



CHANDIGARH POLICE
OFFICE OF THE SENIOR SUPERINTENDENT OF POLICE-CUM-1st APPELLATE
AUTHORITY (UNDER RTI ACT 2005), UT, CHANDIGARH.

Appeal Order No. D-01-04 /UT/RTI/SSP, dated : 02.01.2024

Name of Appellant : Mr. Vinod Kumar
R/o H. No. 827, Vikas Nagar,
Mauli Jagran, Chandigarh.

Concerned CPIO : CPIO/Hqrs & East

Date of RTI application : 24.10.2023

Reply of CPIO : 07.11.2023

Date of 1st Appeal : 11.12.2023

ORDER

The appellant has preferred 1st appeal dated 11.12.2023 against the disposal of his RTI application dated 24.10.2023 by CPIO/Hqrs & East with the contentions that requisite information was not provided to him.

Information sought vide RTI application :-

The appellant vide his RTI application dated 24.10.2023 has sought information on 02 points i.e. action taken on complaint bearing No. ICMS/2023/026415 and why was complaint bearing No. PW2022/07500 mentioned in DDR No. 04 dated 28.04.2022 lodged at Police Station 19, Chandigarh.

COMMENTS OF CPIO/Hqrs :-

CPIO/Hqrs vide his comments submitted that RTI application was received in his office to obtain information regarding complaint bearing No. PW2022/07500. Thereafter, requisite information was obtained from I/C HAC and appellant was contacted telephonically to collect the requisite information. Thereafter, on 07.11.2023 visited the office of the under signed and after the inspection of the file, collected the requisite information in the shape of 21 pages vide letter No. 635/CPIO/Hqrs/RTI-2023 Dated 07.11.2023.

COMMENTS OF CPIO/East :-

CPIO/East vide his comments submitted that RTI application of the appellant was received in his for supplying requisite information. Thereafter, requisite information was obtained from SHO PS-19, Chandigarh who reported that complaint bearing No. ICMS/2023/026415 is being dealt by PCC Branch and RTI application was already transferred to concerned CPIO for providing the information in this regard. Information in regard with point No. 2 i.e. why was complaint bearing No. PW2022/07500 mentioned in DDR No. 04 dated 28.04.2022 lodged at Police Station 19, Chandigarh, was denied to the appellant as appellant has sought clarification/queries which does not comes under the purview of RTI, Act. The appellant was informed accordingly vide letter No. 238-RTI/CPIO/East/Dated

14.11.2023. Moreover, appellant vide his 1st appeal has now raised contentions that information was not provided to him in regard with complaint bearing No. ICMS/2023/026517, instead of complaint bearing No. ICMS/2023/026415 as sought vide his RTI application.

DECISION :-

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/Hqrs & East vis-à-vis material available on record which revealed that the appellant vide his RTI application has sought information on 02 points i.e. action taken on complaint bearing No. ICMS/2023/026415 and why was complaint bearing No. PW2022/07500 mentioned in DDR No. 04 dated 28.04.2022 lodged at Police Station 19, Chandigarh.

In reply, CPIO/Hqrs supplied the available information consisting of (21) pages to the appellant after arranging the inspection of the record and CPIO/East also provided point wise reply to the appellant, yet, the appellant has raised contentions through his instant 1st appeal i.e. queries are not resolved by the concerned CPIO, which are not covered under the purview of RTI act.

Moreover, Hon'ble High Court of Bombay vide its order dated 03.04.2008 in case titled as "Dr. Celsa Pinto Vs. Goa State Information Commission (W.P.No.419 of 2007)" categorically explained the issue as under:-

"The definition (of information) cannot include within its fold answers to the question "why" which would be the same thing as asking the reason for a justification for a particular thing. The Public Information Authorities cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of a justification because the citizen makes a requisition about information. Justifications are matter within the domain of adjudicating authorities and cannot properly be classified as information."

Similarly, Hon'ble Central Information Commission, New Delhi in Complaint No.CIC/RBIND/C/2020/664244 titled as "Shishir Gupta Vs. Reserve Bank of India also cleared the matter as under:-

"The CPIO cannot create information in the manner as sought by the applicant. The CPIO is only a communicator of information based on the records held in the office and hence, he cannot be expected to do research work to deduce anything from the material therein and then supply it to him".

In view of above, it is amply clear that available information at the disposal of CPIO, has already been supplied to the appellant, yet appellant is not satisfied with the provided information and raised contentions that his queries are not resolved, which is not entertainable under RTI Act. Henceforth, no more action is required to be taken on the instant appeal.

With these observations, instant appeal stands disposed off.

In case, the appellant is not satisfied with the disposal of his 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.



(Kanwardeep Kaur, IPS)
Senior Superintendent of Police
Union Territory, Chandigarh-cum-
1st Appellate Authority.

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Copies to :-

- 1 CPIO/Hqrs
- 2 CPIO/East
- 3 Computer Section.