**PUNJAB STATE INFORMATION COMMISSION**

**RED CORSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**

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Sh. Dil Mohan Kumar

House No. 287,

Ward No. 22, Mohalla Dhobian,Khanna,

Distt. Ludhiana Complainant

 Versus

Public Information Officer

O/o Municipal Council,

Khanna, Distt. Ludhiana. Respondent

**COMPLAINT CASE NO.341/2018**

Date of RTI application: 07.06.2017

Date of First Appeal : Nil

Date of Order of FAA: Reply 16.06.2017

 Date of 2nd Appeal/complaint: 06.03.2018

**Present: Sh. Dil Mohan Kumar - Complainant.**

 **Sh. Ram Sarup, Junior Assistant, MC Office, Khanna – for Respondent.**

**ORDER**

  **The case has been heard through video conferencing.**

The Commission had made the following order on 30.05.2018:

 *“The complainant is seeking a copy of the building plan of a property which is jointly owned with his brother. His brother has asked the Municipal Council not to part with the information being a personal information of the third party.*

 *The Commission does not agree with this proposition. The complainant being one of the partners is very much entitled to the information concerning his property. The respondent is accordingly directed to give him certified copy of the building plan before the next date of hearing.”*

The case has come up today. In compliance with the above order, the respondent says that the information as directed by the Commission has been provided. The complainant, Contd…page…2

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**COMPLAINT CASE NO.341/2018**

however, seems dissatisfied about the inaction on the part of the Municipal Council towards demolition of some unauthorized structures.

 It is not within the domain of this forum to pass executive instructions to correct a purported wrong done by the respondent. As far as the information part is concerned it has been sufficiently supplied.. No further action is called for.

 The complaint is **disposed.**

 **Sd/-**

**25.07.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Jasbir Singh,

Guru Nanak Nagar,

Village Bholapur,

Post Office Ramgarh, Chandigarh Road,

Distt. Ludhiana. Appellant

Public Information Officer

O/o Commissioner,

Municipal Corporation,

Ludhiana.

First Appellate Authority,

O/o Commissioner,

Municipal Corporation,

Distt. Ludhiana. Respondents

**Appeal Case No.1014/2018**

Date of RTI application: 18.11.2017

Date of First Appeal : 08.01.2018

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 20.03.2018

**Present: Sh. Jasbir Singh, Appellant at Commission’s office, Chandigarh.**

 **Sh. Rahul Kumar, Building Inspector, Zone ‘A’, MC Office, Ludhiana – for Respondents.**

**ORDER**

 **The case has been heard through video conferencing.**

 The appellant acknowledges the receipt of information to his satisfaction.

 **Disposed.**

 **Sd/-**

**25.07.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Love Kumar Dua,

House No. 125, Model Town, Samrala Road

 Khanna, Distt. Ludhiana. Appellant

Public Information Officer

O/o Executive Officer,

Municipal Council,

Khanna.

First Appellate Authority,

O/o Deputy Director,

Local Bodies, Ludhiana. Respondents

 **Appeal Case No.1070/2018**

Date of RTI application: 15.12.2017

Date of Reply : 05.01.2018

Date of First Appeal : 15.01.2018

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint 22.03.2018

**Present: Sh. Love Kumar Dua, Appellant at Commission’s office, Chd..**

 **Sh. Amarpal Singh, Inspector, MC Office, Khanna – for Respondents.**

**ORDER**

 **The case has been heard through video conferencing.**

Point No. 1 of the original application refers to a Policy letter of the Government. The respondents are advised to provide him a copy of the same. The information with reference to Point No. 4 should be materially available with them and it should be supplied.

 Point No. 2 and 3 are vague and in the shape of questions. The Commission is not inclined to enforce its requisition.

 The respondents should inform the appellant within seven days from today failing which penal action shall be taken. Be it noted that no further notice shall be issued.

 To come up on **26.09.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**25.07.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Jasbir Singh,

Village Bholapur Jhabewal,

P.O. Ramgarh Distt. Ludhiana. Appellant

 Versus

Public Information Officer,

O/o Senior Supdt. of Police ( Economic offence Br.),

Vigilance Bureau, Near Sadar Police Station, Ludhiana.

