CHANDIGARH POLICE

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

Appeal Order No. D-372-374 **/UT/RTI/SSP, dated :** 05-10-21

Name of Appellant	:	Mr. Kanwar N Singh, Booth No. 9, Sector 47C, Chandigarh.
Concerned CPIOs	:	CPIO/PHQ
Date of RTI application	:	28.08.2021
Date of CPIO's Reply	:	07.09.2021
Date of 1st Appeal	:	08.09.2021

O R D E R

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The appellant has preferred 1st appeal (bearing No. PODEP/A/E/21/00071 dated 08.09.2021) against the reply of CPIO/PHQ in connection with his RTI application (bearing No. PODEP/R/E/21/00492/1 dated 28.08.2021) with the contentions that requisite information was not supplied to him. The appeal was diarized vide No. 96/UT/RTI/FAA/SSP dated 09.09.2021 for further proceeding under RTI Act.

INFORMATION SOUGHT IN RTI APPLICATION:-

The appellant has sought information on 02 points i.e. status of complaint bearing No. 2021-01407 and its recorded statements & documents and details of cases/complaints registered against Inspector Baljeet Singh.

COMMENTS OF CPIO/PHQ : -

CPIO/PHQ submitted that appellant has sought information through online RTI application. After obtaining requisite information from I/C Public Window, consent of Inspector Baljeet Singh was obtained as per the provision of Section 11 of RTI Act who gave in writing his dissent for

supplying his personal information. Accordingly, requisite information was denied to the appellant by applying section 8(1)(j) of RTI Act vide No. 153/CPIO/Hqrs./online RTI-21, D-115 dated 07.09.2021.

DECISION:-

I have gone through the contents of both RTI applications & appeals of the appellant, comments of CPIO/PHQ vis-à-vis material available on record which revealed that appellant had sought information on 02 points i.e. status of complaint bearing No. 2021-01407 and its recorded statements & documents and details of cases/complaints registered against Inspector Baljeet Singh.

Insofar appeal is concerned; appellant has sought the details of complaints/cases registered against Insp. Baljeet Singh and CPIO/PHQ denied to supply the same by applying section 8(1) (j) of RTI Act being personal information. The term *'personal information'* has been elaborated by Hon'ble Supreme Court in case titled *'Girish Ramchandra Deshpande Vs. CPIO & Ors (Special Leave Petition {Civil} No. 27734 of 2012)'* which is as under:-

> *"The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information", the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the Petitioner cannot claim those details as a matter of right."*

In the light of above observation of Apex Court, it is explicitly clear that appellant has sought personal information of Insp. Baljeet Singh i.e. details of all complaint registered against him which is the matter between employee and employer and attracts section 8(1)(j) of RTI Act being a personal information and no larger public interest can be seen for furnishing the same.

However, for achieving the objective of RTI Act, figures/total numbers of complaints against him, can be supplied without disclosing his personal information. Accordingly, CPIO/PHQ is directed to supply the figures/total numbers against Insp. Baljeet Singh to appellant.

As far as point No. 2 i.e. status of complaint bearing No. 2021-01407 is concerned, CPIO/East had informed that the said complaint was filed to know the status of his earlier complaints i.e. bearing No. 2017-15408 & 2017-17817. From perusal the status of these complaints on Public Window system, it is found that these complaints have been consigned with HAC Branch at present, hence, CPIO/East is hereby directed to furnish the requisite information to appellant after obtaining from the concerned branch. Accordingly, instant appeal stands disposed of.

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

1. Mr. Kanwar N Singh,
   Booth No. 9, Sector 47-C, Chandigarh
2. CPIO/South
3. Computer Section.