

FIRST APPEAL u/s 19(1)

29.9.17

To,
The First Appellate Authority
Addl Commissioner of Police- Traffic (HQ)
1st Floor, Dev Prakash Shastri Marg
Opp Pusa, New Delhi

Dear Sir,

I filed an online RTI Dtd 17.8.17 [1] which was transferred to your PIO vide Ref No DEPOL/R/2017/52267/1 Dtd 18.8.17 for which PIO has shown deemed refusal u/s 7(2). After contacting with PIO I was provided the response vide Watsapp letter Dtd 18.9.17 [2] which never received to me till date vide Speed Post with which I am not satisfied. Hence; I am filing this first appeal.

BACKGROUND

Particulars of Information required:

1. ***Subject matter of information:*** *The appellant is known that the false information is submitted to Hon'ble MP Shri Maheish Girri Ji vide enclosed letter.*
2. ***The period to which information relates:*** *From the date of issuing letter till the Date of this RTI application.*
3. ***Description of Information required:*** *Please provide certified copies of following information:*
 1. *Names, designations, and contact details of all the officials who has confirmed that all the confiscated vehicles have been removed from the vicinity.*
 2. *Details of all the confiscated vehicles which were dumped in the area prior to removal.*
 3. *Date and details of all the vehicles which were removed as per the letter to Hon'ble MP.*
 4. *Grounds available in records based upon which some vehicles are still found in the corner of the road.*
 5. *Details of action taken by the controlling authority against erring official, if official has submitted false information to Hon'ble MP.*
 6. *If no action has been initiated as above, reasons on record be made known to me, with name, designation and contact details of controlling authority of these employees. [Ref: section 4.1.d of RTI Act]*
 7. *Present status and date by which all the vehicles will be removed.*

GROUND OF APPEAL

1. PIO's casual approach towards RTI

PIO did not bother to provide reply by speed post nor through the online portal are the intentions of PIO evident to obstruct the information knowingly, deliberately, and with the mala-fide intentions.

Hence PIO has shown deemed refusal u/s 7(2).

2. PIO is obstructing information for Sno 1, 2, 3,4, 5, 6, and 7 by providing misleading and irrelevant response not pertaining to queries.

RELIEFS SOUGHT

1. PIO should be put to strictest proof to prove that he has not denied information as u/s 19(5) the onus to prove is upon PIO.
2. Personal hearing is DEMANDED **in the interest of Natural justice** from the concerned Appellate Authority telephonically & comments of PIO be provided in advance prior hearing date.
3. Strictures to be passed against PIO for not performing his duty properly.
4. Information should be provided as per the provisions of RTI Act immediately by registered/speed post free of cost u/s 7(6).

Yours Sincerely,

Varun Krishna

213 Gobind Appts, B-2, Vasundhara Enclave, Delhi-110096
Mobile: 9910946207 & Email:krishna.varun@gmail.com

Enclosures:

1. Copy of RTI Dtd 17.8.17
2. Copy of PIO Reply Dtd 18.9.17

Application for Information under Right to Information Act, 2005

17.8.17

To
The Public Information Officer
Delhi Police, East Delhi

1. Full name of Applicant: Varun Krishna

2. Address: 213 Gobind Appts, B-2 Vasundhara Enclave, Delhi-110096

3. Particulars of Information required:

- (i) **Subject matter of information:** The appellant is known that the false information is submitted to Hon'ble MP Shri Maheish Girri Ji vide enclosed letter.
- (ii) **The period to which information relates:** From the date of issuing letter till the Date of this RTI application.
- (iii) **Description of Information required:** Please provide certified copies of following information:
 1. Names, designations, and contact details of all the officials who has confirmed that all the confiscated vehicles have been removed from the vicinity.
 2. Details of all the confiscated vehicles which were dumped in the area prior to removal.
 3. Date and details of all the vehicles which were removed as per the letter to Hon'ble MP.
 4. Grounds available in records based upon which some vehicles are still found in the corner of the road.
 5. Details of action taken by the controlling authority against erring official, if official has submitted false information to Hon'ble MP.
 6. If no action has been initiated as above, reasons on record be made known to me, with name, designation and contact details of controlling authority of these employees. [Ref: section 4.1.d of RTI Act]
 7. Present status and date by which all the vehicles will be removed.

