

# PUNJAB STATE INFORMATION COMMISSION

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

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Sh. Anil Kumar,  
S/o Sh. Devi Chand,  
Vill: Nanowal Bet,  
Tehsil: Balachaur,

Distt: Shaheed Bhagat Singh Nagar-144521 .....Appellant  
**Vs**

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Balachaur,  
Distt: Shaheed Bhagat Singh Nagar-144521.

First Appellate Authority  
O/o District Development and Panchayat Officer,  
District: Shaheed Bhagat Singh Nagar-144521. ....Respondents.

## **Appeal Cases Nos.2993, 3013, 3046 and 3047/2019** (Video Conference Proceeding)

Present:- Shri Surinder Mohan Bhanot on behalf of the appellant at Chandigarh.

### ORDER

This order may be read with reference to the previous order dated 06.11.2019 vide which the appellant was advised to get the information by visiting respondent's office personally and after perusing the same revert back to the authorities in case of deficiencies to the respondents with a copy to the Commission.

2. The representative of the appellant states that he has sent deficiencies to the respondents only on two-three days back and he has also forwarded a copy of the same through e-mail. The counsel for the appellant submits that information supplied to the appellant is not certified.

3. Video Conference cannot be held due to technical problem. After perusing the record, it is found that no e-mail from the appellant has been available in the record of the case file. The counsel for the appellant places another copy of deficiencies on the record of the case file. However, respondent-BDPO sent an e-mail addressed to the Commission, discussing all the four cases, what information has been

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**Appeal Cases Nos.2993, 3013, 3046 and 3047/2019**

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given and what is not available in their record. They have certified that available information has been provided and they had further clarified that information which is not available on the record of the concerned panchayat has not been provided to the appellant. A copy of reply received through e-mail is being sent to the appellant on his mail address. [bhanot1952@gmail.com](mailto:bhanot1952@gmail.com). Once the respondent has given in writing that complete information as available in their record has been supplied and they have certified in writing that nothing has been kept which could be supplied to the appellant as per the record available in the record. No further action is required to be taken. The respondents are directed to certify the information when it is brought to him by the counsel of the appellant. For this purpose a mail is sent to the PIO with a copy to the appellant. With these observations, the present cases are disposed and closed. Copies of the order be sent to the parties.

Dated : 02.12.2019

Sd/-  
( Suresh Arora )  
Chief Information Commissioner,  
Punjab

After the hearing was over, the Video Conference was connected. Shri Kuldeep Singh, Panchayat Secretary, appears through Video Conference facility. The Commission apprise the above proceedings to him. He is further directed to get the information, provided to the appellant certified from the BDPO when Advocate S.M. Bhanot, counsel of the appellant, visits their office for authentication. He assures that every help will be provided to him for authentication by the BDPO.

Dated : 02.12.2019

Sd/-  
( Suresh Arora )  
Chief Information Commissioner,  
Punjab

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Sh. Vikram Singh,  
# 983-E, Benipal Colony,  
Machhiwara,  
Distt: Ludhiana-141115

.....Appellant

**Vs**

Public Information Officer,  
O/o Tehsildar, Samrala,  
Distt: Ludhiana.

First Appellate Authority  
O/o Sub Divisional Magistrate,  
Samrala, District- Ludhiana.

.....Respondents

**Appeal Case No. 3082 of 2019**  
(Through Video Conference Facility)

Present:- Shri Vikram Singh, appellant.

Shri Amanpreet Singh, Reader to Tehsildar, Samrala on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 23.09.2019 vide which the respondent-PIO was directed to supply the information after procuring the same from the Deputy Commissioner, Ludhiana.

2. The appellant states that no information has been provided to him till date.

3. The representative of the respondents states that in compliance to the previous order, no information has been received from the Deputy Commissioner's office. Hence, it cannot be supplied to the appellant by respondents.

4. The respondents are directed to supply the information after procuring the same from the office of the Deputy Commissioner, Ludhiana failing which punitive action will be initiated on the next date of hearing.

