

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

**Appeal Order No. D-94-96**

**/UT/RTI/SSP, dated: 23.03.2020**

**Name of Appellant**

**:**

**Mr. Vikram Singh,  
R/o # 389, GF, Sector 41A,  
Chandigarh.**

**Concerned CPIOs**

**:**

**CPIO/East & South**

**Date of RTI application**

**:**

**28.01.2019**

**Reply of CPIOs**

**:**

**20.02.2020**

**Date of 1<sup>st</sup> Appeal**

**:**

**14.02.2020**

**ORDER**

The appellant has preferred his 1<sup>st</sup> appeal against the reply/order of CPIO/South & East in connection with his RTI application with the contentions that requisite information was not supplied to him. The instant appeal was diarized vide No. 16/UT/RTI/FAA/SSP dated 14.02.2020 for further proceeding under RTI Act.

**Information sought vide RTI application :**

The appellant had sought information on 5 points regarding house No. 1 Phase-1, Industrial Area, Chandigarh i.e. how many families are residing in the house, staying period of family & which capacity they are staying, tenants particulars, whether house owner gave the information about his tenants etc.

**Comments of CPIO/East:**

CPIO/East submitted that RTI application of the appellant was received through CAPIO/PHQ vide No. 55/RTI/CAPIO (PHQ) UT/PWS dated 10.01.2020 for supplying the information. Thereafter, requisite information was obtained from SHO/PS-Ind. Area who reported that the said house falls

*- J 23/3/2020*



under the jurisdiction of PS-31, Chandigarh and accordingly RTI application was transferred to CPIO/South for supplying the requisite information.

**Comments of CPIO/South:**

CPIO/South submitted that RTI application of the appellant was received through CPIO/East vide No. 15/RTI/CPIO/East dated 28.01.2020 for supplying the information. Thereafter, requisite information was obtained from SHO/PS-31 who reported that the said house does not fall under the jurisdiction of PS-31, Chandigarh and accordingly applicant was informed vide letter No. 48/CPIO/South dated 20.02.2020.

**Decision:**

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/East & South vis-à-vis material available on record which revealed that the appellant sought information on 5 points regarding house No. 1 Phase-1, Industrial Area, Chandigarh i.e. how many families are residing in the house, staying period of family & which capacity they are staying, tenants particulars, whether house owner gave the information about his tenants etc.

In reply, CPIO/East had wrongly transferred the RTI application to CPIO/South as appellant had sought the information with regard to House No. 1, Phase-1, Ind. Area, Chandigarh but CPIO/East had added the word "Ram Darbar" on its own in the said address which is not mentioned in the RTI application.

Thereafter, CPIO/South also without properly going through the contents of RTI application, replied the appellant that the said house does not fall under the jurisdiction of PS-31. But he did not transfer back the RTI application to CPIO/East.

Consequently, RTI application was wrongly dealt by both the CPIOs. Hence, CPIO/East and CPIO/South are hereby directed to peruse the contents of the RTI applications thoroughly in future before disposing of the same.

7/23/3/2020



Moreover, from the careful perusal of the RTI application it reveals that applicant has sought information in questionable form which is not covered under the definition of 'Information' defined in section 2 (j) of RTI Act. The same is reproduced as under :-

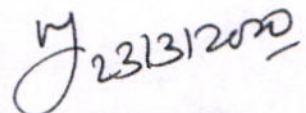
- (j) *"Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to (i) inspection of work, documents, records...."*

The bare reading of above definition of 'information' categorically clarified that applicant can seek only such information which is available in any material form with the CPIO. Hence, the information related to point nos. 1 to 5 doesn't comes under the purview of RTI act.

However, information related to numbers of families/tenants residing in the said house, can be supplied to the appellant, if available in the record. Accordingly, CPIO/East is hereby directed to supply the same as per RTI Act.

With these observations, the instant appeal 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.

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

1. Mr. Vikram Singh,  
R/o # 389, Ground Floor,  
Sector 41A, Chandigarh.
2. CPIO/East & South.
3. Computer Section.