



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

Appeal Order No.	D-267-271	/UT/RTI/SSP, dated : 04.09.2024
Name of Appellant	:	Mr. Harinder Pal Singh, R/o H. No. 1301, Sector 44-B, Chandigarh Mob. 92963-00002
Concerned CPIO	:	CPIO/Hqrs, East & Central
Date of RTI application	:	27.06.2024
Reply of CPIO	:	26.07.2024
Date of 1 st Appeal	:	30.07.2024

ORDER

The appellant has preferred his 1st appeal dated 30.07.2024 against the disposal of his RTI application dated 27.06.2024 by CPIO/Hqrs, East & Central with the contentions that requisite information was not provided to him. Further, another similar 1st appeal was received in this office from the office of SP/Establishment vide no. D-591-92/RTI/SP/HQs dated 05.08.2024 and the same was diarized vide no. 75/UT/RTI/SSP/FAA dated 05.08.2024.

Information sought vide RTI application :-

The appellant vide his RTI application had sought certified copy on 26 points regarding complaints bearing no. PW-2021/15885, ICMS-2024/006141, ICMS-2024/008958, ICMS-2024/10983, ICMS-2024/10985 & ICMS-2024/016854 i.e. copy of complaint no. PW-2021-15885 along with copy of statements and comments of I/O and DSP, copy of complaints dated 18.04.2023 and 21.04.2023 along with copy of statements and comments of I/O and DSP, copy of complaint no. ICMS/2024/006141 along with copy of statements and comments of I/O and DSP, copy of complaint no. ICMS/2024/008958 along with copy of statements and comments of I/O and DSP, copy of complaint no. ICMS/2024/10983 & ICMS/2024/10985 along with copy of statements and comments of I/O and DSP and action taken against police official regarding complaint no. ICMS/2024/004567, action taken report after receiving complaint no. ICMS/2024/004567, criteria adopted by I/c Neelam Chowki for withholding complaint no. ICMS/2024/004567, copy of letter written by I/c Neelam Chowki to Estate office in complaint no. ICMS/2024/004567, copy of letter written if any for legal opinion with respect to complaint no. ICMS/2024/004567, details and status of complaint no. ICMS/2024/009990, criteria adopted by SSP/DGP for sending my complaint to PCC, criteria adopted by SSP/DGP for sending complaint for comments, criteria adopted for sending complaint to I/c Neelam Chowki, details of assets and liability affidavit filed by SI Satish Kumar, copy of permission taken by SI Satish Kumar for purchasing property, copy of assets and liability filed by ASI Naresh while joining Chandigarh Police, copy of assets and liability affidavit filed by ASI Naresh in last financial year, copy of permission taken by ASI Naresh for purchasing property, copy of assets and liability of Mr. Parvesh (posted in Beat-20) at the time of joining, copy of assets and liability of Mr. Parvesh of last year, copy of permission taken by Mr. Parvesh for purchasing property, details of complaint/departmental action taken against SI Satish Kumar, details of complaint/departmental action taken against ASI Naresh, status of action taken by SSP/DGP against police officials for not registering FIR in complaint no. ICMS/2024/004567 & copy of

instructions/standing instructions given by Home Secretary/SSP/DGP to DSP(East) reader, restraining from taking complaints directly.

COMMENTS OF CPIO/East :-

CPIO/East vide his comments submitted that RTI application of the appellant was received in his office to supply the requisite information. From the perusal of RTI application, information regarding only 02 points was found related with this office. Accordingly, available information was obtained from SHO PS Sector 19 who reported that as per point no. 02, complaints in question i.e. ICMS/2023/011190 & ICMS/2023/012822 have been sent to senior officers after enquiry and no such instructions/standing instructions have been received in this office which restrain DSP(East) reader from taking complaints directly. Applicant was apprised about the same vide letter No. 108-RTI/CPIO/East dated 17.07.2024. Moreover, a case FIR No. 75 dated 01.09.2023 has been registered at PS-19 on complaint bearing no. ICMS/2023/012822.

