

**CENTRAL INFORMATION COMMISSION**

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

**Decision No. CIC/SB/A/2015/000382**

**Dated 24.11.2016**

**Appellant** : Shri M.K. Gola,  
F-71/5, Gali No.3, Subhash Vihar,  
Bhajanpura,  
Delhi-110 053.

**Respondent** : Central Public Information Officer,  
Delhi Police, O/on ADCP cum PIO,  
NorthEast District, GTB Enclave,  
Delhi-110 095.

**Date of Hearing** : 24.11.2016

**Relevant dates emerging from the appeal:**

RTI application filed on : 06.06.2015  
CPIO's reply : 02.07.2015/19.08.2015  
First appeal filed on : 17.07.2015  
FAA's order : 31.07.2015  
Second appeal filed on : 14.09.2015

**ORDER**

1. Shri M.K. Gola filed an application dated 06.06.2015 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), North District, Delhi Police seeking information pertaining to FIR No.473 dated 07.09.2013.

2. The appellant filed a second appeal dated 14.09.2015 before the Commission on the grounds that he has been provided incorrect and misleading information by the First Appellate Authority (FAA).

**Hearing:**

3. The appellant Shri M.K. Gola and the respondent Shri Sanjay Singh, ACP(HQ), Delhi Police were present in person.

4. The appellant submitted that complete and correct information has not been provided to him in response to his RTI application despite the orders of the FAA dated 31.07.2015. The appellant further submitted that he has not been provided a copy of the statements recorded in respect of S/Shri Rajiv Kumar and Harsh Kumar on the plea that the disclosure of the information sought would impede the process of investigation. Hence, the disclosure of the same is exempted under Section 8(1)(h) of the RTI Act.

5. The respondent submitted that in compliance of FAA's order dated 31.07.2015 information was provided to the appellant vide letter dated 19.08.2014. The respondent further submitted that copy of the statements recorded was not provided as the matter was under the process of investigation in the case FIR No.473/13. The respondent also submitted that the investigation has since been completed and the matter is pending in the concerned court i.e., Kakardooma Court.

**Decision:**

6. The Commission, after hearing the submissions of both the parties and perusing the records, observes that the respondent could not establish as to how providing copy of the Statements of S/Shri Rajiv Kumar and Harsh Kumar would impede the trial proceedings. The Commission, therefore, directs the respondent to provide the information sought in point no.3 of the RTI

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application to the appellant within a period of four weeks from the date of receipt of a copy of this decision.

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**