(iv) **Whether information is required by post or in person:** By post

(v) **In case by post (Ordinary, registered or Speed post):** Speed Post

4. Whether applicant is below poverty line: No.

Place: Delhi.

Notes to PIO

- 1) If any information is denied, please quote the exemption clause of Section 8 (1) and a brief reason as to how it is applicable. This is mandated by RTI Act section 7(8)(i) read with section 19 (5)

Enclosure:

1. **Copy of letter addressed to Hon'ble MP Shri Maheish Girri Ji**

CC For Information:

1. Hon'ble MP Shri Maheish Girri
Email: contact@maheishgirri.com

**OFFICE OF THE DY. COMMISSIONER OF POLICE: TRAFFIC:
EASTERN RANGE: 1st FLOOR, P.S. SHAKARPUR: NEW DELHI.**

No. 231 /RTI/SO/DCP/T/ER, Dated Delhi the 18/7 2017

To


Sh. Varun Krishna,
213. Gobind Apartments, B-2,
Vasundhara Enclave, Delhi-96.

Subject: - Regarding supply of information under RTI Act-2005.

With reference to your RTI application dated 17.08.17, received in this office on 17.08.17 through PIO Traffic-HQ, Delhi. The point wise reply as per report received from ACsP/T/ER is as under:-

- 1) :- Staff is deployed on rotational basis as per duty roaster.
- 2-3) :- No such separate record is maintained in this office.
- 4) :- As and when, any person / vehicle is found violating traffic rules then appropriate action is taken against him.
- 5-6) :- Proper action is taken against such erring police officials as per law.
- 7) :- As and when, any person / vehicle is found violating traffic rules then appropriate action is taken against him.

Note: If you are not convinced with the above reply, you may appeal before First Appellate Authority cum Addl. CP/Traffic (Hdqs), 1st Floor, Dev Prakash Shastri Marg, Opp. Pusa, New Delhi within 30 days of receipt of this reply.


PIO CUM. DY. COMMISSIONER OF POLICE
TRAFFIC: EASTERN RANGE: DELHI
PH# 22431777-78

DM-T

कार्यालय उपायुक्त पुलिस यातायात पूर्वी परिक्षेत्र
प्रथम तल धाना शंकरपुर दिल्ली।

संख्या 955 स्टा. अ/उपा. पु/याता/पूर्वी परिक्षेत्र, दिनांक 17/4/2018

सेवा में

श्री महेश निरी जी,
माननीय सांसद, लोकसभा, पूर्वी दिल्ली,
सी. 330, दूसरा तल, बालाजी मंदिर रोड,
विठ्ठल विहार, फेस-1, दिल्ली-110094।

विषय :-

धनुंधरा एन्क्लेव न्यू अशोक नगर क्षेत्र में कूड़े कचरे की सफाई तथा ट्रैफिक की समस्या के बारे में।

महोदय,

उपरोक्त विषय में आपके संदेश पर संख्या न. एम.पी.ड.डी. - 88334/DP दिनांक 02.02.2018 के बारे में आपको सूचित किया जाता है कि उपरोक्त क्षेत्र में पुराने न्यू अशोक नगर धाने के पास अचूकी गाड़ियों को हटा दिया गया है तथा लोक निर्माण विभाग का कार्य भी पूर्ण हो चुका है। क्षेत्र में पर्याप्त संख्या में यातायात स्टॉक को तैनात कर दिया गया है ताकि यातायात बिना किसी रुकावट के चलता रहे। पुराने धाने के कमरे हटाने तथा कूड़े कचरे के सफाई के विषय में प्रस्तुत पर स्थानीय पुलिस और नगर निगम को सूचित किया जाता है।

