

(4)

**BEFORE STATE INFORMATION COMMISSION HARYANA, CHANDIGARH.
APPEAL UNDER SECTION 19(3) OF THE RIGHT TO INFORMATION ACT, 2005.**

CASE No.1675 OF 2007

Smt. Rati W/o Shri Phire Ram,
R/o C-3/152, Yamuna Vihar,
Delhi-53

..... **Appellant.**

Versus

1. First Appellate Authority-cum-Inspector General of Police Gurgaon Range, Gurgaon.
2. SPIO-cum-Superintendent of Police, Gurgaon.

.....**Respondents.**

Present

1. None on behalf of the appellant.
2. Sh. Harish Dutta, ACP Sadar, Gurgaon.

Facts-

This matter has arisen in pursuance of the earlier orders passed by the Commission in this case on 15.1.2008.

The matter was heard on 26.2.2008 when the respondent could not be present. On the next date of hearing i.e. 2.4.2008 none of the parties could be present. As per orders of the Commission dated 15.1.2008, the respondent department has given its comments vide letter dated 4.2.2008 which is available on record. The appellant has sent a communication received in the office of the Commission on 19.2.2008 pointing out some deficiencies in the information supplied. These are discussed below:-

1. It has been mentioned that no opportunity was provided to inspect the file. The respondent department has pointed out that the matter was inquired into and report was received on 22.6.2007. The son of the appellant on 6.7.2007 went to the office of DCP, Gurgaon, inspected the record and requested for a copy of the enquiry report. A sum of Rs. 240/- was got deposited from him and a copy of the enquiry report along with statements of witnesses was received by him on the same day. Copies of the application dated 6.7.2007 as well as receipt given by Sh. Dharmender son of appellant have been placed on record. There is no substance in this objection.
2. Information provided against Sr. No. 1 to 8 is not reliable. This allegation is quite vague and the department has confirmed that information has been given based on the enquiry report as well as on record. There is no substance in this objection.
3. As regards information given at Sr. No.8, it has been mentioned that the information is not correct. The department has pointed out that correct

information has been supplied. Merely alleging that the information is incorrect, is not enough and the Commission does not find any substance in this allegation.

4. The appellant was asked to deposit Rs.240/- as additional fee 30 days after the filing of the application. This action of the department was wrong since she was entitled to free supply of the information under the Act. The department has pointed out that the application for getting a copy of the report was given by the son of the appellant on 6.7.2007 when he visited the office of the respondent department and after he deposited the fee a copy of the report containing 19 pages along with statements was furnished to him on the same date. Under these circumstances, the department has contended that the fee was obtained as per rules. The Commission does not find any substance in the objection raised by the appellant.
5. The point raised about filing a complaint against the Enquiry Officer as having been suggested by the department also does not seem to have any substance. The department has pointed out that appellant was only advised to request for a second enquiry in case she was not satisfied with the enquiry report.
6. It has been mentioned by the appellant that a copy of the Will has not been furnished and only a copy of the GPA has been furnished. The respondent department has pointed out that only a copy of the GPA was annexed to the enquiry report which has already been supplied to the appellant.

After a careful consideration of the matter the Commission feels that the objections raised by the appellant are without substance. She has also not bothered to appear in person or through her representative in the hearing held on 2.4.2008 as well as in today's hearing. Nothing else has, therefore, been urged on her behalf. Since the information stands furnished no further action is called for in this case and the matter is hereby treated as closed.

Announced. To be communicated.



(G. Madhavan)
Chief Information Commissioner,
Haryana, Chandigarh.

Place: Chandigarh
Dated: 14.5.2008