



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

Appeal Order No. D-101-103	/UT/RTI/SSP, dated : 08.04.2024
Name of Appellant :	Mr. S. M. Tripathi, R/o Chamber No. 404, District Courts, Sector-43, Chandigarh Mob. 98555-04821
Concerned CPIO :	CPIO/South
Date of RTI application :	07.02.2024
Reply of CPIO :	20.02.2024
Date of 1 st Appeal :	11.03.2024

ORDER

The appellant has preferred his 1st appeal dated 11.03.2024 against the disposal of his RTI application dated 07.02.2024 by CPIO/South with the contentions that requisite information was not provided to him.

Information sought vide RTI application :-

The appellant vide his RTI application had sought information on 06 points i.e. What is the parameter for declaring any person as Bad Character, on what grounds Ajay @ Jai Parkash was declared Bad Character, period upto which Bad Character will survive, if Ajay @ Jai Parkash is still Bad Character, procedure & manner for raiding the premises of Bad Character and purpose for raiding the premises of Bad Character.

COMMENTS OF CPIO/South :-

CPIO/South vide his comments submitted that RTI application of the appellant was received in his office to obtain the requisite information. Thereafter, requisite information was obtained from SHO- 31 who reported that requisite information is in questionnaire form. Hence, the same was denied to the appellant as per the provisions of section 2 (f) of RTI Act, 2005, as CPIO can only provide the record available with him and cannot create information in the manner as sought by the appellant. Applicant was apprised about the same vide letter No. 47/RTI-24/CPIO-South /Dated, 20.02.2024.

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 vide his RTI application has sought information on 06 points i.e. What is the parameter for declaring any person as Bad Character, on what grounds Ajay @ Jai Parkash was declared Bad Character, period upto which Bad Character will survive, if Ajay @ Jai Parkash is still Bad Character, procedure & manner for raiding the premises of Bad Character

In reply, CPIO/South has denied the sought information as per the section 2 (f) of RTI Act, information being questionnaire in form.

Now, as far as the appeal is concerned, appellant has sought information in questionnaire form and raised queries, which are not entertainable under RTI Act. Henceforth, no more action is required to be taken on the instant appeal.

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 expected to do research work to deduce anything from the material therein and then supply it to him".

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.

Mr. S. M. Tripathi,
R/o Chamber No. 404, District Courts,
Sector-43, Chandigarh
Mob. 98555-04821

Copies to :-

- 1 CPIO/South.
- 2 Computer Section.