



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

Appeal Order No. D-109-111 /UT/RTI/SSP, dated : 19.02.2025

Name of Appellant : Mr. Atul Aggarwal  
R/o Flat No. 1601, Tower-34,  
Lotus Espasia, Sector 100, Noida UP  
Mob : 98105-36480

Concerned CPIO : CPIO/South-West

Date of RTI application : 12.01.2025

Reply of CPIO : 04.02.2025

Date of 1<sup>st</sup> Appeal : 04.02.2025

**ORDER**

The appellant has preferred his 1<sup>st</sup> appeal dated 04.02.2025 against the disposal of his RTI application dated 12.01.2025 by CPIO/South-West 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 regarding complaints bearing no. ICMS/2024/038820, ICMS/2024/038746, ICMS/2025/000106, ICMS/2025/000475, ICMS/2025/000780 & ICMS/2025/000781 i.e. copy of action taken report and what kind of enquiry is going on my complaints.

**COMMENTS OF CPIO/South-West :-**

CPIO/South-West vide his comments submitted that RTI application of the appellant was received in his office to supply the requisite information. The complaints in question are still under enquiry. Therefore, the requisite information cannot be provided to the applicant and was denied to the applicant as per the provisions section 8 (1) (h) of RTI Act. Applicant was apprised, accordingly.

**DECISION :-**

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/South-West vis-à-vis material available on record which revealed that the appellant vide his RTI application had sought information regarding complaints bearing no. ICMS/2024/038820, ICMS/2024/038746, ICMS/2025/000106, ICMS/2025/000475, ICMS/2025/000780 & ICMS/2025/000781 i.e. copy of action taken report and what kind of enquiry is going on my complaints.

In reply, CPIO/South-West had denied the requisite information as per the provisions of section 8 (1) (h) of RTI Act.



Now as far as the appeal is concerned, CPIO/South-West has appropriately denied the requisite information as complaints in question are still under enquiry. Hence, denied as per the provisions of section 8 (1) (h) of RTI Act.

Moreover, appellant has raised queries/questions regarding investigation done in the FIR, which is not entertainable under RTI Act and falls outside the purview of section 2(f) 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 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 accordingly.

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-  
1<sup>st</sup> Appellate Authority.

Mr. Atul Aggarwal  
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Copies to :-

- 1 CPIO/South-West
- 2 Computer Section.