



CHANDIGARH POLICE

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

Appeal Order No. D-445-447

/UT/RTI/SSP, dated: 27/12/2022

Name of Appellant :

Mrs. Basanti Kumari D/o Sh. Radhey Shyam
R/o H. No. M-34, G. No. 04, New Mahavir Nagar,
Tilak Nagar, New Delhi - 110018

Concerned CPIO :

CPIO/Hqrs

Date of RTI application :

10.10.2022

Reply of CPIO :

27.10.2022 & 15.11.2022

Date of 1st Appeal :

16.11.2022

ORDER

The appellant has preferred 1st appeal received on 16.11.2022 against the disposal of her RTI application dated 10.10.2022 by CPIO/Hqrs w.r.t. point Nos. 3 (a) & (b) with the contentions that misleading and in-complete information has been provided to her.

Information sought vide RTI application :-

The appellant vide her RTI application dated 10.10.2022 had sought information on following 7 points (3 (a to g)), out of which, point nos. 3 (a) & (b) were dealt by CPIO/Hqrs and RTI application concerning to other points was transferred to CPIOs concerned by CPIO/PHQ-cum-Incharge, Public Window. Vide point No. 3 (a), appellant sought information pertaining to complaint bearing No. C-1621/R/IGP dated 30.08.2022 filed by her and vide point No. 3 (b), she sought information regarding complaint bearing PWS No. 2021-14561 dated 07.07.2021 filed by Pooja against appellant's husband Sachin.

Comments of CPIO/Hqrs :-

CPIO/Hqrs vide his comments submitted that RTI application of the appellant was received in his office vide No. 905/RTI/CPIO/PWS dated 17.10.2022 to supply the information concerning to PWS No. 2021-14561 & complaint bearing No. C-1621/R/IGP dated 30.08.2022. As the complaint bearing No. 2021-14561 was already consigned in record in HAC branch, the same was called from HAC branch and after scrutiny, it came to light that the requisite information does not relate to the appellant directly and being third party information, appellant was requested vide letter No. 627/CPIO/Hqrs/RTI-22/D-928 dated 27.10.2022 to produce authority letter to collect the relevant information/documents.

Further, information pertaining to complaint bearing No. C-1621/R/IGP dated 30.08.2022 was denied to the appellant u/s 8(1)(h) of RTI act as the same was pending under consideration/enquiry with SP/City. The appellant was apprised accordingly vide letter No. 627/CPIO/Hqrs/RTI-22/D-998 dated 15.11.2022.

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 at the time of disposing of the RTI application of the appellant, complaint bearing No. C-1621/R/IGP dated 30.08.2022 was under enquiry, hence, information pertaining to this complaint was rightly denied by CPIO/Hqrs u/s 8(1)(h) of RTI Act.

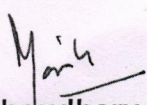
So far as the information pertaining to PWS No. 2021-14561 is concerned, CPIO/Hqrs inappropriately asked the applicant to submit the authority letter/Vakalatnama whereas, consent of the parties concerned/involved should have been sought u/s 11(1) of RTI Act, being third party information as the requisite information was not directly related to the appellant.

In view of above, CPIO/Hqrs is hereby directed to re-consider the RTI application of the appellant w.r.t. point nos. 3 (b) in the light of section 11(1) read with section 8(1)(j) of RTI Act.

Furthermore, information pertaining to point No. 3(a) is concerned, the matter is still under enquiry and same cannot be supplied at this stage, hence, denied u/s 8(1)(h) of RTI Act.

With these directions/observations, the instant appeal stands disposed off accordingly.

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.

Mrs. Basanti Kumari D/o Sh. Radhey Shyam
R/o H. No. M-34, G. No. 04, New Mahavir Nagar,
Tilak Nagar, New Delhi - 110018

Copies to:-

- 1 CPIO/Hqrs
- ✓ 2 Computer Section.