



Ms Priti Puri,
R/o # 1803, Ground Floor,
Housefed Complex,
Phase-X, Mohali.

Appellant

Versus

Public Information Officer,
O/o Director,
Rural Dev. & Panchayats, Punjab,
Phase-8 S.A.S Nagar.

First Appellate Authority,
O/o Director of Rural and Development Panchayats,
Punjab, Phase-8, S.A.S Nagar.

Respondents

Appeal Case No.3032/2018

ate of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA
21.03.2018	Nil	28.04.2018	Nil

Present: Ms. Priti Puri, Appellant in person.
Sh. Sukhminder Singh, Sr. Assistant, O/o DPI (EE), Punjab – for Respondents.

ORDER:

The following order was passed by this forum on 30.05.2019:-

“The appellant had sought to know the information about vacancy position in the year 2007 for the recruitment of teachers in the office of Zila Parishad, Amritsar.

The respondents state that the entire record has been transferred to the Department of Education and this information is likely to be available in the office of the District Education Officer (EE), Amritsar. They were required to immediately transfer her application to the concerned Public Authority under Section 6(3) of the RTI Act. Nonetheless, they are directed to locate the source of information and transfer the application to the Public Authority within three days from today. The concerned Authority shall provide the information within thirty days of receipt of the communication.”

“The case has come up today. Sh. Jasbir Singh, Sr. Assistant appearing on behalf of the respondents submits that in compliance with the order of the Commission, her application was transferred to the ADC (Dev.), Amritsar.

The Additional Deputy Commissioner (Dev.), Amritsar is required to file a reply besides arranging to provide the information before the next date of hearing positively.”

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Sh. Jasbir Singh, Senior Assistant appearing on behalf of the respondents submits that the entire record has been transferred to the Director of Public Instructions (EE), Punjab, Phase - VIII, SAS Nagar (Mohali). The appeal is directed to the Director, Public Instructions (EE), Punjab, with the direction to do the needful quickly. The Commission understands that the Rural Development and Panchayats Department has provided the information available with them. Accordingly, they are exempt from further appearance in the proceedings.”

The matter has again been taken up today. Vide aforesaid order the DPI (EE) was directed to provide the information as the Director of Rural Development & Panchayats, Pb., had conveyed in writing that the entire record from scratch was transferred to the DPI (EE).

The proxy of the DPI (EE) today appeared and has submitted a memo wherein they have denied the receipt of record in contention. They have desired to know the relevant memo under which the record in contention was transferred. Their contention seems logical. The Director of Rural Dev. & Panchayats, Punjab, vide order dated 12.03.2019 were exempt from hearing. As the DPI (EE) denies their contention they are once again directed to communicate to the Commission the letter or memo vide which the record as claimed by them, was transferred to the DPI (EE).

It is an important issue. About more than 1500 teachers were recruited in the year 2007. The contention that advertisement in the newspapers vide which the applications were sought, is not traceable does not cut ice. The respondents in both the departments are directed to put down their head in locating the advertisement in question failing which the Commission shall take adverse cognizance of the same and proceed to impose penalty for the default”

In the express orders of the Commission, the PIO in the office of Director, Rural Development & Panchayats is directed to convey the details of the dispatch with which the record was sent to the DPI (EE). The respondents are absent. No communication has been received about the compliance of directions. The Commission takes strong exception to the cavalier conduct of the respondents and the PIO in the office of Director, Rural Development & Panchayats, Punjab, Mohali



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APPEAL CASE NO. 3032/2018

is hereby issued show cause notice to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

In addition to the written reply, the PIO is also given an opportunity under Section 20 (1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.”

23.07.2019

The matter has again come up today. PIO in the office of Director, Rural Development & Panchayats, Punjab is absent on trot. Nothing has been heard from them as well. The Commission underlines that the PIO is already under show cause notice for imposition of penalty. Final opportunity is given to the PIO to provide the information and explain his conduct. No further opportunity shall be afforded and the case shall be finalized on the basis of record available on file.

To come up on **05.09.2019 at 11.30 AM.**

23.07.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

CC: The Director of Public Instructions (EE), Punjab, Phase VIII, SAS Nagar (Mohali) for necessary action.



Smt. Sunita Bakshi,
W/o Sh. K.K Bakshi,
H.No. 74/8, Shiv Mandir Street,
New Swaraj Nagar, Mundi Kharar,
Distt Mohali.