COMMENTS OF CPIO/Hqrs :-

CPIO/Hqrs vide his comments submitted that RTI application of the appellant was received in his office to obtain the requisite information. Thereafter, requisite information was obtained from I/C CRU who reported that complaint no. ICMS/2024/008958 has been sent to SP/PCC and RTI application was also transferred to CPIO/PCC vide letter no. 395/CPIO/Hqrs./RTI-2024 D-527 dated 03.07.2024, complaints no. ICMS/2024/010983, ICMS/2024/010985, ICMS/2024/016854, ICMS/2024/004567 and ICMS/2024/06141 have been transferred to DSP/Central for further action and complaint no. ICMS/2023/012822 has been transferred to CPIO/East. Applicant was apprised about the same, accordingly. Further, requisite information was obtained from I/C HAC, who reported that complaint no. ICMS/2023/011190 has been transferred to the office of the Adviser vide no.2707/UT/HAC dated 16.04.2024, RTI application was also transferred to CPIO/Advisor to the Administrator-cum-CVO, Chandigarh Administration & complaints no. ICMS/2024/008958 and PW-2021/15885 are now consigned with HAC Branch. Appellant was informed telephonically as well as through letter to collect the same after inspection, however, applicant is yet to visit the office of CPIO/Hqrs to collect the same.

COMMENTS OF CPIO/Central :-

CPIO/Central vide his comments submitted that RTI application of the appellant was received in his office to supply the requisite information. Accordingly, available information was obtained from SHO PS Sector 17 and the same was provided to the appellant in point wise manner vide letter no. 178 & 185/RTI-24/CPIO-Central dated 26.07.2024.

DECISION :-

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/Hqrs, East & Central vis-à-vis material available on record which revealed that the appellant vide his RTI application had sought certified copy on 26 points regarding complaints bearing no. PW-2021/15885, ICMS-2024/006141, ICMS-2024/008958, ICMS-2024/10983, ICMS-2024/10985 & ICMS-2024/016854 i.e. copy of complaint no. PW-2021-15885 along with copy of statements and comments of I/O and DSP, copy of complaints dated 18.04.2023 and 21.04.2023 along with copy of statements and comments of I/O and DSP, copy of complaint no.

ICMS/2024/006141 along with copy of statements and comments of I/O and DSP, copy of complaint no. ICMS/2024/008958 along with copy of statements and comments of I/O and DSP, copy of complaint no. ICMS/2024/10983 & ICMS/2024/10985 along with copy of statements and comments of I/O and DSP and action taken against police official regarding complaint no. ICMS/2024/004567, action taken report after receiving complaint no. ICMS/2024/004567, criteria adopted by I/c Neelam Chowki for withholding complaint no. ICMS/2024/004567, copy of letter written by I/c Neelam Chowki to Estate office in complaint no. ICMS/2024/004567, copy of letter written if any for legal opinion with respect to complaint no. ICMS/2024/004567, details and status of complaint no. ICMS/2024/009990, criteria adopted by SSP/DGP for sending my complaint to PCC, criteria adopted by SSP/DGP for sending complaint for comments, criteria adopted for sending complaint to I/c Neelam Chowki, details of assets and liability affidavit filed by SI Satish Kumar, copy of permission taken by SI Satish Kumar for purchasing property, copy of assets and liability filed by ASI Naresh while joining Chandigarh Police, copy of assets and liability affidavit filed by ASI Naresh in last financial year, copy of permission taken by ASI Naresh for purchasing property, copy of assets and liability of Mr. Parvesh (posted in Beat-20) at the time of joining, copy of assets and liability of Mr. Parvesh of last year, copy of permission taken by Mr. Parvesh for purchasing property, details of complaint/departmental action taken against SI Satish Kumar, details of complaint/departmental action taken against ASI Naresh, status of action taken by SSP/DGP against police officials for not registering FIR in complaint no. ICMS/2024/004567 & copy of instructions/standing instructions given by Home Secretary/SSP/DGP to DSP(East) reader, restraining from taking complaints directly.

