

**CENTRAL INFORMATION COMMISSION**

2<sup>nd</sup> Floor, August Kranti Bhawan,  
Bhikaji Cama Place, New Delhi-110066

**Decision No. CIC/SB/A/2015/000354**

**Dated 24.11.2016**

**Complainant** : Shri Yogendra Jha,  
WZ-399,  
Madipur Village,  
New Delhi-110063.

**Respondent** : Central Public Information Officer,  
Delhi Police O/o ADCP-cum-PIO,  
DCP Office Complex,  
South District, Near PS Hauz Khas  
New Delhi.

**Date of Hearing** : 24.11.2016

**Relevant dates emerging from the appeal:**

RTI application filed on : 06.05.2015

First appeal filed on : 15.06.2015

FAA's order : 13.07.2015

Second appeal filed on : 07.09.2015

**ORDER**

1. Shri Yogendra Jha filed an application dated 06.05.2015 under the Right to Information Act, 2005 (RTI Act) before the Public Information Officer (PIO), South District, Delhi Police seeking information on fifteen points pertaining to the complaints filed by his wife, Mrs Arju Jha and one Ms. Juli Jha in P.S. Vasant Kunj, including (i) why the police did not reach when his wife, Mrs. Arju Jha made a PCR call from Mobile No.964xxxx439 about a

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suicide attempt on 02.05.2015 and (ii) at what did time Ms. Juli Jha made the PCR call.

**2.** The complainant filed a second appeal dated 07.09.2015 before the Commission on the grounds that the CPIO and the First Appellate Authority (FAA) provided incorrect and incomplete information and that too not within the stipulated period of 30 days. The complainant requested the Commission to take action against the erring CPIO under Section 18 of the RTI Act and award him compensation.

**Hearing on 24.11.2016:**

**3.** Both the complainant Shri Yogendra Jha and the respondent Shri Prabhu Dayal, Inspector, Delhi Police were present in person.

**4.** The complainant submitted that complete information with respect to his RTI application has not been provided to him by the respondent. The complainant further submitted that whatever information has been provided to him is incorrect and misleading. The complainant also submitted that the respondent in response to point nos. 2 and 3 of the RTI application, had stated that a PCR call regarding the quarrel was first received from the Mobile no. 96437xxx39 of his wife Mrs. Arju Jha, whereas, in point no. 7 of the same reply, the respondent has stated that no complaint was received from Mrs. Arju Jha. Hence, information provided is not only incorrect but also contradictory.

**5.** The respondent submitted that point wise information as per the records of P.S. Vasant Kunj was provided to the complainant vide letter dated 02.06.2015. Hence, no further information remains to be provided to the complainant. The respondent, however, could not provide a satisfactory explanation regarding the reply furnished with respect to point no. 7 of the appellant's RTI application.

**Interim Decision:**

6. The Commission, after hearing the submissions of both the parties and perusing the records, observes that as per the respondent due information has been provided to the complainant. However, as per the complainant, incorrect, incomplete and contradictory information has been provided to him. In view of this, the Commission prima facie is of the opinion that a contradictory reply has been given to the complainant. Therefore, the CPIO, South District, Delhi Police is liable for imposition of penalty in terms of the provisions under Section 20(1) of the RTI Act, 2005.

7. The CPIO, South District, Delhi Police is hereby directed to submit an explanation both by post and through e-mail at [do.icsb-cic@gov.in](mailto:do.icsb-cic@gov.in) before the Commission, on or before 26.12.2016, explaining why action under Section 20(1) of the RTI Act should not be initiated against him.

8. The CPIO, South District, Delhi Police is further directed to appear before the Commission on **05.01.2017 at 11.45 pm.** along with a copy of his written explanations.

9. The CPIO is also directed to inform if there is/ are other person(s) responsible for knowingly not providing complete information to the complainant and if so to inform such persons of the show cause hearing and direct them to appear before the Commission on **05.01.2017 at 11.45 pm.** along with his/ their written explanations.

**10.** Copy of the decision be provided free of cost to the parties.

**(Sudhir Bhargava)**  
**Information Commissioner**

**Authenticated true copy**

**(V.K. Sharma)**  
**Designated Officer**