Complainant

Versus

Public Information Officer,
O/o Senior Superintendent of Police,
Mohali.

Respondent

Complaint Case No.1147/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal
02.07.2018	Nil	Nil	Nil	24.10.2018

Present: Smt. Sunita Bakshi, Complainant in person.
HC Surjeet Singh, PS: City, Kharar – for Respondent.

ORDER

The following order was made by this forum on 11.04.2019:

“The complainant is aggrieved with the inaction of the police on complaint filed by her against one Master Manoj for having thieved her mobile phone, which according to her is highly priced. The respondents are absent and no written reply has been filed by them. The Commission takes serious note of their absence. They are directed to provide the information to the complainant immediately under intimation to the Commission, failing which the Commission shall be constrained to take penal action against them.”

“The case has come up today. The respondent represented by Constable Sunil Kumar submits that original complaint was marked to one Sh. Raj Kumar, ASI who has yet to apprise the police station authorities of the action having been taken on the same. The respondent seeks sometime to inform the complainant.

The request is acceded. The matter shall be heard on 14.03.2019 at 11.30 AM. Before that the complainant should be informed about the status of enquiry into her complaint.”

It is a long standing case. Despite having been afforded opportunities, the respondents have failed to file a written reply to the notice of the Commission. The Commission takes a strong exception to the lackadaisical attitude of the respondents. They are once again advised to do the needful failing which it shall be presumed that they are willfully sitting over the information and penal consequences shall follow”.



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Complaint Case No.1147/2018

The Commission is intrigued to see that the directions of the Commission have gone abegging. On every hearing, the proxy of the PIO comes up with a stock reply that they are looking into the matter. The respondents have not even bothered to file a written reply. The Complainant is senior citizen who is being harassed.

The Commission feels the PIO is willfully obstructing the flow of information in violation of the provisions under Section 7(1) of the RTI Act. The PIO Shri Bhagwant Singh Riar, SHO PS Kharar is hereby issued show cause notice to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

In addition to the written reply, the PIO is also given an opportunity under Section 20 (1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.”

The matter has come up today. On the request of the parties, the matter is adjourned.

To be heard on **05.09.2019 at 11.30 AM.**

23.07.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**



Sh. Baljeet Singh Gill,
S/o Sh. Gurcharan Singh,
R/o Village- Kokari Kalan,
Patti Nangal, Distt. Moga.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block-1, Moga.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Moga.

Respondents

Appeal Case No.2/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
13.09.2018	Nil	25.10.2018	Nil	12.12.2018

Present: Sh.Baljit Singh Gill, appellant in person.
None is present on behalf of the respondents..

ORDER

Having failed to procure the information on his application dated 25.10.2018 and even filing of the first appeal, the appellant has been constrained to file 2nd appeal with the Commission. The Commission finds that the information involved is for a period of 15 years which may ultimately pile up to a voluminous bunch. Such an indiscriminate provision by Xeroxing the copies in massive bulk does not seem in public interest. The respondents should allow the appellant an inspection of complete record within 7 days of the receipt of this order after intimating him the definite date, time and venue and thereafter, furnish him the copies of the documents upto 200 pages only which should be relevant to his cause. In case the appellant is still not satisfied, he may approach the BDPO to convince him about the insufficiency of quantum who shall decide the further requisition on merits.



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Appeal Case No.2 of 2019

In the meanwhile, while taking cognizance of the violation under Section 7(i) of the RTI Act, the Commission issues a show cause notice to the BDPO Moga to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.”

To come up on **05.9.2019 at 11.30 AM.**

23.07.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**



S. Jasbir Singh,
Village-Bholapur, Jhabewal,
P/o Ramgarh, Distt. Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Sub District Magistrate,
Bassi Pathana, Distt. Fatehgarh Sahib.

First Appellate Authority,
O/o Sub District Magistrate,
Bassi Pathana, Distt. Fatehgarh Sahib.

Respondents

Appeal Case No.1225/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
19.12.2018	Nil	21.01.2019	Nil	01.04.2019

Present: Sh. Jasbir Singh, Appellant is absent.
Sh. Amrik Singh, Reader to SDM Bassi Pathana for respondents.

ORDER:

The following order was passed on 30.05.2019:-

“The appellant has sought the details of voluntary disclosure which is desirable to be made by the respondents under Section 4 of the RTI Act. The respondents in their reply have intimated to him that the record available with them has been duly arranged and is intact. It has also been stated that they have already uploaded on their website the relevant information to the extent possible.

