

**THE SENIOR SUPERINTENDENT OF POLICE HQs.-CUM-APPELLATE
AUTHORITY-ACCOUNTS & PROC., UNDER RIGHT TO INFORMATION ACT, 2005.**

Order on First Appeal u/s 19 RTI Act.

This is an order on the online first appeal bearing No. PODEP/A/E/22/00059 dated 28/05/2022, preferred by Sh. Ram Kumar Garg r/o House No.3328, Sector-27/D, Chandigarh under RTI Act 2005, received in this office through online RTI Request & Appeal Management Information System(RTI-MIS) against the disposal of his RTI Application bearing No. PODEP/R/E/22/00281/2 & on another online first appeal bearing No. PODEP/A/E/22/00057 dated 26/05/2022 transferred to the undersigned by the o/o FAA-cum-Senior Superintendent of Police/Lines, vide No. D-163/UT/RTI/FAA/SSP dated 06.06.2022, which was filed against the similar online RTI Application bearing No. PODEP/R/E/22/00281 dealt by CPIO/Lines to provide part information.

(2) The appellant, vide his online application dated 24/04/2022 under RTI Act 2005, had requested Nodal Officer/PHQ, Chandigarh to supply him some information in 05 points related to Chandigarh Police. Nodal officer/PHQ had transferred the RTI application to CPIO/Lines vide No. PODEP/R/E/22/00281, CPIO/Security Wing vide No. PODEP/R/E/22/00281/1 and CPIO/Accounts vide No. PODEP/R/E/22/00281/2 through online RTI Request & Appeal Management Information System (RTI-MIS) on 24/04/2022, for disposal at their own levels. CPIO/Accounts, further disposed of the RTI application vide No. 34/RTI/CPIO (Accts)/2022/UT/23673 dated 23.05.2022. The undersigned is the First Appellate Authority w.r.t. CPIO/Accounts only.

(3) The appellant is not satisfied with the information supplied to him, has filled instant appeal aggrieving that "Refused access to Information Requested". The comments of DSP-cum-CPIO/Accounts have been called for.

(4) I have gone through the RTI appeal, vis-a-vis facts of the RTI application & comments by CPIO/Accounts. The appellant, through his RTI application, had sought information in 05 points, related to Chandigarh Police duty deployed for security duty and money/bills outstanding for providing security to Banks and other VIPs. The information sought by the appellant, supplied by the CPIO, grievance of the appellant and the order/decision of the undersigned being first appellate authority is given below:-

Information sought in RTI application	Information provided by CPIO	Grievances raised in First Appeal	Decision
On perusal of RTI application, it is found that Point No. 4 & 5 of RTI application relates to your office being custodian of information, as such, RTI application is transferred to you under Section 6(3) of RTI Act-2005 for its disposal at your level being CPIO.		Point No.4 CPIO has denied information under u/s 8(1)(d) of RTI Act 2005 but CPIO has not revealed the reason to apply this Section. The applicant has traced the relevant section 8 (1)(D) which reads "Section 8(1)(d) in The Right To Information Act, 2005 (d) information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information" If we go by the information asked for there is no fear of disclosure of Commercial Confidence as Police deptt does not have any competitor and I have not asked for commercial information of any business	The undersigned has given a thorough hearing to the appellant on 16.06.2022 and the point-wise Decision of First Appellate Authority is as under:- Point No. 4 The information to be provided in the form that doesn't give out the scale or manner of deployment, which can have security consequences, if such data is available on record. Also, request with regards to copy of bill raised is denied as bills have information which can make the scale of security provided public, which will give rise to security risk to the organisations.
Point No. 4 Supply details of money/Bills outstanding for providing Security to Banks and Other Organization as on 31st March 2022 along with copy of Bills raised.	Point No. 4 Denied u/s 8(1)(d) of RTI Act 2005.		

		entity involved with Police working. And also CPIO is not competent authority to decide Larger Public Interest. Appellate Authority fully knows that police deptt. and persons deployed for security are paid from Public Money and recovery of bills from Banks etc is required to ensure proper handling of public Money. In the past through various reports it has been brought to public domain that police dept has failed to collect money for its bills for security provided. As such CPIO may be directed to supply complete information for its bills raised and pending amount as on 31st March 2022	
Point No. 5 Supply details of Amount due from Punjab Raj Bhawan for supply of Petrol, Diesel ,repairs to vehicles and other staff for their vehicles	Point No. 5 Does not relate.	Point No. 5 CPIO says "Does not relate" .This is also wrong information as services provide by Motor Garage of Police Deptt need to accounted for. In the past Police Deptt has supplied petrol and diesel & Repair and Maintenance to Vehicles of Punjab Raj Bhawan and at some given time an amount was due.As such in the larger public interest amount due on account of services to Vehicles of Punjab Raj Bhawan may supplied if Need be a personal hearing may be permitted	Point No. 5 CPIO/Accounts is directed to supply the information regarding amount due of Punjab Raj Bhawan for supply of Petrol, Diesel, Repairs to vehicles, if available on records.

(5) The appeal bearing No. PODEP/A/E/22/00059 dated 28/05/2022 on point No. 04 to 05 is hereby disposed of accordingly. However the reply against the appeal bearing No. PODEP/A/E/22/00057 filed against CPIO/Lines will be supplied by the o/o SSP/UT-cum-FAA/Lines.

(6) The appellant, if not satisfied with the disposal of appeal in the manner as above can file second appeal to the Hon'ble Chief Information Commission, CIC Bhawan, Baba Gangnath Marg, Munrika, New Delhi-110067 within a period of 90 days.

Manoj Kumar Meena IPS
Sr. Superintendent of Police, HQs.,
-cum-Appellate Authority/Accts. & Proc.,
Under RTI Act, U.T., Chandigarh.

Sh. Ram Kumar Garg
R/o House No.3328,
Sector-27/D, Chandigarh

No. D- 490-93 /RTI/SP/HQs. dated Chandigarh, the: - 17/06/2022.

Copies to the: -

1. SSP/UT-cum-FAA/Lines for information please.
2. DSP-cum-CPIO/Accounts for necessary action.
3. I/C Computer Section for updating the Web.

