



**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-77-79 /UT/RTI/SSP, dated : 07/02/2025

**Name of Appellant** : Mr. Harish Kumar  
R/o H. No. 2235, Sector-22 C,  
Chandigarh, Mob : 9466769835

**Concerned CPIO** : CPIO/South-West

**Date of RTI application** : 31.12.2024

**Reply of CPIO** : 15.01.2025

**Date of 1<sup>st</sup> Appeal** : 28.01.2025

**ORDER**

The appellant has preferred his 1<sup>st</sup> appeal dated 28.01.2025 against the disposal of his RTI application dated 31.12.2024 by CPIO/South-West with the contentions that requisite information was not provided to him.

**Information sought vide RTI application :-**

The appellant vide his RTI application dated 31.12.2024 had sought present status of E-FIR No. 371/ 2024 PS-36, Chandigarh in which bike i.e. Hero Splendor Plus bearing registration No. HR34K-8132 was stolen from Village Khajheri, Sector-52, Chandigarh.

**COMMENTS OF CPIO/South-West :-**

CPIO/South-West vide his comments submitted that RTI application of the appellant was received in his office to supply the requisite information. Thereafter, requisite information was obtained from SHO PS-36, Chandigarh who reported that E-FIR No. 371/ 2024 PS-36, Chandigarh was registered in this Police Station regarding stolen of bike i.e. Hero Splendor Plus bearing registration No. HR34K-8132 and the same is still under investigation. Therefore, the requisite information cannot be provided to the applicant and was denied to the applicant as per the provisions section 8 (1) (h) of RTI Act. Applicant was apprised about the same vide no. 299/RTI/CPIO/South-West dated 15.01.2025.

**DECISION :-**

I have gone through the contents of RTI application, appeal of the appellant, comments of CPIO/South-West vis-à-vis material available on record which revealed that the appellant vide his RTI application had sought present status of E-FIR No. 371/ 2024 PS-36, Chandigarh in which bike i.e. Hero Splendor Plus bearing registration No. HR34K-8132 was stolen from Village Khajheri, Sector-52, Chandigarh.

In reply, CPIO/South-West had denied the requisite information as per the provisions of section 8 (1) (h) of RTI Act.



Now as far as the appeal is concerned, CPIO/South-West has appropriately denied the requisite information as FIR in question is still under enquiry. Hence, denied as per the provisions of section 8 (1) (h) of RTI Act.

Moreover, appellant has raised queries/questions regarding investigation done in the FIR, which is not entertainable under RTI Act and falls outside the purview of section 2(f) of RTI Act.

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".*

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-  
1<sup>st</sup> Appellate Authority.

Mr. Harish Kumar  
R/o H. No. 2235, Sector-22 C,  
Chandigarh.

Copies to :-

- 1 CPIO/South-West
- 2 ~~Computer Section.~~