Now, as far as the appeal is concerned, information regarding points no. 14-24 (details of assets and liability affidavit filed by SI Satish Kumar, copy of permission taken by SI Satish Kumar for purchasing property, copy of assets and liability filed by ASI Naresh while joining Chandigarh Police, copy of assets and liability affidavit filed by ASI Naresh in last financial year, copy of permission taken by ASI Naresh for purchasing property, copy of assets and liability of Mr. Parvesh (posted in Beat-20) at the time of joining, copy of assets and liability of Mr. Parvesh of last year, copy of permission taken by Mr. Parvesh for purchasing property, details of complaint/departmental action taken against SI Satish Kumar & details of complaint/departmental action taken against ASI Naresh), is personal in nature and also the sought information does not relates with the concerned CPIOs. Hence, no action is required to be taken on these points.

Information regarding point no. 26 (copy of instructions/standing instructions given by Home Secretary/SSP/DGP to DSP (East) reader, restraining from taking complaints directly), no such orders have been received in the office of DSP/East.

Information on points no. 07, 11, 12 & 13 (criteria adopted by I/c Neelam Chowki for withholding complaint no. ICMS/2024/004567, criteria adopted by SSP/DGP for sending my complaint to PCC, criteria adopted by SSP/DGP for sending complaint for comments & criteria adopted for sending complaint to I/c Neelam Chowki), is in questionnaire form and appellant has raised queries/questions, which is not entertainable under RTI Act and falls outside the purview of section 2(f) of RTI Act. Hence, no action is required.

Information pertaining to points no. 01 & 04 (copy of complaint no. PW-2021-15885 along with copy of statements and comments of I/O and DSP & copy of complaint no. ICMS/2024/008958 along with copy of statements and comments of I/O and DSP), the complaints in question are now consigned with HAC Branch after the finalization of the enquiry and CPIO/Hqrs

has already requested the appellant telephonically as well as through letter to collect the requisite information from the office of the CPIO.

Information regarding point no. 03, 05, 06, 08, 09 & 25 (copy of complaint no. ICMS/2024/006141 along with copy of statements and comments of I/O and DSP, copy of complaint no. ICMS/2024/10983 & ICMS/2024/10985 along with copy of statements and comments of I/O and DSP and action taken against police official regarding complaint no. ICMS/2024/004567, action taken report after receiving complaint no. ICMS/2024/004567, copy of letter written by I/c Neelam Chowki to Estate office in complaint no. ICMS/2024/004567, copy of letter written if any for legal opinion with respect to complaint no. ICMS/2024/004567 & status of action taken by SSP/DGP against police officials for not registering FIR in complaint no. ICMS/2024/004567), CPIOs have appropriately denied the sought information to the appellant as complaints in question are still under enquiry. Hence, sought information cannot be supplied to the appellant at this stage also. However, CPIOs are hereby directed to provide the copy of the complaint to the appellant as per the provisions of RTI Act.

Information pertaining to point no. 10 (details and status of complaint no. ICMS/2024/009990), the complaint in question is pending with PCC. Further, RTI application as well as 1st appeal of the appellant has been dealt with concerned CPIO and FAA. Hence, no action is required to be taken on this point.

Moreover, information pertaining to point no. 02 (copy of complaints dated 18.04.2023 and 21.04.2023 along with copy of statements and comments of I/O and DSP), a case FIR No. 75 dated 01.09.2023 has been registered at PS-19 on complaint bearing no. ICMS/2023/012822 and the same is still under investigation. Therefore, the requisite information cannot be provided at this stage, also.

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.

Mr. Harinder Pal Singh,
R/o H. No. 1301, Sector 44-B,
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Copies to :-

- 1 CPIO/Hqrs
- 2 CPIO/East
- 3 CPIO/Central
- 4 Computer Section