The appellant has requested vide a written memo to adjourn the case as he is unable to attend the proceedings. His request is acceded to. Meanwhile, the appellant may like to revert to the submissions made by the respondents.”

23.07.2019

The respondents state that the requisite action under Section 4 of the RTI Act from time to time is being taken within the constraints of their resources. The Commission finds that the voluntary disclosure even at such a belated period of enactment are not being adhered to



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Appeal Case No.1225 of 2019

scrupulously by all the public authorities, specifically in the field formations. The Department of Governance Reforms in the Govt. of Punjab is hereby desired to reiterate instructions to all the Heads of Departments in the State to maintain up-dated information as per dictate of Section 4 of the RTI Act so that the people at large are saved from filing needless applications followed by complaints and appeals in the Commission.

The appeal is hereby **disposed**.

23.07.2019

Sd/-
(YASHVIR MAHAJAN)
STATE INFORMATION COMMISSIONER

CC: The Principal Secretary to the Govt. of Punjab, Department of Governance Reforms, Punjab Civil Secretariat-2, Chandigarh.



Sh. Devi Singh,
S/o Sh. Milkhi Ram,
R/o Village-Manku Majra,
Tehsil-Anandpur Sahib,
Distt. Ropar.

Sh. Roop Chand,
S/o Sh. Pooran Chand,
R/o Village- Manku Majra,
Tehsil – Anandpur Sahib,
District Ropar

Complainants

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Nurpur Bedi, Distt. Ropar.

Respondent

Complaint Case Nos.77 and 78 of 2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal
23.05.2018/25.01.2018	Nil	Nil	Nil	16.01.2019

Present: Shri Roop Chand, & Sh.Devi Singh, complainants are present.
None is present on behalf of the respondents.

ORDER

The following order was passed on 30.05.2019:-

“The complainant has sent a request through e.mail to defer the matter. His request is accepted. Meanwhile, the respondent shall ensure that the admissible information is provided”.

None is present on behalf of the respondents. The Commission takes strong exception to the indifference shown by them. PIO in the O/o BDPO Nurpur Bedi is desired to file written explanation for having failed to provide the information to the complainants. From perusal of the application, it is suggested that the information sought is humongous which may comprise thousands of papers. The information in such a quantum, the Commission feels, does not tend to serve any public cause. Nonetheless, in the interest of fair play, the Commission directs the respondents to allow him inspection of the record available with them on a duly intimated date and time in writing and provide him certified copies of the documents not beyond 100 pages.”



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Complaint Case No.77 and 78 of 2019

23.07.2019

The respondents are again absent despite the displeasure of the Commission conveyed to the respondents on their callous conduct. The BDPO has violated the provisions of Section 7(1) of RTI Act and has rendered himself liable for penal consequences.

The BDPO Nurpur Bedi is hereby issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.”

To come up **05.09.2019 at 11.30 AM.**

23.07.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**



Sh. Gurmej Singh,
S/o Sh. Atma Singh,
R/o Pir Mohammad,
Tehsil-Zira, Distt. Ferozepur.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Makhu, Ferozepur.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Ferozepur.

Respondents

Appeal Case No.1211/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
24.12.2018	Nil	28.01.2019	Nil	07.03.2019

Present: Shri Gurmej Singh, Appellant is present.
Sh.Karamjeet Singh, Panchayat Secretary, BDPO Makhu and
Sh.Sukhchain Singh, SDO, Talwandi Bhai on behalf of the respondents.

ORDER:

The following order was passed on 28.05.2019:-

"The appellant, vide his original application dated 24.12.2018, has sought to know the information about the details of nominations made for the election of Sarpanch and Panches of Gram Panchayat of Village Peer Mohammad, Block Makhu, District Ferozepur and the documents relating to the acceptance or rejection of their nomination papers. Having failed to find response even after filing first appeal with the DDPO, the appellant has been constrained to file 2nd appeal with the Commission.

The Commission has received a memo from BDPO Makhu to the address of SDM Zira to respond to the Commission's notice. The Commission is not inclined to approve the conduct of the BDPO who, apparently, has violated the provisions of RTI Act. The DDPO surprisingly has also failed to discharge his duty as First Appellate Authority which the Commission decries vehemently. In case the information is not available with him, the BDPO should have transferred the application to the concerned authority under Section 6(3) of RTI Act. Having failed to do so, he has made himself liable for penal action under Section 20(3) of the RTI Act.