First Appellate Authority

O/o Senior Supdt. of Police ( Economic offence Br.),

Vigilance Bureau, Near Sadar Police Station, Ludhiana. Respondents

 **APPEAL CASE NO.310/2018**

Date of RTI application : 21.10.2017

Date of First Appeal : 24.11.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :10.01.2018

**Present: Sh. Jasbir Singh, Appellant at Commission’s off., Chd.**

 **Sh. Raminder Singh, RTI Br., O/o SSP (Economic Off. Br.), Vig. Bureau, Ludhiana – for Respondents.**

**ORDER**

 **The case has been heard through video conferencing.**

The following order was passed by this forum on 06.06.2018:

 *“The respondents have sought an exemption under Section 8(1) (h) of the Act as the matter, according to them, is under investigation. The appellant says that he is interested, at the moment, only in the copy of an FIR. The Commission understands that an FIR registered is a public document. They can withhold it only in case they make a convincing case of exception under exemption clause. They should come up in writing else they should provide a copy of the FIR, if registered, to the appellant.”*

The case has come up today. The respondents have intimated in writing to the Commission that the matter is still under the preliminary stage of investigation and no FIR as on day has been registered. The appellant shall be informed as and when some tangible development occurs. Meanwhile, a copy of the reply sent by the respondents has been handed over to the appellant in the Court itself. The Commission does not see any requirement of further intervention.

  **Disposed.**

 **Sd/-**

**25.07.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

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Sh. Davinder Kumar Jain

S/o Sh. Shiv Kumar Jain,

# 7, Chhota Chowk, Malerkotla

Distt. Sangrur Appellant

Versus

Public Information Officer,

O/o Addl. Local Registrar (Birth & Death),

Municipal Corporation, Ludhiana

First Appellate Authority

O/o Deputy Director,

Local Govt. Mini Sectt, Ludhiana Respondents

 **APPEAL CASE NO.265/2018**

Date of RTI application : 09.06.2017

Date of First Appeal : 20.09.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :13.12.2017

**Present: None on behalf of the Appellant.**

 **Sh. Devinder Singh, Sub Registrar, (Births & Death), MC Office, Ludhiana – for Respondents.**

**ORDER**

 **The case has been heard through video conferencing.**

The appellant has conveyed in writing that he has received the information to his satisfaction and is not interested to pursue the matter.

 The appeal is **disposed.**

 **Sd/-**

**25.07.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Jagjeet Singh

S/o Sh. Surinder Singh,

Vill. & P.O.Dewatwala,

Teh & Disttt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Director,

Vigilance Bureau, Punjab,

SCO No.60-61, Sec-17-D, Chandigarh

First Appellate Authority

O/o Director,

Vigilance Bureau, Punjab,

SCO No.60-61, Sec-17-D, Chandigarh Respondents

 **APPEAL CASE NO.2799/2017**

Date of RTI application : 20.07.2017

Date of First Appeal : 21.08.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 11.10.2017

**Present: Sh. Jagjeet Singh - Appellant.**

 **Sh. Sh. Chamkaur Singh, Assistant, O/o Dy. Registrar, Coop Societies, Ludhiana – for Respondents.**

**ORDER**

 **The case has been heard through video conferencing.**

The following order was passed on 06.06.2018:

 *“The respondent in the Department of Punjab Vigilance Bureau states that the complaint having been considered at their level, was forwarded to the Additional Chief Secretary to Govt., Punjab, Cooperation Department vide their letter dated 27.09.2017 for appropriate action departmentally. The appellant alleges serious irregularities and embezzlements made by the Cooperative Society under complaint.*

 *The PIO in the office of the Additional Chief Secretary to Government, Punjab, Department of Cooperation is directed to intimate him the status of the action taken by them.”*

 *“The case has come up today. The parties are present. The respondents say that Contd…page…2*

 *-2-*

***APPEAL CASE NO.2799/2017***

*they have brought along the information which has been transmitted on spot to the appellant. On cursory examination the appellant says that it is deficient. He should pin-point the deficiencies in writing to the respondents. The respondents are directed to file a written statement about the information having already been transmitted to him and their contention on the objections thus raised by the appellant.*

