

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

ORDER

Order on First Appeal u/s 19 RTI Act.

This is an order on the online first appeal bearing No. PODEP/A/E/22/00104 dated 02/09/2022, preferred by Manish Kumar r/o H.No. 554, New Police Line, Sector-26, 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/22/00434 dated 12/06/2022.

2) The appellant, vide his RTI application, PODEP/R/E/22/00434 dated 12/06/2022, under RTI Act 2005, had requested, RTI Nodal Officer/PHQ to supply him some information in 07 points, pertaining to generator purchased and installed in PHQ. Nodal Officer, PHQ, further transferred the RTI application to CPIO/Communication and CPIO/Police Lines, for disposal at their own levels. CPIO/Communication disposed-of points no. C and F of the RTI application, vide No. RTI-56/DSP/Comm./UT dated 05.07.2022. The undersigned is the FAA w.r.t. CPIO/Communication only.

3) The appellant, not satisfied with the manner in which his application was disposed off, has filed the instant appeal alleging that CPIO/Comm. has rejected the RTI application.

4) The comments of DSP-cum-CPIO/Communication have been called for. He has submitted that the RTI application was rejected as per CVC circular No. 03/03/2017 issued vide No. CVC/RTI/MISC/16/006 dated 10.03.2017 on the grounds that it was the repletion of the earlier RTI application No. PODEP/R/E/22/00174 dated 09.03.2022, whereby the requisite information was already supplied to the applicant.

5) I have gone through the RTI appeal, vis-a-vis facts of the RTI application & comments by CPIO/Communication. 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	CPIO reply	Appeal
Point C Also provide information regarding the staff posted in working or maintenance of generators with names and belt numbers during last 5 years with its tenure. also provide as per p.e.b branch record.	Point C and F The part information sought is the repletion of the earlier RTIs filed by the applicant. Therefore, the request is rejected as per CVC circular No. 03/03/2017.	There has been a corruption of about 15 lac i.e. use of fuel in generator set present in PHQ, due to which I was not given an RTI reply and my both RTI is totally different.
Point F Whenever the generator is started, whatever is the reason behind it, give the reason whether it is routine testing, maintenance, supply failure or shut down due to maintenance, etc. Provide reason with timing details those mention in rti no 19/DSP/Comn. UT dated Chandigarh 05/04/2022.		

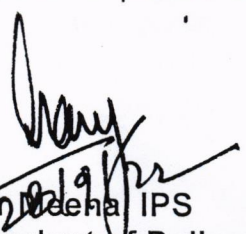
6) **Decision:-**

The undersigned being First Appellate Authority/ Communication has gone through the facts and found that the instant appeal is not maintainable being time barred. As per provision under section 19(1) of the RTI Act, an aggrieved person may

prefer the first appeal within thirty days from the receipt of the response from the CPIO of the concerned public authority. In this case the RTI application was filed by the applicant on 12.06.2022 which was disposed of as rejected by CPIO/Comm. on 05.07.2022 vide No. RTI-56/DSP/Comm./ UT and the instant appeal have been filed after more than 57 days on 02.09.2022. Further, the CPIO in his comments have stated that the applicant is seeking the repeated information which was already supplied to the applicant against the earlier RTI applications.

In the view of above mentioned facts, the appeal is disposed of as rejected.

7) 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/Comm.,
Under RTI Act, U.T., Chandigarh.

Manish Kumar
R/o H.No. 554, New Police Line,
Sector-26, Chandigarh.

No. D- 728-30 /RTI/SSP/HQs. dated Chandigarh, the: - 28.09.2022 .

Copies to the: -

1. DSP-cum-CPIO/Communications for necessary action.
- ✓ 2. I/C Computer Section for updating the Web.