



**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-126-128	/UT/RTI/SSP, dated : 15.05.2024
Name of Appellant	:	Ms. Nikita Sharma, R/o H. No. 1769, Sector 29-B, Chandigarh Mob. 62804-99297
Concerned CPIO	:	CPIO/East
Date of RTI application	:	08.03.2024
Reply of CPIO	:	27.03.2024
Date of 1 <sup>st</sup> Appeal	:	16.04.2024

**ORDER**

The appellant has preferred her 1<sup>st</sup> appeal bearing dated 16.04.2024 against the disposal of her RTI application dated 08.03.2024 by CPIO/East with the contentions that requisite information was not provided to her.

**Information sought vide RTI application :-**

The appellant vide her RTI application has sought information on 07 points regarding complaints bearing no. ICMS/2023/028702 and ICMS/2024/005233 i.e. date of receipt of complaint, copy of rules for registering FIR and reasons for non-registering of FIR, name of IO and progress report, copy of rules for registering FIR, copy of rules for non-registration of FIR and copy of details regarding raids made and other proceedings done.

**COMMENTS OF CPIO/East :-**

CPIO/East 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- Ind. Area. Accordingly, appellant was apprised about the same in pointwise manner, vide letter No. 42-RTI/CPIO/East dated 27.03.2024.

**DECISION :-**

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/East vis-à-vis material available on record which revealed that the appellant vide her RTI application has sought information on 07 points regarding complaints bearing no. ICMS/2023/028702 and ICMS/2024/005233 i.e. date of receipt of complaint, date wise progress report, copy of rules for registering FIR and reasons for non-registering of FIR, name of IO and progress report, copy of rules for registering FIR, copy of rules for non-registration of FIR and copy of details regarding raids made and other proceedings done.

In reply, CPIO/East has provided the sought information to the appellant in pointwise manner.

Now, as far as the appeal is concerned, information regarding point no. 01

Information regarding points no. 2, 4 and 7 (date wise progress report, name of IO and progress report and copy of details regarding raids made and other proceedings done), the complaints are still under enquiry. Therefore, the same cannot be provided at this stage also as per the provisions of section 8(1)(h) of RTI Act.

Information pertaining to points no. 3, 5 & 6 (reasons for non-registering of FIR, name of IO and progress report, copy of rules for registering FIR & copy of rules for non-registration of FIR), the appellant has raised queries and questions for non-registration of 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.

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.

Ms. Nikita Sharma,  
R/o H. No. 1769, Sector 29-B,  
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Copies to :-

- 1 CPIO/East.
- 2 Computer Section.