

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

Appeal Order No. D - 86-88 /UT/RTI/SSP, dated: 17-02-2025

Name of Appellant : Sh. Rajinder K Singla

R/o H. No. 1079, Housing Board,

Dhanas, Chandigarh. Mobile: 9417538456

Concerned CPIO : CPIO/Central

Date of RTI application : 21.11.2024

Reply of CPIO : 19.12.2024

Date of 1st Appeal : 13.01.2025

ORDER

The appellant has preferred his 1st appeal dated 13.01.2025 against the disposal of his RTI application dated 21.11.2024 by CPIO/Central with the contentions that requisite information was not provided to him.

Information sought vide RTI application:-

The appellant vide his RTI application dated 21.11.2024 has sought information on 08 points in regard to case FIR No. 178/2018 PS-03, Chandigarh i.e. Whether Investigation Officer gave any opportunity to complainant to record his statement and also provide certified copy of the statements, details that the complainant was called or joined into the investigation, Wether Investigation Officer recorded statements of opposite parties, CCTV footage where investigation was conducted, name & designation of all police officials involved in investigation alongwith certified copy of their file notings, Whether Chandigarh Police supplied copy of cancellation report to the complaint and if so, also provide certified copy of proof, Whether complaint referred as "No. 831-C dated 15.10.2018" in the cancellation report U/s 173 CrPC was received by Chandigarh Police on 15.10.2018 or 15.10.2015 and certified copy of all documentary evidence in possession of Chandigarh Police or IO.

COMMENTS OF CPIO/Central:-

CPIO/Central vide his comments submitted that RTI application was received in his office to obtain the requisite information. Thereafter, requisite information was obtained from SHO PS-03 who reported that the appellant has sought query/suggestions through RTI application which are not entertainable under RTI Act and the same was denied as per the provisions of section 2 (f) of RTI Act. Applicant was apprised vide No. 346/RTI-24/CPIO-Central/UT/Chandigarh dated 19.12.2024.

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 the appellant has sought information on 08 points in regard to case FIR No. 178/2018 PS-03, Chandigarh i.e. Whether Investigation Officer gave any opportunity to complainant to record his statement and also provide certified copy of the statements, details that the complainant was called

or joined into the investigation, Wether Investigation Officer recorded statements of opposite parties, CCTV footage where investigation was conducted, name & designation of all police officials involved in investigation alongwith certified copy of their file notings, Whether Chandigarh Police supplied copy of cancellation report to the complaint and if so, also provide certified copy of proof, Whether complaint referred as "No. 831-C dated 15.10.2018" in the cancellation report U/s 173 CrPC was received by Chandigarh Police on 15.10.2018 or 15.10.2015 and certified copy of all documentary evidence in possession of Chandigarh Police or IO.

In reply, CPIO/Central denied the sought information as per provisions of section 2 (f) of RTI Act.

Now as far as the appeal is concerned, CPIO has inadvertently disposed of the RTI application as the case FIR No. 178/2018 PS-03, Chandigarh has been sent as cancelled and the cancellation report alongwith complete case file has already been submitted in the Hon'ble Court of Illaqua Magistrate, Chandigarh on 23.08.2018. Hence, CPIO/Central is hereby directed to reconsider the RTI application, as sought information in question not available in record with Chandigarh Police.

However, appellant has raised queries/ suggestions which are not entertainable under RTI Act and falls outside the purview of section 2(f) of RTI Act.

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 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.

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-cum1st Appellate Authority.

Sh. Rajinder K Singla, R/o House No. 1079, Housing Board, Dhanas, Chandigarh Mobile No. 9417538456

Copies to :-

1 CPIO/Central
2 Computer Section.