

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/SB/A/2015/000376

Dated 24.11.2016

Appellant : Shri Sabir Raza,
8165-66, Gali No. 6,
Chimini Mill,
Bara Hindu Rao,
Delhi-110006.

Respondent : Central Public Information Officer,
Delhi Police O/o ADCP-cum-PIO,
North District, Civil Lines,
Delhi-110 054.

Date of Hearing : 24.11.2016

Relevant dates emerging from the appeal:

RTI application filed on : 09.07.2015

CPIO's reply : 10.08.2015

First appeal filed on : 18.08.2015

FAA's order : 15.09.2015

Second appeal filed on : 02.11.2015

ORDER

1. Shri Sabir Raza filed an application dated 09.07.2015 under the Right to Information Act, 2005 (RTI Act) before the Public Information Officer (PIO), North District, Delhi Police seeking information on three points pertaining to the complaints filed by him to SHO, Police Station, Sadar Bazar and DCP, North District, Delhi Police including (i) Action Taken Report on his complaint

made to SHO, P.S. Sadar Bazar, Delhi vide DD No.36A dated 19.06.2015 and (ii) Action Taken Report on his complaint made to DCP, North District on 20.06.2015.

2. The appellant filed a second appeal dated 02.11.2015 before the Commission on the grounds that the First Appellate Authority (FAA) passed the Order dated 15.09.2015 without providing him an opportunity of being heard and the order is a verbatim of the order passed by the CPIO.

Hearing:

3. The appellant Shri Sabir Raza was not present despite notice. The respondent Shri Subhash Chandra, Assistant Sub-Inspector, North District, Delhi Police was present in person.

4. The respondent submitted that point wise information as per available records was provided to the appellant vide letter dated 10.08.2015. The respondent upon a specific query from the Commission on point no. 3 of the RTI application submitted that no statements were recorded by the IO in the case and, therefore, information sought in point no. 3 of the RTI application cannot be provided to the appellant.

Decision:

5. The Commission, after hearing the submissions of the respondent and perusing the records, observes that point wise information as per available record has been provided to the appellant by the respondent. The Commission also observes that as per the appellant's written submissions, information in respect of point no. 3 of the RTI application was denied to him. However, as per the respondent the same was denied as no statement(s) as sought by the appellant was recorded by the IO. In view of this, the Commission, directs the respondent to file an affidavit with the Commission, deposing that no

statement(s) of any person(s) was recorded by the IO in the matter relating to the complaint made by the appellant vide DD No. 36-A dated 19.06.2015, within a period of four weeks from the date of receipt of a copy of this order. A copy of the affidavit shall also be provided to the appellant.

6. With the above observations, the appeal is disposed of.
7. Copy of the decision be provided free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer