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Insp./Admn.	<i>CS</i>
RTI	

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177/17
26/3/17 Dated: *25-09-17*

To,

The 1st Appellate Authority
The Deputy Commissioner of Police
North – East District, GTB Enclave
Delhi - 110095

Dy. No... *9802* ... *162* NE
dt... *25/9/17*

Sub: - First Appeal under 19 (1) of RTI Act, 2005 against the reply received under the Request for information under RTI Act 2005 for RTI number 2530 / 17 dated 30.08.2017

Sir,

1. The appellant is constrained to file a First Appeal u/s 19 (1) of RTI Act to your against the PIO of North east district
2. The brief facts of this matter are as follows:-
 - a) I had submitted an RTI with the office of the PIO, Deputy Commissioner of Delhi, North East District dated 30.08.2017 vide RTI No.2530/17 **(Annexure A)**
 - b) The reply dated 21.09.2017 received by me for the RTI is unsatisfactory / incomplete / evasive, as an answer to my queries. **(Annexure B)**
3. My grounds for the appeal are as follows:-
 - a) Because, the PIO has till date failed to provide the appellant the specific information requested and despite the appellant depositing the fees as per the rules of RTI Act, 2005.
 - b) Because, there is no provision in the RTI Act to deny information, which is available in Public domain to an applicant.
 - c) Because, despite there being no denial of information by the PIO using exemptions specified vide section 8 of the RTI Act, the appellant is yet to receive specific information and documents to his specific queries.
 - d) Because, the communication dated 21.09.2017 and the information supplied bears no relation to the information requested. The same being irrelevant, incomplete and misleading etc.

4. My point wise objections to the reply received me is summarized as:

Query Number	Objection to the reply received
1	This is not third-party information, which has been requested. Please state the exact rule under the RTI Act 2005, which states that one can only seek information to queries related to him and nothing else.
2	This is not third-party information, which has been requested. Please state the exact rule under the RTI Act 2005, which states that one can only seek information to queries related to him and nothing else.
3	Please mention the PS to which Ct. Sandeep belongs from
4	Ok
5	Misleading information provided. It has been asked by which mode, the letter was sent by SI Prempal to Income Tax authorities NOT the mode by which the letter was handed to SI Prempal
6	Incomplete & evasive reply. This query has been asked to the PIO NE, why should any other authority answer this query. Please state the exact rule under RTI Act 2005, which allows PIO to escape his duties and shift the onus on a different authority. This information pertains to SI Prempal posted at PS Bhajanpura and not somebody else. Why should any other authority answer this query?
7	Incomplete & evasive reply. Please provide the exact information as requested. Also explain what does 'by hand' means?
8	Incomplete & evasive reply deliberately given to subvert the query. Please mention the exact reasons for the absence of peon book entry.
9	Ok
10	Incomplete & evasive reply.
11	Incomplete & evasive reply.
12	Incomplete & evasive reply. This reply makes no sense at all.
13	Incomplete & evasive reply. Which branch is the PIO referring to ? The information requested pertains to the activities of SI Prempal posted at PS Bhajanpura. If not PIO North East District, then which other 'branch' will provide answers on its behalf. Please mention the exact rule under RTI Act 2005 which allows PIO to shirk his duties deliberately
14	Incomplete & evasive reply. Please mention exact number of A or B entries; there is nothing as 'such' entries. Answer these individually

5. The materials on record as part of this Complaint clearly show the lackadaisical approach of Respondents in implementing the RTI Act. Thus, appellant strongly believes that Respondents have taken the RTI Act very casually. Hence, I lodge this complaint before the 1st Appellate Authority.
6. As these matters relate directly to compliance with the provisions of the RTI Act, the appellant is desirous of preventing respondent's illegitimate act of implementing the RTI Act with very casual and lackadaisical approach.

(3)

7. In the last several months, numerous RTIs of mine have been deliberately, mischievously suppressed / not been complied with by the PIO North East District, which has forced me to file appeals with the 1st Appellate Authority & with the CIC. Clearly PIO North East is hands in glove with the persons whose criminal misconduct is being proven by the lies being exposed through these RTIs. It is a matter of great concern that a public authority is misusing his official position to shield criminals and subvert an Act promulgated by the Parliament of India

Therefore the appellant is constrained to pray for the following reliefs:-

1. That the CPIO be ordered to provide the appellant the requested information forthwith.
2. That a personal hearing be afforded to the appellant u/s 19(5) of RTI Act and interests of natural justice in the event the CPIO opts to justify and/ or prove the willful denial of information to the appellant.
3. That a copy of comments/ reply of CPIO, if any, to this First Appeal be provided to the appellant well in advance of the hearing date.
4. The reasons / sections of law / facts & circumstances, under which the information requested by me in my RTIs, has been refused to me.

To the best of my knowledge the information requested does not fall within the restrictions contained in section 8 and 9 of RTI Act 2005. I request you to kindly furnish me with the requested information within 30 days.

Yours Sincerely,

Appellant

Krishna Kant

Krishna Kant Sharma
16 / A – 1, Hindustan Times Apartments
Mayur Vihar, Phase – 1
Delhi – 110091
Ph: 9810144750

Annexures:

- a) RTI with the PIO, Deputy Commissioner of Delhi, North East District dated 30.08.2017
- b) Reply dated 21.09.2017 received from the PIO to the RTI filed by me

Annexure : B

9

DEPOL/R/2017/22739

**OFFICE OF THE PUBLIC INFORMATION OFFICER, NORTH EAST DISTRICT,
SEELAM PUR: DELHI-110053 (Ph. No. 22829388).**

No. 2530 /RTI Cell/North-East District Dated Delhi, the 21/09 /2017.
To

Sh. Krishan Kant Sharma
R/o 16/A-1, Hindustan Times Apartments,
Mayur Vihar, Phase-I, Delhi-110091.

Subject:- Seeking information under RTI Act - 2005.

Memo

In response to your application dated 30.08.17 received in this office vide RTI No. 2530/17, dated 30.08.17 on the subject cited above. It is to inform you that the requisite information as asked under RTI and point wise reply/information received from SHO/Bhajan Pura/NED is enclosed herewith.

Your present RTI application is hereby disposed off.

You can file an appeal within 30 days if you have not satisfied with the above reply to the 1st Appellate Authority under RTI Act-2005 before the Dy. Commissioner of Police/North-East District, Seelam Pur, Delhi-110053.

Rajendra Prasad Meena

(RAJENDRA PRASAD MEENA)IPS
PUBLIC INFORMATION OFFICER-CUM-
ADDL. DEPUTY COMMISSIONER OF POLICE
NORTH-EAST DISTT. DELHI