

CENTRAL INFORMATION COMMISSION

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066

Decision No. CIC/SB/A/2015/000083

Dated 23.09.2016

Appellant : Ms. Rashmi Pal,
H. No. 662/8,
Gali No. 2, Railway Colony,
Mandawali,
Delhi-110092.

Respondent : Central Public Information Officer,
Delhi Police, O/o the DCP,
East District, Mandawali,
Fazalpur, Delhi.

Date of Hearing : 23.09.2016

Relevant dates emerging from the appeal:

RTI application filed on : 26.03.2015

CPIO's reply : 15.04.2015

First appeal filed on : 20.04.2015

FAA's order : 21.05.2015

Second appeal filed on : 20.06.2015

ORDER

1. Ms. Rashmi Pal filed an application dated 26.03.2015 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), East District, Delhi Police seeking information on three points pertaining to FIR No. 822/14 dated 01.09.2014 registered with Police Station, Mandawali on a complaint of Shri Rahul Chaudhary, including (i) action taken

by the local police of P.S. Mandawali on complaints dated 19.05.2009 and twelve more complaints given by her father Shri D.K. Pal and brother Shri Harish Pal against Shri Rahul Chaudhary, (ii) photo copy of complete noting portion of the concerned file in which these complaints were dealt by the police and (iii) information in respect of each and every complaint date-wise and point-wise separately.

2. The appellant filed a second appeal dated 20.06.2015 before the Commission on the grounds that correct, to the point and satisfactory information has not been provided either by the CPIO or the First Appellate Authority (FAA). The appellant requested the Commission to pass suitable orders and let him have correct, to the point and satisfactory information on all points of his RTI application.

Hearing:

3. The appellant's representative Shri D.K. Pal and the respondents Inspector Jagdish Yadav, S.I. Omender Singh and ASI Desh Raj, Delhi Police East District were present in person.

4. The appellant's representative submitted that the appellant was informed vide letter dated 15.04.2015 that the requisite information cannot be provided as the records upto year 2009 has been destroyed. Further, no such complaints dated 19.02.2011 and 28.03.2011 have been received. The appellant's representative further submitted that in another letter dated 05.05.2011, the PIO, East District, Delhi Police had informed him that the complaints dated 19.02.2011 and 28.03.2011 were filed.

5. The respondent submitted that since the complaint was of the year 2011, due to clerical mistake it was stated that the complaints were not received. The respondent further submitted that in compliance with the order of the FAA

dated 21.05.2015, a copy of the order dated 26.03.2015 vide which the records of the Complaint Branch for the year were handed over for recycling was provided to the appellant vide letter dated 26.05.2015.

Decision:

6. The Commission, after hearing the submissions of both the parties and perusing the records, observes that the respondent has admitted that it was by mistake that the appellant was informed that the complaints dated 19.02.2011 and 28.03.2011 were not received. In view of this, the Commission, directs the respondent to provide copies of the complaints dated 19.02.2011 and 23.03.2011, as well as a copy of the report on the basis of which these complaints were filed, to the appellant within a period of four weeks from the date of receipt of a copy of this order.

7. With these observations, the appeal is disposed of.

8. Copy of the decision be provided free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer