



CHANDIGARH POLICE
OFFICE OF THE SENIOR SUPERINTENDENT OF POLICE, UT-CUM-SECOND
APPELLATE-AUTHORITY UNDER CRTS ACT, UT, CHANDIGARH

Subject : Petition No. 116 of 2023-2024 titled as "Complaint against SHO Sector-26 in case of Ms. Ishwita Kaur Malhotra".

Appeal Order No D-06-09 **/UT/RTSA/SSP/SAA dated :** 20.06.2024

Name of Appellant : Ms. Ishwita Kaur Malhotra
R/o H. No. 5302/A, Sector 38-West
Chandigarh
Mob.98888-62109

Concerned Designated Officer : SHO PS Sector 26

ORDER

This is an order on the complaint/petition dated 04.01.2024 filed by the petitioner Ms. Ishwita Kaur Malhotra before the Hon'ble Chandigarh Right to Service Commission, UT Chandigarh for taking appropriate action on her complaint dated 04.01.2024. The Hon'ble Commission vide order No. MS/CRTSC/2024/12 dated 19.03.2024 has referred the instant case to the undersigned for taking appropriate action.

COMMENTS OF DESIGNATED OFFICER-CUM-SHO PS SECTOR 26:-

Before proceeding further, comments of Designated Officer-cum-SHO PS Sector 26 has been obtained who submitted that the matter pertains to a complaint bearing No. ICMS/2024/000719 filed by the petitioner Ms. Ishwita Kaur Malhotra against unknown regarding killing of a community dog which was received in his office for enquiry. During enquiry, registration number of the vehicle is not clearly visible in the CCTV footage provided by the complainant and no CCTV camera is available in nearby area for identification of the vehicle. Moreover, it seems that accident is not intentional. Accordingly, complaint was sent to senior officer and the same is now filed with HAC Branch after the finalization of the enquiry.

DECISION :-

I have gone through the complaint of the complainant, instant petition of the petitioner, comments of Designated Officer-cum-SHO PS Sector 26 vis-à-vis material available on record thoroughly which revealed that the petitioner had filed a complaint vide. No. ICMS/2024/000719 against an unknown person, regarding killing of a community dog.

As per comments of Designated Officer-cum-SHO PS Sector 26 and present status of the complaint it has been established that necessary/appropriate action has already been taken in the matter and complaint has already been filed with HAC Branch.

As complaint in question has already been disposed of, so no more action is required to be taken in the matter. However, in order to maintain the spirit of Right to Service Act, Designated Officer-cum-SHO PS 26 is hereby directed to strictly adhere to the provisions of Right to Service Act and complete the enquiry into complaints in a time bound

manner as specified under Right to Service Act/Rules notified by Chandigarh Administration.

With these observations, instant petition stands disposed off, accordingly .



(Kanwardeep Kaur, IPS)
Senior Superintendent of Police
Union Territory, Chandigarh-cum-
2nd Appellate Authority under RTSA.

Ms. Ishwita Kaur Malhotra
R/o H. No. 5302/A, Sector 38-West
Chandigarh
Mob.98888-62109

Copies to :-

- 1 The Hon'ble Chief Commissioner, Chandigarh Right to Service Commission, Nagar Yozana Bhawan, C-Wing, Sector 18 A, Madhya Marg, Chandigarh w.r.t. order No. MS/CRTSC/2024/12 dated 19.03.2024.
- 2 Designated Officer-cum-SHO PS 26
- 3 Computer Section



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

Appeal Order No. **D-189-191** /UT/RTI/SSP, dated : **20-06-2024**
Name of Appellant : Mr. Vinod Kumar
Mob. 98154-44017
Concerned CPIO : CPIO/South
Date of RTI application : 06.04.2024
Reply of CPIO : 06.05.2024
Date of 1st Appeal : 22.05.2024

ORDER

The appellant has preferred his online 1st appeal bearing no. PODEP/A/E/24/00035 dated 22.05.2024 against the disposal of his RTI application dated 06.04.2024 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 has sought information on 03 points regarding complaint no. ICMS/2024/009271 i.e. is the document CDR or CDL was preserved by the police official, is the order was issued by Punjab & Haryana High Court is sufficient for that to get the record was preserved at their end and what is the action taken report on the complaint.

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 from SHO-34 were obtained who reported that, appellant has raised questions/grievances regarding complaint no. ICMS/2024/009271. Hence, the same was denied to the appellant as per the provisions of section 2 (f) of RTI Act, 2005. Applicant was apprised about the same vide letter No. 95/RTI-24/CPIO-South /Dated, 06.05.2024.

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 03 points regarding complaint no. ICMS/2024/009271 i.e. is the document CDR or CDL was preserved by the police official, is the order was issued by Punjab & Haryana High Court is sufficient for that to get the record was preserved at their end and what is the action taken report on the complaint.

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

Now, as far as information regarding point's no. 1 & 2 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".

Information pertaining to point no. 03 (action taken report on the complaint), CPIO/South is hereby directed to provide the sought information to the appellant as per the provisions of RTI Act.

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. Vinod Kumar
Mob. 98154-44017

Copies to :-

1 CPIO/South.

2 Computer Section.



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

Appeal Order No. **D-192-194** /UT/RTI/SSP, dated : **20.06.2024**
Name of Appellant : Mr. Vijay Kumar
R/o H. No. 3233, Sector 47-D,
Chandigarh Mob. 99146-92377
Concerned CPIO : CPIO/South
Date of RTI application : 19.04.2024
Reply of CPIO : 17.05.2024
Date of 1st Appeal : 30.05.2024

ORDER

The first appeal of the appellant was transferred to this office by SP/Hqrs-cum-Appellant Authority/Communication vide no.D-464-467/RTI/SP/Hqrs. dated 29.05.2024 against the disposal of his RTI application 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 has sought information on 03 points regarding emergency call made on dated 05.04.2024 at 07:45 PM by the appellant i.e. certified copy of report submitted by PCR, certified copy of the complaint dated 05.04.2024 along with photographs taken by the police and action taken report along with the statements recorded by the police.

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 from SHO-31 and point wise information was provided to the appellant. Applicant was apprised about the same vide letter No. 106/RTI-24/CPIO-South /Dated, 17.05.2024.

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 03 points regarding emergency call made on dated 05.04.2024 at 07:45 PM by the appellant i.e. certified copy of report submitted by PCR, certified copy of the complaint dated 05.04.2024 along with photographs taken by the police and action taken report along with the statements recorded by the police.

In reply, CPIO/South has provided the copy of the complaint to the appellant and denied rest of the information as per the provision of section 8 (1) (H) of RTI Act, as complaint in question is under enquiry.

Now, as far as appeal is concerned, appellant has preferred his first appeal to the SP/Hqrs on dated 30.04.2024 with respect to reply provided by the CPIO/Communication, well before the disposal of his RTI application on remaining 02 points by CPIO/South, which was disposed of on dated 17.05.2024. CPIO/South has appropriately disposed of the RTI application within the stipulated time frame and provided the requisite information to the appellant as per the RTI Act. Hence, no more action is required to be taken on this 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.

Mr. Vijay Kumar
R/o H. No. 3233, Sector 47-D, Chandigarh
Mob. 99146-92377

Copies to :-

- 1 CPIO/South.
- 2 Computer Section.



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

Appeal Order No.	D-145-197	/UT/RTI/SSP, dated : 20-06-2024
Name of Appellant	:	Mr. Vinod Kumar R/o H. No. Residence VIP Road, M-402, Sunrise Society, Zirakpur, Mohali 140603
Concerned CPIO	:	CPIO/Hqrs
Date of RTI application	:	25.04.2024
Reply of CPIO	:	09.05.2024
Date of 1 st Appeal	:	27.05.2024

ORDER

The appellant has preferred his 1st appeal dated 27.05.2024 against the disposal of his RTI application dated 25.04.2024 by CPIO/Hqrs with the contentions that requisite information was not provided to him.

Information sought vide RTI application :-

The appellant vide his RTI application has sought detailed status report regarding complaint no. ICMS/2023/026517 & ICMS/2023/031335.

COMMENTS OF CPIO/Hqrs :-

CPIO/Hqrs vide his comments submitted that RTI application of the appellant was received in his office to obtain the requisite information. Thereafter, requisite information from I/C HAC who reported that complaints in question have not been received till date, therefore, RTI application was transferred back to CPIO/PCC and applicant was apprised about the same vide letter No. 106/CPIO/Hqrs/Online RTI-24 D-84 & 85 Dated, 09.05.2024.

DECISION :-

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/Hqrs vis-à-vis material available on record which revealed that the appellant vide his RTI application has sought detailed status report regarding complaint no. ICMS/2023/026517 & ICMS/2023/031335.

Now, as far as appeal is concerned, RTI application was not disposed of by the CPIO/Hqrs and the same was re-transferred to CPIO/PCC for disposal at their own end. Moreover, appeal of the appellant was transferred to SP/Hqrs vide no. D-148/UT/RTI/SSP dated 28.05.2024. Hence, no action is required to be taken at this stage.

Moreover, appellant is hereby advised to liaise with SP/Hqrs for further proceedings in regard with this 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.

Mr. Vinod Kumar
R/o H. No. Residence VIP Road, M-402,
Sunrise Society, Zirakpur, Mohali 140603

Copies to :-

- 1 CPIO/Hqrs.
- 2 Computer Section.



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

Appeal Order No. **D-186-188** /UT/RTI/SSP, dated : **18.06.2024**

Name of Appellant : Mr. Vikram Batta
R/o H. No. 3469, Chandigarh.
Mob. 94637-43161

Concerned CPIO : CPIO/Central

Date of RTI application : 16.04.2024

Reply of CPIO : 10.05.2024

Date of 1st Appeal : 20.05.2024

ORDER

The appellant has preferred his 1st appeal bearing no. PODEP/A/E/24/00033 dated 20.05.2024 against the disposal of his RTI application dated 16.04.2024 by CPIO/Central with the contentions that requisite information was not provided to him.

Information sought vide RTI application :-

The appellant vide his RTI application dated 16.04.2024 had sought information on 03 points regarding case FIR No. 13 dated 24.01.2021 registered at Police Station- 17, Chandigarh i.e. no. of summons issued, date on which summons issued and name of IO who issued summons.

COMMENTS OF CPIO/Central:-

CPIO/Central vide his comments submitted that RTI application of the appellant was received in his office to supply the information regarding case FIR No. 13 dated 24.01.2021 registered at Police Station- 17, Chandigarh. Thereafter, requisite information was obtained from SHO PS- 17 who reported that FIR in question is still under investigation. Hence, sought information was denied to the appellant as per the provisions of section 8(1) (h) of RTI Act, 2005. Applicant was apprised about the same vide letter No. 94/RTI-24/CPIO-Central dated 10.05.2024.

DECISION :-

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/Central vis-à-vis material available on record which revealed that the appellant vide his RTI application had sought information on 03 points regarding case FIR No. 13 dated 24.01.2021 registered at Police Station- 17, Chandigarh i.e. no. of summons issued, date on which summons issued and name of IO who issued summons.

In reply, CPIO/Central rightly denied the requisite information u/s 8(1)(h) of RTI Act as the matter pertains to investigation of case FIR No. 13 dated 24.01.2021

registered at Police Station- 17, Chandigarh and the same was under investigation at that time.

So far as present status of this case is concerned, the FIR in question is still under investigation and the sought information cannot be supplied at this stage also, hence, the same is denied u/s 8(1)(h) of RTI Act.

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-
1st Appellate Authority.

Mr. Vikram Batta
R/o H. No. 3469, Chandigarh.
Mob. 94637-43161

Copies to :-

- 1 CPIO/Central
- 2 Computer Section



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

Appeal Order No. **D-180-182** /UT/RTI/SSP, dated : **18.06.2024**
Name of Appellant : Mr. Karn Singh
R/o Westoneel, Next to H-Block,
Aerocity Mohali.
Mob. 78143-99858
Concerned CPIO : CPIO/East
Date of RTI application : 16.04.2024
Reply of CPIO : 15.05.2024
Date of 1st Appeal : 18.05.2024

ORDER

The appellant has preferred his 1st appeal bearing No. PODEP/A/E/24/00032 dated 18.05.2024 against the disposal of his RTI application dated 16.04.2024 by CPIO/East with the contentions that requisite information was not provided to him.

Information sought vide RTI application :-

The appellant vide his RTI application dated 08.01.2024 had sought information regarding complaint no. ICMS/2023/030253.

COMMENTS OF CPIO/East:-

CPIO/East vide his comments submitted that RTI application of the appellant was received in his office to supply the information. Thereafter, requisite information was obtained from SHO-26 who reported that compliant bearing no. ICMS/2023/030253 is under consideration. Hence, the same was denied to the appellant. Applicant was apprised about the same vide letter No. 63 + 63A-RTI/CPIO/East dated 15.05.2024.

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 his RTI application had sought information regarding complaint no. ICMS/2023/030253.

In reply, CPIO/East denied the requisite information to the appellant as the complaint was under consideration at that time.

Now as far as appeal is concerned, as per the record of ICMS portal, complaint bearing no. ICMS/2023/030253 has now been consigned with HAC Branch after finalization of the enquiry. Therefore, CPIO/East is hereby directed to provide the requisite information to the appellant as per the provisions of RTI Act.

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-
1st Appellate Authority.

Mr. Karn Singh
R/o WestoneI, Next to H-Block,
Aerocity Mohali.
Mob. 78143-99858

Copies to :-

- 1 CPIO/East
- 2 Computer Section



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

Appeal Order No. **D-183-185** /UT/RTI/SSP, dated : **18.06.2024**
Name of Appellant : Mr. Ashok Khemka
R/o H. No. 1370, Sector 19-B,
Chandigarh.
Concerned CPIO : CPIO/Central
Date of RTI application : 22.04.2024
Reply of CPIO : 18.05.2024
Date of 1st Appeal : 20.05.2024

ORDER

The appellant has preferred his 1st appeal bearing no. PODEP/A/E/24/00034 dated 20.05.2024 against the disposal of his RTI application dated 22.04.2024 by CPIO/Central with the contentions that requisite information was not provided to him.

