

**OFFICE OF THE SENIOR SUPERINTENDENT OF POLICE-CUM-1<sup>st</sup>**  
**APPELLATE AUTHORITY (UNDER RTI ACT 2005), UT, CHANDIGARH**

**Appeal Order No. D - 236 - 238**

**/UT/RTI/SSP, dated : 26.06.2020**

Name of Appellant : Sh. Tarminder Singh Chaudhary  
R/o H. No. 2206, Sector 45 C,  
Chandigarh

Concerned CPIOs : CPIO/South

Date of RTI application : 12.05.2020

Date of CPIO's Reply : 01.06.2020

Date of 1<sup>st</sup> Appeal : 03.06.2020

**O R D E R**

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The appellant has preferred his 1<sup>st</sup> appeal vide registration no. PODEP/A/E/20/00046 dated 03.06.2020 against the reply/order of CPIO/South in connection with his RTI application bearing no. PODEP/R/E/20/00160 dated 12.05.2020 with the contentions that requisite information was not supplied to him. The instant appeal was diarized vide no. 50/UT/RTI/FAA/SSP dated 03.06.2020 for further proceeding under RTI Act.

**Information sought vide RTI application :-**

The appellant had sought information on 04 points pertaining to case FIR no. 284 dated 07.08.2018 u/s 379, 34 IPC PS Sector 34, Chandigarh i.e. investigation report, statements of accused, whether chargesheet was submitted in the Ld. Court or not, if not provide specific reasons etc.

**Comments of CPIO/South :-**

Comments of CPIO/South have been obtained who submitted that RTI application of the appellant was received in his office through online RTI portal vide registration no. PODEP/R/E/20/00160 dated 12.05.2020. Thereafter, requisite information was obtained from SHO PS Sector 34 and the appellant was informed vide letter no. 176/CPIO/South dated 20.05.2020 that the case FIR no. 284 dated 07.08.2018 u/s 379, 34 IPC PS Sector 34, Chandigarh is under investigation hence, information could not be supplied as per section 8(1)(h) of RTI act.

**Decision :-**

I have gone through the contents of RTI application & appeal of the appellant, comments of CPIO/South vis-à-vis material available on record which revealed that the appellant had sought information on 04 points

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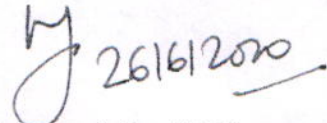
pertaining to case FIR no. 284 dated 07.08.2018 u/s 379, 34 IPC PS Sector 34, Chandigarh i.e. investigation report, statements of accused, whether chargesheet was submitted in the Ld. Court or not, if not provide specific reasons etc.

In reply, CPIO/South had denied the requisite information to the appellant u/s 8(1)(h) of RTI act as the case FIR no. 284 dated 07.08.2018 u/s 379, 34 IPC PS Sector 34, Chandigarh was under investigation at that time.

So far as the appeal is concerned, the case in question is still under investigation hence, investigation details cannot be disclosed at this stage, So CPIO/South had rightly denied the requisite information u/s 8(1)(h) of RTI act. Moreover, grievances like providing reasons for not filing chargesheet and delay in filing chargesheet cannot be entertained under RTI act as these are parts of investigation procedure. Only available information can be provided under RTI act.

With these observations, the appeal of the appellant stands disposed of accordingly.

In case, the appellant is not satisfied with the disposal of this appeal, he can file second appeal before the Hon'ble CIC, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi-110067 under the RTI Act within 90 days.

 26/6/2020

**(Nilambari Jagadale, IPS)**  
**Senior Superintendent of Police**  
**Union Territory, Chandigarh-cum-**  
**1<sup>st</sup> Appellate Authority.**

1. Sh. Tarminder Singh Chaudhary,  
R/o H. No. 2206, Sector 45 C,  
Chandigarh.
2. CPIO/South
- ✓ 3. Computer Section