

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172 2864110 Helpline 0172-2864100

Email: pcic20@punjabmail.gov.in Visit us on : www.infocommpunjab.com



Sh. Daljit Singh s/o Sh. Bachittar Singh,
r/o 201/100, Block –J,
B.R.S. Nagar,
Ludhiana

....Appellant

Vs

Public Information Officer,
o/o Chief Director,
Vigilance Bureau, Sector 68,
SAS Nagar Mohali

First Appellate Authority
o/o Chief Director,
Vigilance Bureau, Sector 68,
SAS Nagar Mohali

....Respondents

Appeal Case No. 4302 of 2018

Present: Shri Daljit Singh, appellant in person.
Shri Rajesh Kumar Sub Inspector along with Sh. Sukhwinder Singh and Sh. Raja Singh,
on behalf of the respondents.

ORDER

The brief of the case is that the Vigilance Bureau has registered a criminal case FIR No. 38 of 18.5.2002 against the appellant under Section 13(1)(e)R/W 13(2) of PC Act 1988 at Police Station Vigilance Bureau, Patiala. Hence, the appellant has sought the unspecified information in the question form from the respondents vide his request dated 30.5.2018 but on the recommendations of the respondents to seek specific information vide their letter No. 22980/VB/S-14 dated 18.6.2018 to the appellant, accordingly, the appellant has sought the specific information as follows:-

1. *Certified copies of preliminary or regular inquiries which were conducted before the registration of FIR no. 38 dt 18.5.2020 u/s 13(1)(e)R/W13 (2) of PC Act 1988 at P.S. V.B., Patiala.*
2. *Certified copies of instructions issued by the Govt. from time to time which are to be followed before the registration of Criminal Cases relating to disproportionate assets, under the provisions of PC Act 1988.*

To consider the request of the appellant, Double Bench was constituted on 11.3.2020 and a notice of hearing was issued to both the parties for today i.e. 22.6.2020.

The appellant states that the information related to Point No. 2 of his RTI application i.e. copy of instructions dated 6.3.2000 has not been provided to him so far, whereas, the respondents replied that the instructions have already been provided. Since, the instructions of dated 6.3.2020 are available in the case file, copy of the same handed over to the appellant during the course of hearing and he shows his satisfaction with the information related to Point No.2 of his RTI application.

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With regard to the information at Point No.1 of the RTI application, the appellant states that the directions be issued to the respondents to supply the certified copies of preliminary or regular inquiries which were conducted before the registration of FIR no. 38 dt 18.5.2020 u/s 13(1)(e)R/W13 (2) of PC Act 1988 at P.S. V.B., Patiala. On the other hand, the representative of the respondents states that it may hamper the prosecution of the case, hence, the department has decided not to disclose. The representative of the respondents also referred the judgement of Hon'ble Punjab and Haryana High Court judgement in Civil Writ Petition No. 169 of 2019, copy given by the respondents is taken on record. Hence, the respondents have denied the information by invoking Section 8(1)(h) of the RTI Act, 2005 .

After deliberations the Commission accepts the plea taken by the respondents referred to above, nothing remains pending that could be supplied to the appellant, hence, the case is disposed of and closed.

sd/

(Khushwant Singh)
State Information Commissioner,
Punjab
Dated:22.6.2020

sd/...

(Suresh Arora)
Chief Information Commissioner,
Punjab