



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

Appeal Order No. D-287-289

/UT/RTI/SSP, dated : 08.08.2023

Name of Appellant :

Sh. Manjit Singh,
R/o 863, Sector 56, Chandigarh

Concerned CPIO :

CPIO/Hqrs, South-West

Date of RTI application :

19.05.2023, received on 22.05.23

Reply of CPIO :

23.06.2023

Date of 1st Appeal :

23.06.2023

ORDER

The appellant has preferred 1st appeal dated 23.06.2023 and another reference received on 13.07.2023 against the disposal of his RTI application dated 19.05.2023 by CPIO/Hqrs and 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 19.05.2023, received on 22.05.23 had sought photocopies of documents related to live-in relationship and protection case of Jyoti and Manju.

COMMENTS OF CPIO/South-West :-

CPIO/South-West vide his comments submitted that RTI application of the appellant was received in his office on 24.05.23 to obtain requisite information. Accordingly, information was sought from SHO Police Station 39 who reported that all relevant record related to CRWP No. 2892 of 2023 titled as "Jyoti & Anr. Vs State of UT Chandigarh & Others" has already been sent to senior officers vide No. H-134/SDPO/South-West dated 02.05.23. Therefore, the RTI application was also transferred to CPIO/Hqrs as per the provisions of section 6(3) of RTI Act, 2005 under intimation to the applicant.

COMMENTS OF CPIO/Hqrs :-

CPIO/Hqrs vide his comments submitted that RTI application of the appellant was received in his office from CPIO/South-West vide No. 107/RTI/CPIO/South-West dated 03.06.23 to obtain requisite information. Accordingly, information/relevant file was sought from I/C HAC Branch and after scrutinize the same, sought information was found not related to the appellant directly. Hence, appellant was asked to furnish an Authority Letter in favour to the complainant/alleged to obtain the sought information vide letter No. 317/CPIO/Hqrs/RTI-2023/D-450, dated 23.06.2023.

DECISION :-

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/South-West and Hqrs vis-à-vis material available on record which revealed that appellant had sought photocopies of documents related to live-in relationship and protection case of Jyoti and Manju.

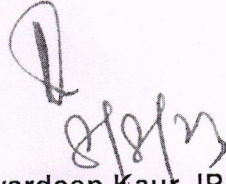
In reply, CPIO/South-West informed the appellant that all relevant record related to CRWP No. 2892 of 2023 titled as "Jyoti & Anr. Vs State of UT Chandigarh & Others" has already been sent to senior officers. Therefore, the RTI application was also transferred to CPIO/Hqrs.

Thereafter, CPIO/Hqrs obtained the available information from the quarter concerned and after scrutinizing the same, informed the appellant that sought information was not primarily related to the appellant. Therefore, he has been asked to furnish authority letter in favour of complainant/alleged to receive the sought information.

So far as the appeal is concerned, sought information is not directly related to the appellant and the same is primarily concerning the life and liberty of the applicants/petitioners Jyoti and Manju in CRWP No. 2892 of 2023 titled as "Jyoti & Anr. Vs State of UT Chandigarh & Others" filed before the Hon'ble Punjab & Haryana High Court. So, the sought information comes under the purview of section 8(1) (J) & (G) of RTI act being a third party and personal information and concerning the protection of life & liberty of the applicants/petitioners (Jyoti and Manju). Moreover, no larger public interest would be served by disclosing the sought information. Moreover, CPIO/Hqrs has sought the authority letter of complainants or alleged in the aforesaid CRWP in favour of appellant before supplying the requisite information rather, he should also proceed according to section 11(1) of RTI act and obtained the consent of the applicants/petitioners in the matter before denying or keeping the matter pending for awaiting authority letter of the quarter concerned.

So, CPIO/Hqrs is hereby directed to deal the RTI application of the appellant according to the provisions of section 11(1) of RTI act and proceed accordingly. 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.

Sh. Manjit Singh,
R/o H. No. 863, Sector 56, Chandigarh

Copies to :-

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