

(11)

OFFICE OF THE DEPUTY COMMISSIONER OF POLICE, SOUTH EAST DISTT. NEW DELHI
No. 234/17/ 867 /RTI Appeal Section/SED, Delhi, dated 27/09/2017
To

DDP	_____
ACD	_____
Asst. Commr.	_____
Branch	RTI

The First Appellate Authority-
North-West Distt., Ashok Vihar,
Delhi-110052.

*S.E. North-West Distt.
Dy No. 993 Dt. 28/9/17*

Subject:- Transfer of 1st appeal application filed by Dr. Kunal Batra. Add-VP-40A, Maurya Enclave, Pitam Pura, Delhi-110034, under the Right to Information Act-2005.

Sir/Madam, Dy. No. 993 /Appeal Cell/RTI/NWD

Dated 28/09/17

Enclosed please find herewith an RTI appeal application dated 20.09.2017 received in this office on 26.09.2017 from Dr. Kunal Batra. Add-VP-40A, Maurya Enclave, Pitam Pura, Delhi-110034, seeking information concerning to your office, under RTI Act-2005. Therefore, the same is hereby transferred to your office for taking appropriate necessary action at the earliest under RTI Act-2005. as the matter pertains to your office.

Yours faithfully,

**ASSTT. PUBLIC INFORMATION OFFICER,
SOUTH-EAST DISTT. NEW DELHI.**

Encls:- As above.

No. 234/17/ _____ /RTI Appeal Section/SED, Delhi, dated _____ /2017.

Copy to Dr. Kunal Batra, Add-VP-40A, Maurya Enclave, Pitam Pura, Delhi-110034 for information.

**ASSTT. PUBLIC INFORMATION OFFICER,
SOUTH-EAST DISTT. NEW DELHI.**

Appeal No. 217 /Appeal Cell/RTI/NWD
Dated 28/09/17

27 30/17

3909
26-1-12

The Right to Information Act, 2005

First Appeal for Central Government

I.D No _____ Date: _____ [For office use]

Diary No. 324 RTI/A SECURED
Dated 26/09/12

To,

The First Appellate Authority under RTI Act

Dy Commissioner of Police,
South- East Dist.,
Office location : DCP Office/SED, P.S. Sarita Vihar, 1st Floor,
Opp. Apollo Hospital
New Delhi - 110076

M
A/RTI

Sir,

As I am aggrieved by decision of Central Public Information Officer, I hereby file this appeal for your kind decision.

1. Details of appellant

1.1 Full Name: Dr kunal Batra

1.2 Full Address:

VP -40 A,
MAURYA ENCLAVE,
PITAM PURA,
DELHI
Pincode: 110034

1.3 Phone/Cell No: 9911950638

1.4 Email ID: kbsthephysio@gmail.com

2. Details of Central Public Information Officer (CPIO)

2.1 Name/Designation: Public Information Officer

2.2 Full Address:

Add. Dy Commissioner of Police- 1st , North- West Distt.,
Office Location: Ashok Vihar,
Delhi-110052

3. Details of RTI application to CPIO

Date of Application: Monday, August 21st 2017

Mailed on : 21/08/2017 by Registered Post No.: EK564819763IN

Date of receipt by CPIO: 26/08/2017

4. Particulars of payment of filing fee:

Paid Rs.10/- by bank draft/pay slip/IPO No: 35F-331179

5. Details of information sought:

BACKGROUND:

FIR Number : 0244/17

Police Station : Maurya Enclave, Pitampura, Delhi

Date of FIR : 01/06/2017

Please provide me following information in the light of the description above.

- 1) Please provide me the daily progress made of FIR.
- 2) Please inform me the name and designation of officers who are involved in the investigation of FIR.

3) Please provide me investigation report submitted by the Police officer who is investigating the said FIR.

4) Please inform me the name of the Court to which the FIR is submitted and the criminal case number given by the Court.

5) Please provide me a copy of the charge sheet filed.

6. Particulars of Decision of CPIO:

No response

7. Brief facts of the case:

The Applicant wanted to know about the Status of FIR - FIR Number : 0244/17

8. Reasons/grounds for this appeal:

1. As there was no reply from the Public Information Officer, to the RTI application dated 21/08/2017 within 30 days, an appeal is preferred before the First Appellate Authority under the Section 19 (1) of the Right to Information Act, 2005.

2. Under the RTI Act, 2005, a PIO is obliged to provide access to information to a citizen unless as stipulated by Section 7 (1), furnishing of such information is covered by one of the exemptions provided under Section 8 or Section 9 of the RTI Act.

3. The PIO has failed to discharge its duties and obligations and has adopted a lackadaisical approach towards dealing with the RTI application by not responding within 30 days of the application.

4. The PIO has failed to inform the applicant as to why this information has not been disclosed to the applicant and its reasons thereof. Section 4 (1) (d) of the RTI Act clearly lays down that every public authority shall have to disclose the reasons

for its decisions to the affected persons.

5. It is obligatory upon the PIO to disclose the information as requested by the applicant. The request of the applicant squarely falls within the definition of right to information under Section 2 (j) of RTI Act read with Section 2 (f) and 2 (i) relating to the definition of information and record. The applicant in his RTI application has clearly enumerated the information which he desires and there is no ground whatsoever for the PIO to not to provide him the complete information.

9 Any other information in support of appeal:

No

10 Prayer/relief sought for:

The PIO may be directed to furnish information requested in the RTI application as available in the files/records and made available to the applicant.

This First Appeal is accompanied by an application for condonation of delay in filing the First Appeal within the stipulated time as prescribed in Section 19 (1) of the RTI Act, 2005 at Annexure 2.

11. Personal Presence at hearing: NO

12. Enclosures:

Photocopies of original RTI application with its enclosures, postal proof of mailing

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 any information commission nor is pending with any Court or tribunal or authority.

Signature of appellant



Wednesday, September 20th 2017