

ED- SP/1429812
D/A-329/09/SW
12-9-17
11-9-17

No. 247/09/SW
12-9-17
11-9-17

First Appeal under Right to Information Act, 2005

Appeal/Complaint before

First Appellate Authority,
Deputy Commissioner of Police
South West District, Sector-19
DWARKA, New Delhi-110075

DCP/SW	10
Addl. DCP-W/SW	
Addl. DCP-I/SW	
Branch	RTI Dept
No.	26235
Dt.	11-9-17
Insp./Admn.	B

Appeal / Complaint No. ___ dated ___
[For office use only]

As I am aggrieved by incomplete and inappropriate reply to my RTI application by the PIO vide his letter No 12618 (ID-2331/17) / (D-I)/RTI cell/SWD dated 30/8/2017, I hereby file first appeal for your kind response.

1. Details of appellant-

- 1.1 Full Name: Sanjay Kumar Baranwal
- 1.2. Full Address: Flat: F-001, Chitrakoot Apartment, sector-22, Plot-9, Dwarka, New Delhi-110077
- 1.3 Phone/Cell No.: 9015521966
- 1.4 Email ID: sanjaybaranwal@gmail.com

2. Details of PIO:

- 2.1 Name/Designation: Gaurav Sharma, PIO cum Addl DCP
- 2.2 Full Address: South west Delhi, New Delhi, tel no: 011-28041550 (RTI cell)

3. Date of RTI application:

- 3.1 To PIO: 18/8/2017

4. Particulars of Decisions:

- 4.1 Reference No & Date of PIO's Decision: Letter no letter No 12618 (ID-2331/17) / (D-I)/RTI cell/SWD dated 30/8/2017, dispatched by PIO

5. Dates of receipt of replies by appellant from PIO: 06./09/2017

6. Details of information sought:

I had filed an RTI application on 18/8/2017 with the PIO under RTI Act 2005 with the below contents followed by requested information:

On 6/7/2017, I visited the SHO, sector-23, Dwarka, New Delhi and complained about physical injury inflicted to my 11-year old daughter by a sofamaker who made a sofa at my home. I submitted a written complaint(enclosed) bearing DD no 17 B dated 6-7-2017 received by Nirmala. Displaying gross negligence, the sofamaker individual did not fix a protruding nail in spite of many telephonic reminders and alerting him of probable risks. My daughter got seriously injured and underwent plastic surgery at Artemis hospital facing abysmal pain in the leg in which the nail pierced about 6 cm deep. As this case pertains to physical injury caused by negligence, police should have acted on the complaint and should have filed an FIR, however, despite IO's visit to my home to see the sofa and protruding nail, nothing has been done even after elapse of 43 days.

My numerous follow up calls with SHO, IO, Sec 23 police station and DCP(SW) yielded no response and led to mental and physical agony beyond measure to me.

Kindly furnish the below information under RTI Act 2005:

- 1) Please advise reason for delay in police action against the culprit and investigation

- 2) Please suggest the lead time in which IO is supposed to finish investigation in this complaint and reason for his failure in discharge of his duty
- 3) Rationale for police not registering an FIR against the accused
- 4) Reason for non-responsiveness over notifying me status of my complaint
- 5) Please share action taken report against the erring official responsible to act punctually on the complaint filed(attached)
- 6) Please advise your action plan against the culprit

7. Brief Facts of the case:

As per RTI rules, a PIO is required to respond to the queries pertinently pointwise, however, Sr no 1 to 6 were not responded appropriately in PIO's reply.

It is surprising that despite my numerous follow ups with sec-23 police station SHO, HC Rajpal and DCPs in sec-19 Dwarka, none provided a suitable response wasting my time and energy and causing mental and physical agony. Exasperated, I took RTI route to seek why police fail to exercise action against the accused despite my written complaint submitted in sec-23 Dwarka police station. Now 2 months have elapsed and no status or action report communicated to me over my complaint

The queries asked in RTI have not been addressed properly and PIO has given inappropriate and unsatisfactory reply.

Reasons/grounds for this appeal:

The PIO failed to furnish requested information accurately and appropriately

9. Any other information in support of appeal/complaint:

Encl : Copy of RTI application mailed to PIO, original Police complaint

10. Prayer/relief sought for:

Request you to answer completely and pertinently with evidence, all the queries raised in my RTI application

11. Grounds for prayer/relief sought for: Since incomplete and vague reply came from the PIO, hence this first appeal with FAA, Delhi Police

12. Personal Presence at hearing:

13. Declaration:

I hereby state that the information and particulars given above are true to the best of my knowledge and belief. I also declare that this matter is not previously filed with this commission nor is pending with any Court or tribunal or authority.

Signature of appellant/complainant

Sanjay K. Basu

Place & Date: New Delhi, 19.09.2013