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

Appeal Order No. **D-195-197** /UT/RTI/SSP, dated : **23.06.2021**

Name of Appellant : Mr. Saurabh Kapoor
R/o # 5092-A Sector 38 West,
Chandigarh.

Concerned CPIOs : CPIO/PHQ

Date of RTI application : 26.04.2021

Date of CPIO's Reply : 20.05.2021

Date of 1st Appeal : 20.05.2021

ORDER

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The appellant has preferred 1st appeal (bearing No. PODEP/A/E/21/ 00044 dated 20.05.2021) against the reply of CPIO/PHQ in connection with his RTI application (bearing No. PODEP/R/E/21/00239 dated 26.04.2021) with the contentions that requisite information was not supplied to him. The instant appeal was diarized vide No. 48/UT/RTI/FAA/SSP dated 25.05.2021 for further proceeding under RTI Act.

INFORMATION SOUGHT IN RTI APPLICATION:-

The appellant had sought information on 6 points pertaining to complaint bearing No. 2020-18889 i.e. current status, reason of delay, Final report etc.

COMMENTS OF CPIO/PHQ: -

CPIO/PHQ submitted that appellant has sought information vide his online RTI application pertaining to complaint No. 2020-18889.

Thereafter, report from I/C CRU was obtained who submitted that complaint bearing No. 2020-18889 was under consideration with senior officer at that time. So the same was denied u/s 8(1) (h) of RTI Act. As far as appeal is concerned, at present, the said complaint has been sent to SDPO/Central on 21.05.2021.

DECISION:-

I have gone through the contents of RTI application & appeal of the appellant, comments of CPIO/PHQ vis-à-vis material available on record which revealed that appellant had sought information on 6 points pertaining to complaint bearing No. 2020-18889 i.e. current status, reason of delay, Final report etc.

So far as the appeal is concerned, it is clear that earlier complaint in question i.e. 2020-18889 was under consideration with I/C CRU. Now, the same has been remanded back to SDPO/Central for further enquiry and as per public window record the said complaint is with SHO/PS-Sarangpur. Therefore, requisite information of point No. 3 cannot be supplied at this stage under section 8(1)(h) of RTI Act.

Moreover, on carefully going through the contents of remaining points of RTI application i.e. point No. 2, 4, 5 & 6, it has been revealed that appellant has sought information on these points in questioning form which are not covered under the definition of 'Information' defined in section 2 (f) and (j) of RTI Act. For more clarification, 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....."

The bare reading of above definition of 'information' categorically clarified that applicant can seek only such information which is available in any material form with the CPIO. But appellant has sought reasons/justification for pendency of his complaints which cannot be redressed under RTI Act as RTI Act is a mechanism for furnishing information. Hence, CPIO/PHQ had appropriately disposed of his 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. Saurabh Kapoor
R/o # 5092-A Sector 38 West, Chandigarh.
2. CPIO/PHQ
3. Computer Section.