



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

Appeal Order No. **D-67-71** /UT/RTI/SSP, dated: **21-02-2023**  
Name of Appellant : Sh. Vinod Kumar,  
C/O H.No. 3014, Near Uttam Sweets,  
Sector 46-C, Chandigarh  
Concerned CPIO : CPIO/South  
Date of RTI application : 23.11.2022  
Reply of CPIO : 22.12.2022  
Date of 1<sup>st</sup> Appeal : 30.12.2022

**ORDER**

The appellant has preferred 1<sup>st</sup> appeal dated 30.12.2022 against the disposal of his RTI application dated 23.11.2022 by CPIO/South with the contentions that requisite information has not been provided to him.

**Information sought vide RTI application :**

The appellant vide his RTI application dated 23.11.2022 had sought information on 18 points in question form concerning to a reply sent vide reference No. C-6913/22/7303/UT/HAC, dated 27.09.2022 to Registrar, Punjab State Human Rights Commission-Chandigarh in connection with an incident dated 28.04.2022.

**Comments of CPIO/South :-**

CPIO/South vide his comments submitted that RTI application of the appellant was received in his office through CPIO/PHQ vide letter No. 1049/RTI/CPIO(PHQ)/UT/PWS, dated 25.11.2022 for supplying information on 18 points. After obtaining requisite information from SHO PS-34, the same was sent to the applicant through post vide letter No. 383/CPIO/South, dated 22.12.2022. Vide this letter available information on all the 18 points was supplied to the applicant.

**Personal Hearing :-**

Personal hearing in the matter was conducted in the office of the undersigned on 17.02.2023 which was attended by appellant as well CPIO/South and CPIO/East. The matter was discussed in detail and all the parties were heard adequately.

**Decision :-**

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/South, replies of CPIO/East and Hqs vis-à-vis material available on record which revealed that appellant vide his RTI application dated 23.11.2022 had sought information on 18 points which was in question form. Although CPIO/South and CPIO/East had supplied the available information on all these points yet as per RTI Act Interrogative queries do not come under the ambit of this Act.

In case titled as "Dr. Celsa Pinto Vs. Goa State Information Commission (W.P.No.419 of 2007)", the High Court of Bombay, vide its order dated 03.04.2008, categorically explained 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."*

Moreover, Hon'ble Central Information Commission, New Delhi in Complaint No.CIC/RBIND/C/2020/664244 titled as "Shishir Gupta Vs. Reserve Bank of India categorically explained 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".*

So far as the grievances of the appellant are concerned, the entire issue related to an incident of quarrel took place at Baba Dairy, Sector 21, Chandigarh regarding the payment issue which was recorded by local police vide DDR No. 4 dated 28.04.2022 PS-19, Chandigarh and information pertaining to this issue has already been supplied to the appellant by CPIO/East and CPIO/South. Moreover, with respect to complaint No. 2022-07500 lodged against the appellant, he was requested to collect the requisite information after depositing requisite fee under RTI rules but he did not turn up to collect the same.

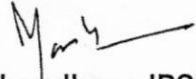
Moreover, during personal hearing, it was specifically explained to the appellant that as per RTI Act, CPIO can provide available information only which have already been done in this matter. He was also advised to approach the appropriate authority for the redressal of his grievances but not under RTI Act and also provide correct address & telephone numbers as he was not reachable/contactable on earlier occasions.

For the satisfaction of the appellant as well as to uphold the spirit of RTI Act, CPIO/Hqrs is hereby directed to call the appellant and supply the available information pertaining to complaint No. 2022-07500 after offering inspection of the relevant record as per RTI Act. Furthermore, CPIO/East is directed to call the appellant in her/his office, hear his grievances and take appropriate action on his complaint in accordance with law.

With these observations/directions, 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.

Computer Section

  
(Manisha Choudhary, IPS)  
Senior Superintendent of Police  
Union Territory, Chandigarh-cum-  
1<sup>st</sup> Appellate Authority.

Sh. Vinod Kumar,  
R/O H. No. 2315, Sector 22 C,  
Chandigarh (New Address provided by appellant)  
Mob. 98154-44017, 99148-30130 (New address)

Copies to :-

- 1 CPIO/South/East/Hqrs.
- 2 Computer Section