 *As the application has been transferred by the Punjab Vigilance Bureau to the Cooperative Department they are exempted from appearance in the future proceedings.”*

 *“Sh. Jatinder Kumar, Sr. Assistant is present on behalf of the Deputy Registrar, Cooperative Societies, Ludhiana. He says that the information relating to the original application of the appellant has been provided. The appellant is dissatisfied and alleges grave irregularities in the maintenance of the record by Society in question to his detriment and complains that complete information has not been furnished.*

 *The PIO in the office of the Dy. Registrar, Coop. Societies, Ludhiana, is directed to allow him the inspection of the record by conveying him a specific date and time. They shall provide him the certified copies of the documents identified by him.”*

The case has again come up today. Sh. Chamkaur Singh appearing on behalf of the respondents says that the inspection was allowed to the appellant and the documents identified by him had been supplied. The appellant is yet not satisfied. The Commission has seen the reply of the respondents which is quite detailed and appropriately addresses to the each point of his application. Moreover the entire available record as per version of the respondents has been shown to him. We do not have a reason to believe that any information has been suppressed.

 Contd…page..3

 -3-

***APPEAL CASE NO.2799/2017***

 The Commission feels that sufficient information has been provided. No further action is called for.

 **Disposed.**

**Sd/-**

**25.07.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC: The PIO, O/o The Registrar, Cooperative Societies, Punjab, 17-Bays Building,**

 **Sector – 17, Chandigarh.**

**CC: The PIO, O/o The Deputy Registrar, Cooperative Societies, Ludhiana.**

**CC: The PIO, O/o Additional Chief Secretary to Govt., Punjab, Department of Cooperation, Punjab Civil Sectt.2, Sector -9, Chandigarh for information.**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Manoj Kumar

S/o Sh. Bhim Sain,

#1184, Kucha Jassamal, Thakur Dwara Road,

Near Jain Dharamshala,

Ludhiana Appellant

Versus

Public Information Officer,

O/o Asstt. Town Planner,

Zone-A, Municipal Corporation,

Ludhiana

First Appellate Authority

O/o Secretary to Govt. of Pun jab,

Local Bodies Deptt. Punjab

Plot No.3, Sector-35-A,

Chandigarh Respondents

 **APPEAL CASE NO. 284/2018**

Date of RTI application : 22.06.2017

Date of First Appeal : 11.11.2017

Date of Order of FAA : Reply 10.10.2017

Date of 2nd Appeal/complaint :05.01.2018

**Present: None on behalf of the Appellant.**

 **Sh. Rahul Kumar, Building Inspector, MC Office, Zone ’A’, Ldh. - for Respondents.**

**ORDER**

 **The case has been heard through video conferencing.**

 The appellant has sent a communication intimating his indisposition and has requested to be excused from the presence in the hearing today. He further says that the information supplied is deficient whereas the respondent says that the complete information has been provided.

 Acceding to the request of the appellant, the matter is adjourned to **26.09.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**25.07.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Jasbir Singh

Village Bholapur Jhabewal,

Post office Ramgarh, Distt. Ludhiana

 Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Ludhiana

First Appellate Authority

O/o Commissioner,

Municipal Corporation,

Ludhiana. Respondents

 **APPEAL CASE NO. 313/2018**

Date of RTI application : 23.10.2017

Date of First Appeal : 24.11.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :10.01.2018

**Present: Sh. Jasbir Singh, Appellant at Commission’s off. Chandigarh.**

 **Sh. Charanjit Singh, Superintendent, MC office, Zone ‘D’, Ludhiana - for Respondents.**

**ORDER**

 **The case has been heard through video conferencing.**

The following order was passed by the Commission on 06.06.2018:

 *“Sh. Charanjit Singh, Superintendent, appearing on behalf of the respondents says that despite having afforded him sufficient opportunities the appellant has not been able to point out any deficiency. The appellant may convey in writing about the deficient information enabling them to take appropriate action.”*

The case has come up today. The appellant says that he has since pointed out the deficiencies. However, the same has not been responded by the respondents. The respondent denies any receipt of such communication. The appellant should again send it under intimation to the Commission. The respondents shall ensure to meet the issues raised in the communication of the appellant so as to suitably inform him.

