



CHANDIGARH POLICE

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

Appeal Order No. D-12-14 /UT/RTI/SSP, dated: 11/01/2023
Name of Appellant : Col Mohnesh Singh
R/o H. No. 1163, Sector 34-C,
Chandigarh.
Concerned CPIO : CPIO/South
Date of RTI application : 02.11.2022
Reply of CPIO on : 01.12.2022
Date of 1st Appeal : 01.12.2022

ORDER

The appellant has preferred 1st appeal through online RTI portal vide No. PODEP/A/E/22/00143 dated 01.12.2022 against the disposal of his RTI application bearing No. PODEP/R/E/22/00866 dated 02.11.2022 with the arguments that incomplete, misleading and false information has been provided to him. Information supplied to him on point No. 1,2,3,6 and 7 of his RTI application have been left vague/ vaguely answered.

Information sought vide RTI application :

The appellant vide his RTI application dated 02.11.2022 had sought information on 9 points pertaining to e mails sent by him on the official e mail of SSP UT on dated 06.10.2022, 07.10.2022, 17.10.2022 and 18.10.2022 and a complaint bearing reference No. ICMS/2022/011664 dated 18.10.2022 submitted by him at Public Window PHQ Sector 9 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/E/22/00866 dated 02.11.2022. Thereafter, requisite information was sought from SHO PS Sector 34, Chandigarh who supplied the point wise information/reply which was further sent to the applicant online on 01/12/2022 vide letter No. 349/CPIO/South, dated 30.11.2022. Available information was supplied with respect to point Nos. 3,4,5,8 and 9 of RTI application whereas as regard to point No. 1,2,6 and 7 it was conveyed that these points are not related.

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 CPIO/South supplied information on all the 9 points of RTI application wherein he replied against point Nos. 1,2,6 and 7 that these points were not related to him which is not justified.

As per section 6(3)RTI act it is categorically clarified that,

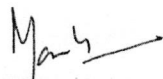
"Where an application is made to a public authority requesting for an information,— (i) which is held by another public authority; or (ii) the subject matter of which is more closely connected with the functions of another public authority, the public authority, to which such application is made. shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer: Provided that the transfer of an application pursuant to this sub-section shall be made as soon as practicable but in no case later than five days from the date of receipt of the application."

In the instant case CPIO/South rather replying as "Point not related" should have transferred the RTI application of the appellant to the CPIO/concerned with regard to the points not related to him. Therefore, CPIO/South is directed that in future, while dealing RTI applications, examine its contents minutely and then transfer the same to the CPIO(s) concerned, if needed, for its proper disposal.

CPIO/South is further directed to re-consider the RTI application of the appellant w.r.t. point nos. 1,2,6 and 7 in the light of section 6(3) of RTI Act. So far as information pertaining to point No. 3 as well as to other points of RTI application is concerned, the entire issue encircled around the prompt enquiry into complaints bearing Nos. ICMS/2022/010865 dated 10.10.2022 and ICMS/2022/011664 dated 18.10.2022 filed by the appellant which are under enquiry with SHO-PS 34. Henceforth, SDPO-cum-CPIO/SOUTH is directed to ensure that enquiry into these complaints is completed expeditiously as per law and supply the latest status as well as other requisite information to the appellant, as per RTI act.

With these directions, instant appeal stands disposed off accordingly.

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.


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

Col Mohnesh Singh
R/o H. No. 1163, Sector 34-C,
Chandigarh

Copies to :-

- 1 CPIO/South
- 2 Computer Section.