodged, copy of FIR and the outcome/findings of this FIR, Chargesheet filed, status of the case in Court and the action taken.

Comments of CPIO/East :-

Comments of CPIO/East have been obtained who submitted that RTI application of the appellant was received in his office through online RTI portal vide no. PODEP/R/E/22/00399 dated 31.05.2022. Thereafter, requisite information was obtained from SHO PS Sector 19 and the reply was sent to the appellant through online portal vide letter no. 176-RTI/CPIO/East dated 13.06.2022 mentioning therein that no specific date/number has been mentioned by the applicant and sought information denied u/s 8(1)(g & 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/East vis-à-vis material available on record which revealed that the appellant vide her RTI application dated 31.05.2022 had sought information on 03 points regarding the missing of original record from the files of Directorate General of Town & Country Planning, Plot No. 03, Sector 18 A, Madhya Marg, Chandigarh for which the matter reported to Chandigarh Police for lodging FIR. In reply, CPIO/East disposed off the RTI application of the appellant by wrongly attracting sections 8(1)(g & j) of RTI act without justifying these sections for denial of information and also without going through the office record thoroughly whereas, while submitting comments on 1st appeal it has been reported that the matter pertains to enquiry of two complaints regarding missing of files i.e. PWS 2021-04092 dated 25.02.2021 made by Mr. Rohit Chauhan, Distt. Town Planning (HQ), Town & Country Planning Haryana, Plot No. 03, Sector 18 Chandigarh and PWS No. 2021-15891 dated 26.07.2021 made by Sh. Vijay Kumar, NCR, Director, Town & Country Planning, Plot No. 03, Sector 18, Chandigarh which are presently pending for final decision.

As the enquiry in both the complaints have been completed and pending for finalization, henceforth, CPIO/East is directed to provide the requisite information to the appellant as and when inquiry in these two complaints be finalized, if the same is not exempted under RTI act.

The instant appeal stands disposed off accordingly.

In case, the appellant is not satisfied with the disposal of her appeal, she 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-
1st Appellate Authority.

Ms. Sangeeta Gupta,
R/o H. No. 299, Sector 10 A,
Gurugram, Haryana-122001

Copies to :-

- 1 CPIO/East
- 2 Computer Section.