The BDPO Makhu, District Ferozepur is issued a show cause notice to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act,



Appeal Case No.1211/2019

2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte."

23.07.2019

Shri Karamjeet Singh, Panchayat Secretary, O/o BDPO Makhu is present along with Sh.Sukhchain Singh, SDO, Talwandi Bhai, who was Returning Officer during Panchayat elections. The respondent says that the record, after the election, was deposited with the BDPO Zira. The normal course for them was to transfer the application to BDPO Zira u/s 6(3) of the RTI Act. Nonetheless, the Commission on the information of respondents directs the BDPO Zira to look into the application which stands transferred to him. He shall immediately look into it and take appropriate action to impart the information to the appellant. Since the Returning Officer is not in the custody of record, he is exempted from further appearance.

To matter shall be reheard on **15.09.2019 at 11.30 AM.**

23.07.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email:psic22@punjabmail.gov.in



Sh. Ranjit Singh,
R/o House No.-63, Phase 3B-1,
SAS Nagar.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block-Nadala, Kapurthala.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Kapurthala.

Respondents

Appeal Case No.1206/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
07.10.2018	01.01.2019	09.11.2019	Nil	29.03.2019

Present: Shri Ranjit Singh, Appellant is present.

None is present on behalf of the respondents.

ORDER:

None is present on behalf of the respondents. They are desired to submit reply to the application and explain their indifference.

The matter shall be heard on **23.07.2019 at 11.30 AM.**

28.05.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
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Sh. Malkit Khan,
S/o Sh. Jumma Khan,
R/o Vill. Ballipur, PO Kaliana,
Tehsil & Distt. Patiala

Appellant

Versus

Public Information Officer,
O/o Block Development & Panchayat Officer, Patiala.

First Appellate Authority
O/o Block Development & Panchayat Officer, Patiala.

Respondents

Appeal Case No.1253/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
12.11.2018	Nil	15.01.2019	Nil	02.04.2019

Present: **Sh. Malkit Khan, Appellant is present.**
None is present on behalf of respondents.

ORDER:

The respondents are absent on trot. They have not provided the information to the appellant. No reply has been filed. The Commission takes serious view of their indifference.

The BDPO Patiala is issued a show cause notice to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.

The case shall be reheard on **05.09.2019 at 11.30 AM.**

23.07.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Smt. Surjit Kaur
R/o H.No.1634, Sector-70,
SAS Nagar (Mohali).

Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
Mohali.

First Appellate Authority
O/o Joint Commissioner,
Municipal Corporation,
Mohali.

Respondents

Appeal Case No.1316/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
19.06.2018	Nil	05.10.2018	Nil	04.04.2019

Present: Smt.Surjit Kaur Sodh, appellant is absent.
Sh. Harpreet Singh, SDO and Sh.Sunil Sharma, SDO
Sh.Sidharath Singh Rana, J.E. Water Supply & Sanitation Department,
Division No.2, Sub Division No.2 – for respondents.

ORDER:

The following order was passed on 06.06.2019:-

“The appellant has sought information about the tube-wells installed in the area of Municipal Corporation, Mohali besides some allied information. The respondents state that by and large the requisitions made in the application have been addressed to. However, the information pertaining to Executive Engineer, Division No.2, Water Supply & Sanitation is still wanting. The respondents are desired to arrange to provide the aforesaid information promptly to the appellant. They are also required to explain the delay in writing before the next date of hearing, failing which the penal consequences shall follow.”

23.07.2019

The case has come up today. Sh. Sidharath Singh Rana, Junior Engineer is present from Sub Division No.8 of Water Supply & Sanitation Department. He submits that the information sought and as mentioned in the aforesaid order has been delivered in person to the appellant. As the appellant is absent, the Commission presumes that she is satisfied with the information supply to her.



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Appeal Case No.1316/2019

Sh.Sidharath Singh Rana submitted a copy of the same which has been taken on record. Hopefully, the same is found to be in order. The Commission finds that a part of the information has been significantly delayed. The appellant may like to go through it and advert on the information supplied to her. Meanwhile, the Executive Engineer, Water Supply & Sanitation Department, Division No.2, Mohali is directed to explain the delay. He is issued a show cause notice to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.

Since the Municipal Corporation is not in the custody of the information sought for, their presence is exempted.

To come up on **05.09.2019 at 11.30 AM.**

23.07.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**