



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

Appeal Order No. 0- 39-49

/UT/RTI/SSP, dated : 12.02.21

Name of Appellant : Ms. Shallu Kapoor,
R/o # 853/1, Sector 40-A,
Chandigarh.

Concerned CPIOs : CPIO/PHQ & Central

Date of RTI application : 19.12.2021

Date of CPIO's Reply : 30.12.2020 & 14.01.2021

Date of 1st Appeal : 18.01.2021

ORDER

The appellant has preferred 1st appeal (bearing No. PODEP/A/E/20/00009 dated 18.01.2021) against the reply/ order of CPIO/Central in connection with her RTI application (bearing No. PODEP/R/E/21/00651 dated 19.12.2020) with the contentions that requisite information was not supplied to her. The instant appeal was diarized vide No. 08/UT/RTI/FAA/SSP dated 19.01.2021 for further proceeding under RTI Act.

INFORMATION SOUGHT IN RTI APPLICATION:-

The appellant had mentioned her grievances regarding PW No. 2020-01576 & PW-2020-01575.

COMMENTS OF CPIO/PHQ: -

CPIO/PHQ submitted that appellant has sought information complaint No. 2020-01575 & 2020-01576 which was under enquiry in the office of SDPO/Central and accordingly her RTI application was transferred to CPIO/Central on 28.12.2020.

COMMENTS OF CPIO/CENTRAL: -

CPIO/Central submitted that from the contents of the RTI application, it revealed that requisite information not come under the provision of RTI Act and appellant was informed that requisite information are not covered u/s 2(f) of RTI Act.

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 appellant had sought copies of applications of officials of Chandigarh Police who had mentioned her grievances regarding PW No. 2020-01576 & PW-2020-01575.

It is clear from the perusal of RTI application as well as appeal that appellant has raised her grievances pertaining to her complaints bearing No. 2020-01576 & PW-2020-01575 which is not covered under the definition of 'Information' defined in section 2 (f) and (j) of RTI Act. The same is reiterated as under for more clarification:-

- (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 raised her grievances regarding her complaints which cannot be redressed under RTI Act as RTI Act is a mechanism for furnishing requisite information. Hence, CPIO/Central has appropriately disposed of her RTI application.

However, taking note of the fact that appellant is complainant in aforesaid complaints, therefore, CPIO/Central is hereby directed to hear the appellant/complainant and brief her about the status of complaints. With these directions, the instant appeal is hereby disposed of.

In case, the appellant is not satisfied with the disposal of appeal, she 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. Ms. Shallu Kapoor,
R/o # 853/1, Sector 40-A,
Chandigarh
2. CPIO/PHQ & Central
3. Computer Section.