

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/SB/A/2015/000090

Dated 23.09.2016

Appellant : Shri Harish Kumar Pal,
H. No. 662/8,
Gali No. 2, Railway Colony,
Mandawali,
Delhi-110092.

Respondent : The 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 : 30.03.2015

CPIO's reply : 29.04.2015

First appeal filed on : 05.05.2015

FAA's order : 05.06.2015

Second appeal filed on : 25.06.2015

ORDER

1. Shri Harish Kumar Pal filed an application dated 30.03.2015 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), East District, Delhi Police seeking information on four points pertaining to FIR No. 822/14 dated 01.09.2014 registered with Police Station,

Mandawali on a complaint of Shri Rahul Chaudhary, and action taken on the various complaints filed by the applicant and his family members.

2. The appellant filed a second appeal dated 25.06.2015 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 respondent SI Omender Singh, East District, Delhi Police were present in person.

4. The appellant submitted that he has not been provided information on point no. (ii) of his RTI application. The appellant further submitted that since the investigation has been completed, he should be provided information as to whether the complaints filed by him after the filing of the FIR have been considered during the investigation of case no FIR 822/14.

5. The respondent submitted that since the charge sheet has been filed in the matter it would not be possible to provide information on point no.(ii) of the RTI application. The respondent further submitted that the appellant was requested to inspect the records/complaint file of HAC Branch and collect the requisite available information/documents on any working day as per RTI norms.

Decision:

6. The Commission, after hearing the submissions of both the parties and perusing the records, observes that the information as to whether the

complaints were considered or not during the investigation is a matter of fact and, therefore, should be available in the records of the respondent. Further, investigation in the matter has since been completed. The Commission, therefore, directs the respondent to enable the appellant to inspect the relevant record as well as obtain copies of requisite documents, free of cost, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above 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