भवदीय

(Handwritten Signature)

(किसे कामिज) आ.पु.से.
उपायुक्त पुलिस, यातायात,
पूर्वी परिक्षेत्र, दिल्ली।

संख्या 956-69 स्टा. अ/उपा. पु/याता/पूर्वी परिक्षेत्र, दिनांक 17/4/2018
प्रतिनिधि सूचनाएँ व आवश्यक कार्यवाही हेतु :-

1. उपायुक्त पुलिस पूर्वी जिला, आई. पी. एक्सटेंड, दिल्ली।
2. उपायुक्त, पूर्वी दिल्ली नगर निगम, प्लॉट न 819, अधीन सदन, पटपड़गंज उपमैणिक क्षेत्र, दिल्ली।
3. सहायक आयु पुलिस/याता/पूर्वी जिला।
4. यातायात निरीक्षक कल्याण पूरी, दिल्ली।
5. यातायात शाखा/यातायात, दिल्ली।

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(किसे कामिज) आ.पु.से.
उपायुक्त पुलिस, यातायात,
पूर्वी परिक्षेत्र, दिल्ली।

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To

कार्यालय उपायुक्त पुलिस यातायात पूर्वी परिक्षेत्र
प्रथम तल थाना शकरपुर, दिल्ली।

संख्या 955 /स्टा. अ/उपा. पु/याता/पूर्वी परिक्षेत्र, दिनांक 17/4/2016

सेवामें

श्री महेश गिरी जी,
माननीय सांसद, लोकसभा, पूर्वी दिल्ली,
सी.330, दूसरा तल, बालाजी मंदिर रोड,
विवेक विहार, फेस-1, दिल्ली-110029।

विषय: -

बसुंधरा एम्प्लॉय न्यू जवाक नगर क्षेत्र में कूड़े कचरे की सफाई तथा ट्रैफिक की
समस्या के बारे में।

महोदय,

उपरोक्त विषय में आपके संदर्भ पत्र संख्या न. एम.पी.इ.डी. - 88338/DP दिनांक
02.02.2016 के बारे में आपको सूचित किया जाता है कि उपरोक्त क्षेत्र में पुराने न्यू अशोक नगर
थाने के पास जव्ही गाड़ियों को हटा दिया गया है तथा लोक निर्माण विभाग का कार्य भी पूर्ण हो
चुका है। क्षेत्र में पर्याप्त संख्या में यातायात स्टाफ को तैनात कर दिया गया है ताकि यातायात बिना
किसी स्कावट के चलता रहे। पुराने थाने के कमरे हटाने तथा कूड़े कचरे के सफाई के विषय में प्रस्तुत
पत्र स्थानीय पुलिस और नगर निगम को प्रेषित किया जाता है।

भवदीय

(Handwritten Signature)

(किर्न कामिग) आ.पु.सं.
उपायुक्त पुलिस, यातायात,
पूर्वी परिक्षेत्र, दिल्ली।

संख्या 956-69 /स्टा. अ/उपा. पु/याता/पूर्वी परिक्षेत्र, दिनांक 17/4/2016
प्रतिलिपि सूचनाय व आवश्यक कार्यवाही हेतु :-

1. उपायुक्त पुलिस पूर्वी जिला, आई. पी. एक्सटें, दिल्ली।
2. उपायुक्त, पूर्वी दिल्ली नगर निगम, प्लॉट न 819,
उद्योग सदन, पटपड़गंज उद्योगिक क्षेत्र, दिल्ली।
3. सहायक आयु. पुलिस/याता/पूर्वी जिला।
4. यातायात निरीक्षक कल्याण पूरी, दिल्ली।
5. शिकायत शाखा/यातायात, दिल्ली।

(Handwritten Signature)

(किर्न कामिग) आ.पु.सं.