



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

Appeal Order No. D-388-390 **/UT/RTI/SSP, dated :** 18.10.2023

Name of Appellant : Ms. Rajan Banga
R/o H No. 2067-E, Block No. 24
Sector 63, Chandigarh.

Concerned CPIO : CPIO/South

Date of RTI application : 25.07.2023

Reply of CPIO : 07.08.2023

Date of 1st Appeal : 16.08.2023

ORDER

The appellant has preferred online 1st appeal bearing No. PODEP/A/E/23/00080 dated 16.08.2023 against the disposal of his online RTI application bearing No. PODEP/R/E/23/00630 dated 25.07.2023 by CPIO/South with the contentions that the requisite information was not provided to him.

Information sought vide RTI application :-

The appellant vide his online RTI application bearing No. PODEP/R/E/23/00630 dated 25.07.2023 had sought information regarding General Diary No. 53 dated 50.02.2019 lodged at Police Station Sector 49 i.e. certified copies of enquiry report and mobile call reports/details of her wife (Anuradha Banga) alongwith all relevant documents.

COMMENTS OF CPIO/South :-

CPIO/South vide his comments submitted that RTI application of the appellant was received in his office from online RTI portal for supplying requisite information. Accordingly, requisite information was obtained from SHO PS Sector 49 who reported that 02 DDRs were found lodged in this regard i.e. DDR No. 53 dated 05.02.2019 and DDR No. 42 dated 07.02.2019 registered at PS-49, Chandigarh and the copies of the same were provided to the appellant vide No. 179/RTI-23/CPIO-South/Chandigarh Dated 07.08.2023. Further, sought information regarding call details of the appellant's wife were

denied to him being the personal information of the individual as per the provision of Section 8 (1) (J) of RTI Act.

DECISION :-

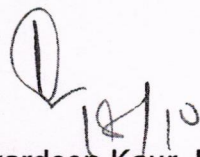
I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/South vis-à-vis material available on record which revealed that the appellant had sought information regarding General Diary No. 53 dated 50.02.2019 lodged at Police Station Sector 49 i.e. certified copies of enquiry report and mobile call reports/details of her wife (Anuradha Banga) alongwith all relevant documents.

In reply, CPIO/South has provided the copy of DDR Nos. 53 dated 05.02.2019 and DDR No. 42 dated 07.02.2019, PS Sector 49, Chandigarh to the appellant and call detail record of his wife was denied to him being a personal & third party information.

As far as the instant appeal is concerned, appellant specifically sought call detail record of his wife when she left their residence which is a personal information of third party but CPIO/South should have also taken the consent of third party before straightway denying the information by applying the provisions of section 8(1)(j) of RTI act.

Henceforth, CPIO/South is hereby directed to take the consent of third party u/s 11(1) of RTI act in the matter and proceed accordingly. 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. Rajan Banga
R/o H No. 2067-E, Block No. 24
Sector 63, Chandigarh. Mob. 98724-13322

Copies to :-

- 1 CPIO/South
- 2 Computer Section