



CHANDIGARH POLICE

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

Appeal Order No. 0-170-172
Name of Appellant

/UT/RTI/SSP, dated : 07.06.2021
Mr. Tarminder Singh Chaudhary,
R/o # 2206, Sector 45-C, Chandigarh.

Concerned CPIOs : CPIO/South
Date of RTI application : 10.04.2021
Date of CPIO's Reply : 10.05.2021
Date of 1st Appeal : 11.05.2021

ORDER

The appellant has preferred 1st appeal (bearing No. PODEP/A/E/21/00041 dated 11.05.2021) against the reply of CPIO/South in connection with her RTI application (bearing No. PODEP/R/E/21/00217 dated 10.04.2021) with the contentions that requisite information was not supplied to him. The instant appeal was diarized vide No. 41/UT/RTI/FAA/SSP dated 14.05.2021 for further proceeding under RTI Act.

INFORMATION SOUGHT IN RTI APPLICATION:-

The appellant had sought information on 03 points pertaining to case FIR No. 378 dated 17.10.2018, PS-34, UT, Chandigarh.

COMMENTS OF CPIO/SOUTH: -

CPIO/South submitted that appellant has sought information through online RTI application. After obtaining report from SHO/PS-34, appellant was informed vide No. 201/CPIO/South dated 10.05.2021 that appellant has sought information in questioning mode which is not covered u/s 2(f) of RTI Act. However, the case file of Case FIR No. 378/2018, PS-34 has already been submitted in the court of Ms. Meenakshi Gupta, JMIC on 14.12.2018 & 11.08.2020, moreover, case is under trial, hence, requisite record is not available with local police

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 appellant had sought information pertaining to case FIR No. 378 dated 17.10.2018, PS-34, UT, Chandigarh.

From carefully perusal of appeal as well as reply of the CPIO/South, it is categorically manifested that appellant has sought justifications/reasons/queries regarding investigation of aforesaid FIR which is not covered under the definition of 'Information' and 'Right to Information' delineated u/s 2(f) & (j) of RTI Act. For more clarity, the same is reiterated as under:-

- (f) "Information means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form".
- (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....."

Thus, from bare reading of above definitions, it is categorically clarified that applicant can seek only such information which is available in any material form with CPIO. Whereas appeal in hand, appellant has raised his grievances regarding the investigation of FIR No. 378 dated 17.10.2018, PS-34, UT, Chandigarh and appellant wants justification/reasons regarding facts emerged during investigations which cannot be entertained under RTI Act as RTI Act is only a mechanism for providing information which is held by CPIO. Hence, CPIO/South had appropriately disposed of RTI application. With these observations, instant appeal stands disposed of.

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



(Kuldeep Singh Chahal, IPS)
Senior Superintendent of Police
Union Territory, Chandigarh-cum-
1st Appellate Authority.

1. Mr. Tarminder Singh Chaudhary,
R/o # 2206, Sector 45-C, Chandigarh.
2. CPIO/South
3. Computer Section.