5. To come up on 13.12.2019 at 3.00 P.M. through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 02.12.2019

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( Suresh Arora )  
Chief Information Commissioner,  
Punjab

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Sh. Avtar Singh,  
S/o Sh. NanakSingh,  
VPO: KarianaKalan,  
Tehsil & Distt: Ludhiana.

.....Appellant

**Vs**

Public Information Officer,  
O/o Gram Panchayat,  
Kariana Kalan,  
Block Ludhiana-2,  
Distt: Ludhiana.

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

.....Respondents

## **Appeal Case .No. 3114 of 2019** (Video Conference Proceeding)

Present:- Shri Avtar Singh, appellant.  
Shri Gurmail Singh, Panchayat Secretary, on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 09.11.2019 vide which Shri Gurmail Singh, Panchayat Secretary was impleaded as a necessary party with the direction to supply the information before the next date of hearing.

2. The representative of the respondents states that Shri Sukhwinder Singh, Former Panchayat Secretary has not handed over the charge of the panchayat record to him. He has given in writing to the Block Development and Panchayats Officer, Ludhiana-2 Block thrice for handing over the charge to him after taking it from Shri Sukhwinder Singh. In spite of writing to the BDPO, Shri Sukhwinder Singh has not handed over the charge to him.

3. Shri Sukhwinder Singh, Panchayat Secretary is directed to hand over the charge to Shri Gurmail Singh, the present Panchayat Secretary as early as possible. Block Development and Panchayats Officer, Block Ludhiana-2 is also directed to help the present Panchayat Secretary in getting the record from the former Panchayat

Contd.....p/2

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Secretary-Shri Sukhwinder Singh so that he can supply the information to the appellant. Show cause notice is issued to the PIO/Block Development and Panchayats Officer, Block Ludhiana-2 for award of compensation to the appellant for loss and detriments suffered by the appellant. In addition to the written reply, the Block Development and Panchayats Officer is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the award of compensation 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.

4. To come up on 13.12.2019 at 3.30 P.M. through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 02.12.2019

Sd/-  
( Suresh Arora )  
Chief Information Commissioner,  
Punjab

**CC**

Shri Sukhwinder Singh,  
Panchayat Secretary,  
c/o Block Development and Panchayats Officer,  
Block Ludhiana-2.

Regd

Shri Jaswant Singh Waraich,  
Block Development and Panchayats Officer,  
Block Ludhiana-2.

Regd

The District Development and Panchayats Officer,  
Ludhiana.

**The Deputy Commissioner, Ludhiana :** It has come to the notice of the Commission that public interest is suffering for not handing over the charge by Shri Sukhwinder Singh, former Panchayats Secretary, c/o Block Development and Panchayats Officer, Ludhiana-2 Block to the present Panchayat Secretary-Shri Gurmail Singh.

**For information and necessary action.**

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Sh. Gagan Deep Singh Janjua,  
Vill: Tura,  
P.O: Kumbh,  
Tehsil: Amloh,  
Distt: Fatehgarh Sahib-147301

.....Appellant

**Vs**

Public Information Officer,  
O/o Tehsildar, Payal,  
Distt: Ludhiana.

First Appellate Authority,  
O/o Sub Divisional Magistrate,  
Payal, Distt: Ludhiana.

.....Respondents

## **Appeal Case No. 3109 of 2019**

(Video Conference Proceeding)

Present:- None on behalf of the appellant.  
Shri Darshan Kumar, Sadar Kanugo on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 06.11.2019 vide which Shri Darshan Kumar, Sadar Kanugo sought more time to trace the concerned record otherwise give in writing that the same is not available.

2. The appellant is absent without intimation.

3. Shri Darshan Kumar, Sadar Kanugo states that they had tried to locate the concerned record but they could not succeed in tracing the record. He further states that they have send in writing to the appellant that no record could be traced as sought by the appellant for seeking information.

