



CHANDIGARH POLICE

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

Appeal Order No. **D-426-429** /UT/RTI/SSP, dated: **22-12-2022**
Name of Appellant : Ms. Neha Gupta,
R/o H. No. 315, Deshraj Colony,
Near Devi Mandir, Panipat -132103, HR
Concerned CPIO : CPIO/South and Hqrs
Date of RTI application : 20.09.2022
Reply of CPIO : 27.10.2022 by CPIO/Hqrs.
Date of 1st Appeal : 16.11.2022

ORDER

The appellant has preferred 1st appeal through online RTI portal vide No. PODEP/A/E/22/00130 dated 16.11.2022 against the disposal of her RTI application bearing No. PODEP/R/T/22/00037 dated 20.09.2022 by CPIO/Hqrs with the contentions that information requested has not been supplied to her.

Information sought vide RTI application :

The appellant vide her RTI application dated 20.09.2022 had sought all record/ information and electronic media evidence with all data pertaining to issue/case of Neha Gupta Vs Maya Academy of Advance Cinematic, Chandigarh.

Comments of CPIO/South :-

CPIO/South vide his comments submitted that RTI application of the appellant was received in his office through online RTI portal vide No. PODEP/R/T/22/00037 dated 20.09.2022. Thereafter, requisite information was sought from SHO PS Sector 34, Chandigarh who reported that the information sought by the applicant was found not related to him and RTI application of the appellant has already been transferred to CPIO concerned by quarter concerned (Law & Prosecution Branch). The appellant was informed accordingly vide letter No. 294 A/CPIO-South dated 22.11.2022.

Comments of CPIO/Hqrs :-

CPIO/Hqrs vide his comments submitted that RTI application of the appellant was transferred to his office from CPIO/South vide memo Nos. 294, 324, 329, 331, 334, 335, 336 bearing its registration Nos. PODEP/R/E/22/00790, PODEP/R/E/22/00792, PODEP/R/T/22/00037 & PODEP/R/T/22/00038 and from CPIO/Law & Prosecution Department, Chandigarh Administration vide No. LD(CPIO)-2022/11623 dated 15.11.2022 to supply the information pertaining to complaint/reference Nos. 2018-19490, 2018-19857, 2018-20130, 2018-19208, 2018-21109, 2018-17368, 2018-18003, 2018-18339, 2018-18873, 2018-19301 & 2018-19399 under RTI Act. As per record, all these complaints/references were consigned with

HAC Branch so after obtaining the same from HAC Branch, appellant was informed vide letter No. 553 & 615/CPIO/Hqrs/RTI-22, D-924 dated 27.10.2022 to collect the requisite information from the office of CPIO/Hqrs.

CPIO/Hqrs further intimated that earlier also the appellant had filed RTI application and already received the requisite information of aforementioned all references/complaints in the shape of 113 pages in her RTI application No. 295, 975 & 1008/CPIO/Hqrs/RTI-2019 dated 18.12.2019 after thoroughly inspecting the relevant files.

CPIO/Hqrs also accentuated that appellant is habitual of filing such type of RTI applications to CPIOs of Chandigarh Police as well as to other CPIOs of Chandigarh Administration/Govt. of India regarding non-supplying of CCTV footage which is not available in the relevant files and in this regard, CPIO/Hqrs had already submitted an "UNDERTAKING" in compliance of the orders of the Hon'ble Central Information Commission, New Delhi.

Furthermore, CPIO/PHQ informed that on dated 12.12.2022 appellant Neha Gupta visited his office and again collected requisite information pertaining to complaint No. PW 2018-18339 in the shape of eight (08) pages after inspecting the relevant file.

Decision :-

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/South & Hqrs vis-à-vis material available on record which revealed that the appellant has mingled so many issues/grievances, RTI applications, appeals and complaints/reference in her instant appeal which are very difficult to understand as well as reply under RTI act. However, CPIO/Hqrs, after obtaining the requisite information from the quarter concerned, informed the appellant vide letter No. 553 & 615/CPIO/Hqrs/RTI-22, D-924 dated 27.10.2022 to collect the same from his office but after a long span of time, appellant visited the office of CPIO/Hqrs on 12.12.2022 and collected the requisite information (08 pages) after inspecting the relevant file.

Moreover, appellant has already received the available information on the same issues in the year 2019 in the shape of 113 pages after thoroughly inspecting the relevant files. Even then she is filing repeated RTI applications and appeals to various public authorities regarding non-supplying of CCTV footage which is not available in the relevant files and in this regard, CPIO/Hqrs had already submitted an "UNDERTAKING" in compliance of order of the Hon'ble Central Information Commission, New Delhi.

It is worthwhile to refer here the decision of Hon'ble Central Information Commission, New Delhi in second Appeal/Case No. CIC/AD/A/2013/001326-SA titled as "Shri Ramesh Chand Jain Vs Delhi Transport Corporation, GNCTD, Delhi" in which it was categorically explained that :-

"2. The commission noticed that several applicants seek some information from one wing of the public authority, and based on the responses, file a bunch of RTI questions from the same or other wings of same public authority, or from the other authority. This will have a continuous harassing effect on the public authority as the PIOs go on answering, more and more questions are generated out

of the same and in the same proportion, the number of repeated first appeals and second appeals will be growing.

3 (i) Even a single repetition of RTI application would demand the valuable time of the public authority, first appellate authority and if it also reaches second appeal, that of Commission, which time could have been spent to hear another appeal or answer an other application or perform other public duty.

(ii) Every repetition of RTI application which was earlier responded will be an obstruction to flow of information and defeats the purpose of RTI Act.

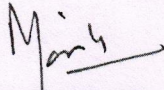
The Hon'ble CIC, New Delhi further decided that :-

- "(i) No scope of repeating under RTI Act.*
- (ii) Citizen has no right to repeat.*
- (iii) Repetition shall be ground of refusal.*
- (iv) Appeals can be rejected."*

In view of above, it is apparently clear that appellant is filing RTI applications and appeals repeatedly on the same issue causing wastage of precious time and resources of public authorities, hence, the appellant is hereby advised not to file repeated RTI applications and appeals on the same issue rather approach the appropriate authority for the redressal of her grievances, if any, as the same cannot be considered under RTI Act.

With these observations, instant appeal stands disposed of.

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


(Manisha Choudhary, IPS)
Senior Superintendent of Police
Union Territory, Chandigarh-cum-
1st Appellate Authority.

Ms. Neha Gupta,
R/o H. No. 315, Deshraj Colony,
Near Devi Mandir, Panipat -132103, HR

Copies to :-

- 1 CPIO/South
- 2 CPIO/PHQ
- 3 Computer Section.