



CHANDIGARH POLICE

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

Appeal Order No. **D-303-305** /UT/RTI/SSP, dated : **20/08/2022**

Name of Appellant : Sh. Ramesh Kumar,
R/o H.No. 145, Khudda Lahora Part-2,
Chandigarh.

Concerned CPIO : CPIO/ Hqrs.

Date of RTI application : 09.06.2022

Date of CPIO's Reply : 05.07.2022

Date of 1st Appeal : 26.07.2022

ORDER

The appellant has preferred his 1st appeal through online RTI portal vide No. PODEP/A/E/22/00088 dated 26.07.2022 (diarized vide No.81/UT/RTI/SSP/FAA, dated 26.07.2022) against the disposal of his RTI application bearing No. PODEP/R/E/22/00421 dated 09.06.2022 by CPIO/Hqrs. with contentions that the requisite information was refused to him.

INFORMATION SOUGHT IN RTI APPLICATION:-

The appellant vide his RTI application bearing no. PODEP/R/E/22/00421 dated 09.06.2022 had sought information regarding action taken report alongwith noting and correspondence pages attached with complaint bearing PWS No. 2021-08332 registered at Public Window, PHQ, Sector 09, Chandigarh.

COMMENTS OF CPIO/Hqrs :-

Comments of CPIO/Hqrs have been obtained who submitted that the RTI application of the appellant was received in his office through online RTI portal vide No. PODEP/R/E/22/00421 dated 09.06.2022 to supply the information relates to complaint PWS No. 2021-08332. Thereafter, relevant complaint file was called from HAC branch and during scrutiny of that file it came to light that the requisite information does not relate with the appellant directly. Accordingly, the appellant was requested through online portal to provide/send an authority letter to get the information under the provisions of RTI act but he failed to do so. As the disclosure of sought information has no relationship with any public activity or interest, hence, the requested information was denied u/s 8(1)(j) of RTI act and appellant was apprised through online portal vide letter no. 158/CPIO/Hqrs/Online RTI-22/D-130 dated 04.07.2022.

CPIO/Hqrs also submitted that the appellant has referred complaint no. PWS 2021-08332 in his RTI application whereas he has referred complaint no. PWS 2021-08232 in his 1st appeal which is contradictory.

DECISION :-

I have gone through the contents of RTI application & appeal of the appellant, comments of CPIO/Hqrs vis-à-vis material available on record which revealed that while seeking information vide his RTI application dated 09.06.2022, the appellant has mentioned complaint no. PWS 2021-08332. So, to proceed further, relevant documents pertaining to this complaint were called from quarter concerned by CPIO/Hqrs. and during scrutiny it came to light that the matter did not relate to the appellant directly. Hence the same was rightly denied by the CPIO/Hqrs u/s 8(1)(j) of RTI act.

So far as the instant appeal is concerned, appellant referred separate complaint bearing PWS no. 2021-08232 which is filed by him on dated 19.04.2021.

After considering all the facts, it came to light that appellant has inadvertently mentioned the wrong complaint number in his RTI application but now he has mentioned right complaint number (PWS no. 2021-08232) in his 1st appeal which is filed by him.

Henceforth, to uphold the spirit of RTI act and for the proper disposal of the instant appeal, the matter is remanded back to CPIO/Hqrs. for its disposal (considering new facts) as per provisions of RTI Act-2005, within ten days from the date of receipt of this order, under intimation to this office

With these observations, instant appeal stands disposed off.

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

Sh. Ramesh Kumar,
R/o H. No. 145, Khudda Lahora, Part-2,
Chandigarh.

Copies to:-

1. CPIO/Hqrs
2. Computer Section.



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

Appeal Order No. D-299-302 /UT/RTI/SSP, dated : 28/08/2022

Name of Appellant : Sh. Deepak Kumar,
R/o H. No. 2882, Bhaskar Colony
Sector-25, Chandigarh

Concerned CPIOs : CPIO/Central

Date of RTI application : Received on 15.06.2022 to CAPIO/PHQ,
Transferred to CPIO/Crime on 16.06.22, then
transferred by CPIO/Crime to CPIO/Central on
01.07.2022

Date of CPIO's Replies : 16.07.2022

Date of 1st Appeal : 22.07.2022

ORDER

The appellant has preferred 1st appeal on 22.07.2022 against the reply/order of CPIO/Central in connection with his RTI application received on 15.06.2022 by CAPIO/PHQ who transferred the same to CPIO/Crime on 16.06.22 who further transferred the same to CPIO/Central on 01.07.2022 with the contention that he is not satisfied with the information supplied to him.

INFORMATION SOUGHT IN RTI APPLICATION :-

The appellant vide his RTI application received on 15.06.2022 had sought information pertaining to action taken against DDR/LAR No. 2020/025017 dated 30.11.2020 lodged regarding lost of his Redmi Black colour mobile phone.

COMMENTS OF CPIO/Central : -

Comments of CPIO/Central have been obtained who submitted that RTI application of the appellant was transferred to his office by CPIO/Crime vide letter no. 24/RTI/CPIO/Crime dated 01.07.2022 under intimation to the appellant mentioning therein action taken on LAR No. 2020/025017 dated 30.11.2020. Thereafter, requisite information was obtained from SHO PS 11 and 17 of Central Sub Division. As per their report, no any record/DDR found regarding Lost Article Report no. 2020/025017 dated 30.11.2020 and the same was conveyed to the appellant vide letter no. 190/RTI-22/CPIO-Central/UT dated 16.07.2022. He also submitted that RTI application of the appellant was transferred to his office by CPIO/Crime due to the creation of Cyber Desk in PS Sector 11 as the complaints related to missing mobiles, laptops etc. are to be dealt by Cyber Desk as per Standing Order No. 33/2021.

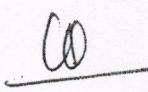
DECISION :-

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/Central vis-à-vis material available on record which revealed that initially RTI application of the appellant was transferred to CPIO/Crime by CPIO/PHQ on 16.06.2022 for providing the requisite information i.e. action taken on LAR (Lost Article Report) No. 2020/025017 dated 30.11.2020.

In response, after obtaining information from quarter concerned i.e. I/C MOB, CPIO/Crime transferred the RTI application to CPIO/Central u/s 6(3) of RTI act on dated 01.07.2022 with the remarks that the LAR No. 2020/025017 dated 30.11.2020 containing relevant details i.e. SIM No. 8437847804 (without any IMEI Number) was sent to MTMC (Master Technical & Monitoring Cell), PHQ for putting on surveillance on 07.12.2020 and again on 22.06.2022 but negative response received from MTMC on both occasion mentioning therein as "no record found for request". Moreover, Cyber Desks created in Police Stations as per Standing Order No. 33/2021 issued vide no. 8053-8111/UT/HAC dated 01.11.2021 are empowered to deal with complaints relating to missing mobile phones, laptops etc.

Keeping in view the above said facts, it is evident that the available information i.e. action taken on LAR, had already been provided by CPIO/Crime to the appellant and nothing is to be supplied by CPIO/Central as mobile phone of the appellant was lost much earlier to the creation of Cyber Desks in Police Stations vide Standing Order No. 33/2021 dated 01.11.2021. So, no more action is required to be taken on the instant appeal, the same 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.


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

Sh. Deepak Kumar,
R/o H. No. 2882, Bhaskar Colony,
Sector-25, Chandigarh

Copies to:-

- 1 CPIO/Central
- 2 CPIO/Crime
- 3 Computer Section