 To come up on **12.09.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**25.07.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Gurmej Singh

Village Marhe Kalan,

P.O & Tehsil Guruharsahai, P.S.Lakhoke,

Distt. Ferozepur Appellant

Versus

Public Information Officer,

O/o Commandant General,

Punjab Home Guards & Civil Defence,

17 ways building Sector-17, Chandigarh

First Appellate Authority

O/o Commandant General,

Punjab Home Guards & Civil Defence,

17 ways building Sector-17,

Chandigarh Respondents

 **APPEAL CASE NO.3146/2017**

Date of RTI application : 09.12.2016

Date of First Appeal : 27.02.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :06.11.2017

**Present:** **None on behalf of the Appellant.**

 **Sh. Hargopal Sadana, O/o Commandant Gen. Pb. Home Guards at Commission’s office, Chandigarh – for Respondents.**

**ORDER**

The following order was passed by this forum on 06.06.2018:

 *“The respondents are absent despite issue of notice. The Commission takes a serious view of the indifference shown by them. Neither they have filed written statement nor anybody has appeared on their behalf. Another opportunity is afforded to them to take a suitable call on the application of the appellant and explain the delay in having failed to comply with the provisions of law.”*

 *“Sh. Aneesh Kumar appearing on behalf of the respondents submits that the original record is available with the office of the District Commandant, Punjab Home Guards, Sangrur. Be that as it is, the matter inter se should have been handled at their level. Nothing tangible seems to have Contd…page…2*

 *-2-*

***APPEAL CASE NO.3146/2017***

*been done.*

 *Despite a couple of opportunities afforded to the respondents to provide the appellant certified copies of his personnel record no seriousness has been shown by the respondents. No reply to the notice of the Commission has also been filed. There is no attempt to procure the information from the concerned quarter to deliver it on the applicant. The Commission takes it as a willful intent on the part of the respondents to deny him the information which he is entitled to.*

 *The PIO in the office of the Commandant General, Punjab Home Guards and Defence, 17 Bays Building, Sector – 17 C, Chandigarh, 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.”*

The case has come up today. Sh. Hargopal Sadana, appearing on behalf of the respondents reports the compliance of the order passed by the Commission and has produced an

 Contd…page…3

 -3-

***APPEAL CASE NO.3146/2017***

acknowledgement receipt of the record from the appellant as well. While issuing a severe reprimand to them the Commission files the SCN and directs them to be watchful in future.

  **Disposed.**

 **Sd/-**

**25.07.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

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Sh. Amritpal Singh,

S/o Sh. Gurdas Singh

VPO Cheema, Tehsil Sunam,

Distt. Sangrur Appellant

Versus

Public Information Officer,

O/o President,

Gurdwara Sahib, Nanaksar,

Cheema Tehsil Sunam, Distt. Sangrur

First Appellate Authority

O/o President,

Shiromani Gurdwara Parbhandhak Committee,

Sri Amritsar Sahib. Respondents

 **APPEAL CASE NO.3133/2017**

Date of RTI application : 16.05.2017

Date of First Appeal : 06.07.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :03.11.2017

**Present: None on behalf of the Appellant.**

1. **Sh. Simerjit Singh, PIO, SGPC, Amritsar,**
2. **Sh. Kuldip Singh, Assistant Supervisor, SGPC, Amritsar,**
3. **Sh. Gurcharan Singh, Presidence Gurdwara Sahib Nanaksar Cheema,**
4. **Sh. Surinderjeet Singh, Manager, Gurdwara Sahib Nanaksar Cheema at Commission’s office, Chandigarh – for Respondents.**

**ORDER**

Despite best efforts the video conference could not mature due to a technical glitch. The matter shall be reheard on **23.08.2018 at 11.30 AM at Chandigarh.**

