



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

Appeal Order No. D-439-441 /UT/RTI/SSP, dated: 13.12.2021

Name of Appellant : Mr. Ranjeet Singh,
1444, Sector-45, Chandigarh

Concerned CPIOs : CPIO/South

Date of RTI application : 22.09.2021

Date of CPIO's Reply : 07.12.2021

Date of 1st Appeal : 02.11.2021

ORDER

The appellant has preferred 1st appeal against the reply/order of CPIO/South in connection with his RTI application with the contentions that requisite information was not supplied to him. The instant appeal was diarized vide No. 121/UT/RTI/FAA/SSP dated 02.11.2021 for further proceeding under RTI Act.

INFORMATION SOUGHT IN RTI APPLICATION:-

Appellant had sought information on 10 points i.e. total number of public window complaints marked by SSP office to PS-34, action taken on these complaints, total no. of complaints marked from public window to PP-Burail, Copy of DDR no. 35 dated 13.03.2021 at PP-Burail along with statements, copy of MLR report, copy of request letter against which MLR report received and date of MLR report collected, Copy of statements against PW-202107318 dated 09.04.2021, copy of notices served to alleged & complainant and DDR in PW-202107318 etc.

COMMENTS OF CPIO/SOUTH: -

Comments of CPIO/South submitted that application of the appellant was received for supplying requisite information and thereafter, report from SHO-34 has been obtained and point wise reply was supplied to the applicant.

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 on 10 points i.e. total number of public window complaints marked by the office of SSP to PS-34, Action Taken on these complaints, total no. of complaints marked from public window to PP-Burail, Copy of DDR no. 35 dated 13.03.2021 at PP-Burail along with statements, copy of MLR report, copy of request letter against which MLR report received and date of MLR report collected, Copy of statements against PW-202107318 dated 09.04.2021, copy of notices served to alleged & complainant and DDR in PW-202107318 etc.

Insofar as appeal is concerned, CPIO/South has submitted that appellant has already been supplied the requisite information on point No. 1 to 8 vide memo no. 508/CPIO/South dated 07.12.2021. Thus, no more action is warranted on these points in appeal.

As far as point nos. 09 & 10 are concerned, appellant has sought information in questioning form which is not covered under the definition of 'Information' defined in section 2 (f) and (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....."*

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 his grievances which cannot be redressed under RTI Act as RTI Act is a mechanism for furnishing requisite information. Hence, CPIO/South has appropriately applied section 2 (f) of RTI Act, hence no more action is warranted with these points.

Moreover, for achieving the objective of RTI Act and in the interest of justice, CPIO/South is hereby directed to provide an opportunity of inspection of the relevant record to appellant and accordingly, supply the requisite information as per RTI Act subject to the above observation and exemption clauses of section 8 of RTI Act, if applicable. 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. Ranjeet Singh,
1444, Sector-45, Chandigarh
2. CPIO/South
3. Computer Section.