Central Information Commission  
Room No. 5, Club Building, Near Post Office  
Old J.N.U. Campus, New Delhi – 110067  
Tel No: 26161997

Case No. CIC/SS/A/2010/000249

Name of the Appellant: Ms. Hema D Souza  
(The Appellant was not Present)

Name of the Public Authority: Addl. Deputy Commissioner of Police, Economic Offences Wing, New Delhi.

Represented by Shri Rajesh Deo, Addl. DCP., Shri Sushil Kumar, Inspector and shri M.K. Mishra, Inspector.

The matter was heard on: 7.12.2010.

ORDER

Ms. Hema D Souza, through her RTI application dated 13.5.2009 sought the information from the CPIO, Office of Commissioner of Police, Delhi Police, H.Q. Not getting any information within the period stipulated under RTI Act, the Appellant filed an appeal before the First Appellate Authority (FAA). Not getting any information even after filing the first appeal, the Appellant filed the present appeal before the Commission.

After hearing the Respondent and on perusal of relevant documents on file, it emerges that the CPIO, Office of Commissioner of Police, Delhi Police, H.Q. forwarded the RTI application to different PIOs. It also emerges that the PIOs to whom the RTI application was forwarded, also has failed to provide the complete requisite information. This can be seen from the fact that EOW has submitted before the Commission that the complaint dated 7.03.2009, which was received vide Diary No. 1614/E, dated 9.03.2009, has been replied to by the PIO, North West Dist, Delhi. However, on perusal of the reply of the PIO,
North West Dist, Delhi, dated 29.09.2009, it is observed that the PIO has held that the matter is related to Dy. Commissioner of Police, Vigilance or Dy. Commissioner of Police, Outer Dist.

In view of the above, the Commission is of the view that the CPIO, Office of Commissioner of Police, Delhi Police, H.Q. was under the obligation to provide information relating to the action taken by the Office of Commissioner of Police, Delhi Police, H.Q. on the complaint of the Appellant, as the Appellant had asked for the action taken by the Office of Commissioner of Police, Delhi Police, H.Q. on her complaint. The CPIO, Office of Commissioner of Police, Delhi Police, H.Q. is not supposed to work merely as a Post Office for forwarding the RTI application to other PIOs, rather they are supposed to provide information relating to Police H.Q. Keeping in view the peculiar facts and circumstances of the present case, the Commission deems it fit to direct the CPIO, Office of Commissioner of Police, Delhi Police, H.Q. to collect the information from the concerned PIOs and to provide it to the Appellant within 20 days of receipt of this order including the action taken by the Commissioner of Police on the complaint. The Commission is also of the view that the CPIO, Office of Commissioner of Police, Delhi Police, H.Q. has prima-facie caused a delay of more than 100 days beyond the period stipulated under the RTI Act, by not providing information relating to his own office. Therefore, the CPIO is directed to show cause why a penalty of Rs.25000/- should not be imposed on him for causing a delay of more than 100 days in providing the information as per the provisions of the RTI Act.

A Show Cause Notice will be issued separately.

(Sushma Singh)
Information Commissioner
13.12.2010

Case No. CIC/SS/A/2010/000249

Authenticated true copy:

(S.Padmanabha)
Under Secretary & Deputy Registrar

Copy to:

1. Ms. Hema D Souza,
   82, Sector-2, Pocket-1,
   Dwarka, Phase-I,
   New Delhi-110075.

2. The Central Public Information Officer,
   Office of Commissioner of Police,
   PHQ, ITO, I.P.Estate,
   New Delhi.

3. The Appellate Authority,
   Office of the Addl. Dy. Commissioner of Police,
   Economic Offences Wing,
   Crime Branch,
   New Delhi.