4. The respondents are directed to send again, in writing, that concerned record could not be traced through registered post. When the record is not available, nothing can be done in this case. Accordingly, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 02.12.2019

Sd/-  
( Suresh Arora )  
Chief Information Commissioner,  
Punjab

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Sh. M.S. Toor (Advocate)  
Chamber No.2004, New Courts,  
Ludhiana.

.....Appellant

**Vs**

Public Information Officer,  
o/o Sub Registrar/Tehsildar (West),  
Ludhiana.

First Appellate Authority,  
o/o Sub Divisional Magistrate,  
Ludhiana (West)

.....Respondents

**Appeal Case No. 2562 of 2019 and Appeal Case No.2563/2019**  
**(Video Conference Proceedings)**

Present:- Shri Kuldip Kumar, on behalf of the appellant.  
Shri Amanpreet Singh, Reader to Tehsildar on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 06.11.2019 vide which the respondent-Municipal Corporation, Ludhiana has given complete information consisting of 104 pages after deposit of Rs.208. The appellant sought adjournment on the plea that his counsel was busy in another case.

2. The appellant states that he has been given complete information to his satisfaction and his grievance is that he has been provided only 64 pages instead of 104 pages. He requests that remaining 40 pages may be provided to him, if these are available in the record of the respondents or if more pages are not available then the respondents be directed to refund Rs.80/-.

3. The respondent-Municipal Corporation, Ludhiana is directed to look into the matter and supply remaining 40 pages, if these are available in their record or refund Rs.80/- to the appellant. They are further directed to explain why they have asked the appellant to deposit Rs.208/- when there were only 64 pages to be supplied to the appellant. The respondents are directed to send compliance to the Commission before 13.12.2019 at 3.00 P.M. through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 02.12.2019

Sd/-  
( Suresh Arora )  
Chief Information Commissioner,  
Punjab

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Sh. Gurdeep Singh Kahlon,  
S/o Sh. Boorh Singh,  
# 947, HIG, Punjab Housing Board Colony,  
Jamalpur, Distt: Ludhiana-141010

.....Appellant

**Vs**

Public Information Officer,  
O/o Chief Minister, Punjab,  
Chandigarh.

PIO/Commissioner of Police,  
Ludhiana.

.....Respondents

## **Complaint Case No.754 of 2019**

Present:- None on behalf of the complainant.

Shri Ramesh Kumar, ASI, on behalf of the respondent-PIO.

### ORDER

This order may be read with reference to the previous order dated 23.09.2019 vide which the Commissioner of Police, Ludhiana was made necessary party with the direction to intimate the complainant after taking appropriate action.

2. The complainant is absent without intimation.

3. The representative of the respondents states that inquiry has been finalized by the Commissioner of Police, Ludhiana with the remarks 'Seen and File' on the application of the complainant. He further states that information regarding this has also been sent to the complainant on 29.11.2019.

4. In view of the statement of the representative of the respondents, that the information regarding inquiry has been sent to the complainant vide their letter dated 29.11.2019 through registered post, the case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 02.12.2019

Sd/-  
( Suresh Arora )  
Chief Information Commissioner,  
Punjab



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Sh. Ranjit Singh,  
S/o Sh. Sadhu Singh,  
Village- Moga, P.O: Bhogpur,  
District- Jalandhar.

.....Appellant

**Vs**

Public Information Officer,  
DDPO, Jalandhar.

.....Respondent

## **Complaint Case .No. 670 of 2019** (Through Video Conference Facility)

Present:- Shri Ranjit Singh complainant.

None on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 06.11.2019 vide which Shri Amar Pal Singh, Panchayat Secretary o/o BDPO, Bhogpur, District Jalandhar and Shri Ram Lubhaya, BDPO, Bhogpur, District Jalandhar were impleaded as necessary parties with the direction to intimate the complainant regarding action taken with a copy to the Commission as early as possible.

2. The complainant states that no information has been provided to him by the respondents.

3. None is present on behalf of Shri Ram Lubhaya, BDPO, Bhogpur and Shri Amar Pal Singh, Panchayat Secretary o/o BDPO, Bhogpur. Video Conference Facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondents seriously, Both the PIOs, thus, issued a show cause notice to explain in a self-attested affidavit as to why a compensation be not awarded under Section 19(8)(b) of RTI Act, 2005 for causing willful delay/denial of the information to the RTI applicant.

