IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A. No. 19 OF 2014

IN

WRIT PETITION (CIVIL) NO. 463 OF 2012

In the matter of:

Common Cause & Ors …Petitioners

Versus

Union of India & Ors …Respondents

APPLICATION FOR DIRECTIONS

ON BEHALF OF THE PETITIONERS

To

The Hon'ble Chief Justice of India and His Hon'ble Companion Justices of the Hon'ble Supreme Court of India

The humble application of the petitioner above named most respectfully showeth:

1. The above petition relates to the coal block allocation scam where this Hon'ble Court is monitoring the investigations being carried out by the CBI and ED.

2. The petitioners have filed an application (IA 13/2014) seeking a direction from this Hon'ble Court to Mr. Ranjit Sinha, Director, Central Bureau of Investigation (CBI), not to participate/associate in the investigations and prosecutions being carried out by the CBI in relation to the coal blocks allocation case. Petitioners have also sought an SIT investigation from this Hon'ble Court into the abuse of authority by the

CBI Director in scuttling inquiries, investigations and prosecutions being carried out by the CBI in coal scam and other important cases.

3. The said application (IA 13/2014) was listed before the Hon'ble Court on 09.09.2014 when this Hon'ble Court was pleased to issue notice to the respondents returnable on 19.09.2014.

4. Petitioners have, inter-alia stated in aforesaid application that a trustworthy and reliable source has brought to the notice of the counsel for the petitioners some significant information contained in the entry register of the years 2013 and 2014, which was maintained at the official residence of the CBI Director, Mr. Ranjit Sinha, at 2, Janpath, New Delhi.

5. This record, which has also been accessed by several media organizations, shows that the CBI Director had frequently met at his residence several persons, who are the accused in prominent cases like coal blocks allocation scam, 2G scam, 4G scam, hawala dealers like Mr. Moin Qureshi etc., without any of the investigation officers being present.

6. By one count, notorious hawala dealer Mr. Moin Qureshi met the CBI Director at his residence about 90 times in the last 15 months. All these meetings are reflected in the entry register of the CBI Director's residence, copy of which has been placed on record by the petitioners.

7. After the last date of hearing, i.e. 09.09.2014, the petitioners have come to know about the existence of certain significant information that would be assistance to the Hon'ble Court in deciding the aforesaid application.

8. Mr. Moin Qureshi is the subject matter of extensive investigation by the Director of Income Tax (Investigations). Mr. Qureshi has been raided by the tax authorities. Several important documents and his computers have been seized by the DGIT.

9. In this light a letter was written by the Director of Income Tax (Investigations-II) to the Director General of Income Tax (Investigations) on 11.06.2014 stating: "*This case is being monitored by the undersigned on a regular basis. The case involves processing and analysis of voluminous data in seized computer hard discsk. Considering the sensitivity of the case the services of Centre for Emergency Response and Training under the Ministry of Communication and Information Technology were availed. Subsequently data mining has been carried out. Presently the assesse Mr. Moin Qureshi is being examined on the data mined from the hard discs. Since these are time consuming process, extension of time for submission of appraisal report by one month as requested by the ADIT (Inv) may kindly be granted.*" A copy of the said letter dated 11.06.2014 is annexed as **Annexure A** (Pg _____).

10. Credible information has been received by the counsel for the petitioners that the Income Tax Department has now prepared the

aforesaid appraisal report which is referred in the letter of 11.06.2014 (annexed above). The said appraisal report goes into some detail of the illegal operations of Mr. Qureshi and his dealings with various individuals. According to the information received from trustworthy and reliable sources by the petitioners' counsel, the said appraisal report also covers in some detail with the dealings of Mr. Qureshi with the CBI Director Mr. Sinha.

11. Therefore, the petitioners request this Hon'ble Court to call upon the Central Government to produce the appraisal report prepared by the DGIT on their investigations of Mr. Moin Qureshi.

PRAYERS

In these facts and circumstances, the petitioners respectfully pray that your Lordships may be pleased to pass the following *ad interim* directions:

(i) Direct the Central Government to produce the appraisal report prepared by the Director General of Income Tax (Investigations) on their investigations of Mr. Moin Qureshi.

(ii) Pass other or further orders as may be deemed fit and proper.

AND FOR THIS ACT OF KINDNESS THE PETITIONERS AS IN DUTY BOUND SHALL EVER PRAY.

PETITIONERS THROUGH:

FILED ON: 18.09.2014 PRASHANT BHUSHAN

NEW DELHI COUNSEL FOR THE PETITIONERS