

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



FINAL ORDER

Makhan Singh,
S/o Shri Jagir Singh,
Village Bika,
Distt. SBS Nagar.

Versus

Public Information Officer,
o/o Senior Superintendent of Police,
Vigilance Bureau, Jalandhar.

Public Information Officer,
o/o District Attorney,
District Courts, Jalandhar.

First Appellate Authority,
o/o District Attorney,
Jalandhar.

Appeal Case No. 833 of 2022 (Video Conference Proceedings)

PRESENT:

Makhan Singh (Appellant) 99151-69047

Ravinder Kaur, Inspector (for the Respondent) 88729-26465

Gagandeep, APIO-cum-ADA (for the Respondent)

ORDER:

(To be read in continuity with earlier orders on 29.6.2022)

1. The RTI application dated **28.10.2021** vide which the appellant has sought information **regarding IPC 182 Kalandra Dated 25.10.2021**, as enumerated in his RTI applications. First Appeals were filed with the First Appellate Authority (FAA) on **9.12.2021** and Second Appeal was filed in the Commission on **14.2.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **29.6.2022**.

2. Both parties are present. The respondent PIO is represented by Gagandeep, APIO-cum-ADA, from the office of District Attorney, Jalandhar and Ravinder Kaur, Inspector from the office of SSP, Vigilance Bureau, Jalandhar. Both respondents have submitted separate replies to the Show Cause Notice issued to them vide this Commission's Order of 29.6.2022. This RTI application which was submitted to the office of District Attorney, Jalandhar on 28.10.2021, was subsequently transferred to the office of SSP, Vigilance Bureau, Jalandhar, who is actual custodian of the requested information.

3. The respondent No.1 in his reply to Show Cause Notice, has denied the requested information on the ground that the final report under Section 173CRPC against the appellant under Section 182IPC has already been presented in the Trial Court and all the necessary enquiry reports, as demanded by the appellant, have already been attached to the final report.

Contd....2

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Appeal Case No. 833 of 2022 (Video Conference Proceedings)

4. The Commission finds that the consignment of challan to a Trial Court does not preclude supply of information to the appellant. Said information which would have qualify for exemption as per Section 8(1)(h) of the RTI Act 2005, during the course of investigation no longer qualifies for said exemption.

5. The respondent PIO, office of SSP Vigilance Bureau Jalandhar, is hereby directed to furnish the requested information to the appellant within 10 days of receipt of this Order. Every page of the furnished information must be attested in the format stipulated by this Commission at para no. 4 of the Order of 29.6.2022 and said information must also be accompanied by covering letter signed by the respondent PIO, office of SSP, Vigilance Bureau, Jalandhar. A copy of aforesaid reply and the appended information is also to be submitted to the Commission.

5. Furthermore, the respondent no. 2, i.e. office of District Attorney, Jalandhar is hereafter exempted from appearance in the event that this Appeal Case re-opened for non-compliance by Respondent 1.

6. This Appeal Case is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
11.8.2022