



CHANDIGARH POLICE

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

Appeal Order No. D- 310- 312

/UT/RTI/SSP, dated : 28.08.2023

Name of Appellant : Sh. Sunil Kumar Gupta,
R/o H. No. 231, Village Dariya,
UT Chandigarh.
Mob. 95019-89544, 70872-95710

Concerned CPIOs : CPIO/South-West

Date of RTI application : 09.06.2023, received on 13.06.2023

Date of CPIO Reply : 05.07.2023

Date of 1st Appeal : 17.07.2023

ORDER

The appellant has preferred his 1st appeal dated 17.07.2023 against the disposal of his RTI application dated 09.06.2023 (received on 13.06.2023) by CPIO/South-West with contentions that the requisite information was not provided to him.

INFORMATION SOUGHT VIDE RTI APPLICATION :-

The appellant vide his RTI application dated 09.06.2023 had sought information pertaining to complaint Nos. 2022-04549 and ICMS/2022/16256 i.e. detailed enquiry report of I/O of Police Post Dariya before sending the above said complaints to PS Sector 36 for further enquiry.

COMMENTS OF CPIO/South-West :-

Comments of CPIO/South-West have been obtained who submitted that RTI application of the appellant was received in his office for supplying information pertaining to complaint Nos. 2022-04549 and ICMS/2022/16256. Thereafter, requisite information was obtained from SHO PS Sector 36 who submitted that above said complaints are under enquiry, hence, the requisite information was denied to the appellant u/s 8(1)(h) of RTI Act vide letter No.122 & 143-RTI/CPIO/South-West dated 05.07.2023 as the disclosure of information would impede the process of enquiry. So far as the present status of these complaints is concerned, the same are still under enquiry for final decision.

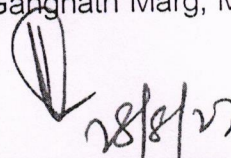
DECISION :-

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/South-West vis-à-vis material available on record which revealed that the requisite information was denied by CPIO/South-West u/s-8(1)(h) of RTI act as the complaints bearing Nos. 2022-04549 and ICMS/2022/16256 were under enquiry at that time.

So far as the appeal is concerned, as per ICMS/Public Window record, the complaints in question are still under enquiry and it is important to note that appellant has sought the enquiry report of I/O of Police Post Dariya before sending/transferring the above mentioned complaints to PS Sector 36 for further enquiry which is the integral part of enquiry proceedings currently being conducted at PS Sector 36, Chandigarh. So, the requisite information cannot be supplied at this stage also, hence, denied u/s 8(1)(h) of RTI act. However, for the sake of spirit of RTI act, CPIO/South-West is hereby directed to supply the requisite information to the appellant as per RTI act after finalization of enquiry, if any case FIR is not registered on the aforementioned complaints.

With these observations, instant appeal stands disposed off accordingly.

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

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Copies to :-

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