Information sought vide RTI application :-

The appellant vide his RTI application dated 22.04.2024 had sought information on 03 points regarding case FIR No. 76 dated 23.07.2022 registered at Police Station- 03, Chandigarh i.e. name and address person as per CCTV footage, all notings, documents, correspondence and case diary entries and follow up action on letter no. ACS/P&S/2024/46 dated 11.03.2024 sent to SSP/UT.

COMMENTS OF CPIO/Central:-

CPIO/Central vide his comments submitted that RTI application of the appellant was received in his office to supply the information regarding case FIR No. 76 dated 23.07.2022 registered at Police Station- 03, Chandigarh. Thereafter, requisite information was obtained from SHO PS- 03 who reported that FIR in question is still under investigation and complaint no. ICMS/2024/006735 has been registered on the reference ACS/P&S/2024/46 and the same is attached with the current FIR. Hence, sought information was denied to the appellant as per the provisions of section 8(1) (h) of RTI Act, 2005. Applicant was apprised about the same vide letter No. 109/RTI-24/CPIO-Central dated 18.05.2024.

DECISION :-

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/Central vis-à-vis material available on record which revealed that the appellant vide his RTI application had sought information on 03 points regarding case FIR No. 76 dated 23.07.2022 registered at Police Station- 03, Chandigarh i.e. name and address person as per CCTV footage, all notings, documents,

correspondence and case diary entries and follow up action on letter no. ACS/P&S/2024/46 dated 11.03.2024 sent to SSP/UT.

In reply, CPIO/Central rightly denied the requisite information u/s 8(1)(h) of RTI Act as the matter pertains to investigation of case FIR No. 76 dated 23.07.2022 registered at Police Station- 03, Chandigarh and the same was under investigation at that time.

So far as present status of this case is concerned, the FIR & complaint in question are still under enquiry/investigation and the sought information cannot be supplied at this stage also, hence, the same is denied u/s 8(1)(h) of RTI Act.

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-
1st Appellate Authority.

Mr. Ashok Khemka
R/o H. No. 1370, Sector 19-B,
Chandigarh

Copies to :-

- 1 CPIO/Central
- 2 Computer Section



Chandigarh Police

OFFICE OF THE SUPERINTENDENT OF POLICE, W&CSU, U.T., CHANDIGARH -CUM- FIRST APPELLATE AUTHORITY (UNDER RTI ACT., 2005)

Appeal Order No. D- 77-80 /UT/SP/W&CSU, dated:- 19/06/24

ORDER

This is an order on the first appeal under RTI Act-2005 preferred by Smt. Savita Saini R/o # 3397, Sector-15/D, Chandigarh which received in this office through online RTI portal Vide No.PODEP/A/E/24/00039 dated 05.06.2024 against the disposal of the appellant's RTI Request No. PODEP/R/E/24/00236 dated 09.04.2024 by CPIO-W&CSU.

That Smt Savita Saini appellant/applicant had filed an application under RTI ACT wherein he had asked to provide the information related to her complaint No. ICMS-2023/001429 dated 18.01.2023. In reply of the same, ICMS2023/001429 dated 18.01.2023 was denied as under consideration with senior officers.

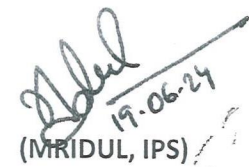
Decision:-

I have gone through the contents of RTI application, appeal of the applicant and comments of CPIO/W& CSU vis-à-vis material available on record .It revealed that CPIO/W& CSU disposed off the RTI application as per rule of RTI ACT. Now, it came to notice that the said complaint ICMS-2023/001429 dated 18.01.2023 had closed and consigned to HAC.

CPIO/Headquarters is hereby directed to supply the sought information to the Appellant free of cost . No further action is required to be taken at this stage.

With this observation the instant appeal stands disposed off accordingly.

In case, however, the appellant is not satisfied with the disposal of his appeal as above, the appellant may file second appeal before the Central information Commission, New Delhi within 90 days from the date of receipt of this order.


(MRIDUL, IPS)

SUPERINTENDENT OF POLICE,-CUM-
FAA, (W& CSU), SECTOR-09,
U.T, CHANDIGARH

Copies to: -

1. Smt. Savita Saini R/o # 3397, Sector-15/D, Chandigarh
2. Dy.S.P-Cum-CPIO/W&CSU.
3. In-charge, Computer Section (for uploading on website).
4. CPIO/Headquarters, PHQ-9, Chandigarh for necessary action.