 **Sd/-**

**25.07.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC: The Receiver, Gurdwara Sahib Nanaksar, Cheema, District Sangrur, for**

**n/a.**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh.Tejinder Singh

R/o Vilalge Bholapur, P.O. Ramgarh,

Chandigarh Road, Ludhiana

 Appellant

Versus

Public Information Officer,

O/o Improvement Trust, Ludhiana

First Appellate Authority

O/o Improvement Trust, Ludhiana Respondents

 **APPEAL CASE NO.255/2018**

Date of RTI application : 03.10.2017

Date of First Appeal : 12.11.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :08.01.2018

**Present: Sh. Tejinder Singh, Appellant at Commission’s off. Chd.**

 **None on behalf of the Respondents.**

**ORDER**

 The following order was made by this forum on 06.06.2018:

 *“The appellant had sought an information about the title of a property identified as Flat No. 278, YG, Rishi Valmik Nagar, Haibowal Khurd, Ludhiana along with copy of the allotment letter. The respondents have denied it being a personal information of the third party and invoked Section 8(1) (J) of the Act. The Commission partially agrees with them. They should convey him name of the owner of the property without sharing copy of the allotment letter.”*

The case has come up today. The respondents are absent. The Commission takes strong exception to it. The respondents have communicated the ownership of the property in question as mentioned above. However, the appellant intends to know the time she entered into the ownership of this property. The respondents are directed to convey it to the appellant before the next date of hearing positively.

 To come up on **26.09.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**25.07.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Rakesh Kumar Gupta, (Advocate)

# 8/237, Jagraon Road, Mandi Mullanpur,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Municipal Council, Jagraon,

Distt. Ludhiana

First Appellate Authority

O/o Deputy Director, Local Bodies, Punjab

Ludhiana Respondents

 **APPEAL CASE NO.2776/2017**

Date of RTI application : 31.03.2017

Date of First Appeal : 05.05.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 03.10.2017

**Present: Sh. Rakesh Kuamr Gupta - Complainant.**

 **Sh. Ranjit Singh, Jr. Assistant, MC Office, Jagraon - for Respondents.**

**ORDER**

 **The case has been heard through video conferencing.**

This should be read in continuation of order dated 06.06.2018.

 The inspection of documents as was directed has only been partially clinched. The parties agree on another inspection. This should be arranged to their mutual convenience early.

 The matter shall be reheard on **26.09.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**25.07.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Rakesh Kumar Gupta, (Advocate)

# 8/237, Jagraon Road, Mandi Mullanpur,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Municipal Council, Jagraon,

Distt. Ludhiana

First Appellate Authority

O/o Deputy Director, Local Bodies, Punjab

Ludhiana Respondents

 **APPEAL CASE NO.2777/2017**

Date of RTI application : 31.03.2017

Date of First Appeal : 05.05.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 03.10.2017

**Present: Sh. Rakesh Kuamr Gupta - Complainant.**

 **Sh. Ranjit Singh, Jr. Assistant, MC Office, Jagraon - for Respondents.**

**ORDER**

 **The case has been heard through video conferencing.**

The following order was made on 06/.06.2018:

  *“The respondents have neither filed any reply nor has arranged to provide the information to the appellant sought by him vide application dated 24.03.2017.*

 *The conduct of the respondents smacks of indifference towards compliance of the RTI Act. While taking a strong exception to the dereliction, the Commission affords an opportunity to the PIO to part with the information failing which the penal consequences shall follow.”*

 *“The case has come up today. Sh. Ranjit Singh, Jr. Assistant appearing on behalf of the respondents submits that the available information with them has been completely parted with. The appellant is dissatisfied. The Commission allows him the inspection of the concerned record and directs the respondents to supply him the certified copies identified by him. They should arrange an inspection on mutually agreed date and time.”*

 Contd…page…2

 -2-

**APPEAL CASE NO.2777/2017**

 The case has again come up today. The respondent submits that the inspection of the record was allowed and copies of documents sans few have been given to him in the certified shape. He has assured the Commission of delivery of rest of the documents. Hopefully, it shall be furnished soon.

 The case is **disposed.**

 **Sd/-**

**25.07.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**