

**CENTRAL INFORMATION COMMISSION**

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

**Decision No. CIC/SB/A/2015/000307**

**Dated 22.11.2016**

**Appellant** : Shri Bhoopender,  
224-C, Janta Flats,  
PaschimVihar Extension,  
New Delhi-110063.

**Respondent** : Central Public Information Officer,  
Delhi Police O/o D.C.P. West District,  
P.S. Rajouri Garden,  
New Delhi-110027.

**Date of Hearing** : 22.11.2016

**Relevant dates emerging from the appeal:**

RTI application filed on : 06.05.2015

CPIO's reply : 05.06.2015

First appeal filed on : 11.06.2015

FAA's order : 14.07.2015

Second appeal filed on : 14.09.2015

**ORDER**

1. Shri Bhoopender filed an on-line application dated 06.05.2015 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), West District, Delhi Police seeking copies of entire day-to-day proceedings along with copies of Note Sheets in respect of his Complaints dated 22.12.2014, 23.12.2014, 18.02.2015, 19.02.2015 and 20.03.2015.

2. The appellant filed a second appeal dated 14.09.2015 before the Commission on the grounds that the CPIO and the First Appellate Authority (FAA) provided incorrect, incomplete and partial information and did not provide information/documents regarding his six complaints for investigation in respect of FIR No.292/13 under Section 498A/406/34 IPC which is pending judicial verdict. The appellant requested the Commission to impose penalty under Section 20(1), recommend disciplinary action under Section 20(2) of the RTI Act on the CPIO and FAA and provide information/documents sought by him.

**Hearing:**

3. The appellant Shri Bhoopender was not present despite notice. The respondent Shri Ajmer Singh, Inspector, Delhi Police was present in person.

4. The respondent submitted that the appellant was informed vide letter dated 05.06.2015 that the charge sheet in the matter has been filed and the matter is pending trial before the learned Metropolitan Magistrate, Tis Hazari Court. The respondent also submitted that all the relevant documents are enclosed with the judicial file. Hence, the requisite information cannot be provided at this stage and the same may be sought from the Court concerned.

**Decision:**

5. The Commission, after hearing the submissions of the respondent and perusing the records, observes that as per the respondent information sought cannot be provided to the appellant since all the relevant documents have been filed by the respondent to the Court concerned as the matter is pending trial. In view of this, the Commission directs the respondent to file an affidavit with the Commission deposing that no documents relating to the case of the appellant is in the custody of the respondent, 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 served on 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**