4. In addition to the written reply, the PIOs are also given an opportunity under Section 20(1) proviso thereto, for personal hearing before award of compensation to the complainant on the next date of hearing. They may take note that in case they do not file their written reply and do not avail themselves of the opportunity of personal hearing on the date fixed, it will be presumed that they have nothing to say and the

Contd.....p/2

**Complaint Case .No. 670 of 2019**

-2-

Commission shall proceed to take further proceedings against them ex parte. They are further directed to take appropriate action on the application of the complainant and intimate him about the action taken with a copy to the Commission.

5. To come up on 13.12.2019 at 3.00 P.M. to be heard through Video Conference Facility Available in the office of the Deputy Commissioner, Jalandhar.

Dated : 02.12.2019

Sd/-  
( Suresh Arora )  
Chief Information Commissioner,  
Punjab

CC  
Shri Amar Pal Singh,  
Panchayat Secretary  
o/o Block Development and Panchayats Officer,  
Bhogpur Block, District Jalandhar.

Regd.

Shri Ram Lubhaya,  
Block Development and Panchayats Officer,  
Bhogpur Block, District Jalandhar.

Regd.

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Sh. Partap Singh,  
S/o Sh. Sawinder Singh,  
VPO: Marar, Tehsil: Batala,  
Distt: Gurdaspur.

.....Appellant

**Vs**

Public Information Officer,  
District Education Officer (Elementary),  
Distt: Amritsar.

First Appellate Authority,  
Director Public Instructions (Elementary),  
Punjab, Mohali.

.....Respondents

## **Appeal Case .No. 2903 of 2019**

Present:- None on behalf of the appellant.  
None on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 15.10.2019 vide which the respondents have filed reply vide their letter dated 25.09.2019 and on 1.10.2019. The respondents were directed to send the same to the appellant. On receipt of the same, the appellant was advised to go through the same and revert back to the authorities, in case of deficiencies to the authorities.

2. The appellant was absent on 10.09.2019, 15.10.2019 and today without information.
3. None appears on behalf of the respondents without intimation.
4. Last opportunity is afforded to the appellant to appear and send deficiencies in writing to the respondents with a copy to the Commission failing which it will be presumed that the appellant has nothing to say anything and the case will be decided on the merits of the case.
5. To come up on 13.12.2019 at 11.00 A.M.

Dated : 02.12.2019

Sd/-  
( Suresh Arora )  
Chief Information Commissioner,  
Punjab

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Sh. Balwinder Singh  
s/o Shri Sadhu Singh  
r/o village Ran Kalan, Tehsil Shahkot,  
District Jalandhar.

.....Appellant

**Vs**

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Lohian Khas, District Jalandhar.

First Appellate Authority  
O/o Block Development and Panchayat Officer,  
Lohian Khas, District: Jalandhar.

.....Respondents.

## **Appeal Case No.2548 of 019** (Video Conference Proceeding)

Present:- None on behalf of the appellant.

Shri Sandeep Kumar, Panchayat Secretary on behalf of the respondents  
through VC at SBS Nagar.

### ORDER

This order may be read with reference to the previous order dated 06.11.2019 vide which the appellant was advised to get the information by visiting respondent's office.

2. The appellant is absent without intimation.
3. The representative of the respondents states that they have given in writing that complete information has been provided to the appellant and nothing has been kept pending which could be supplied to him according to his RTI application. He further states that nothing has been received from the appellant after supply of information complete in all respects.
4. In view of the written statement of the respondents that complete information according to the record available in their office has been provided and

Contd.....p/2

-2-

nothing is left, which could be supplied to him according to his application under the provisions of RTI Act, 2005. According to the order passed in CWP No.15907 of 2017 titled Avtar Singh Azad vs. State Information Commission and others, when the respondents have given in writing that complete information as available in their record has been supplied and nothing has been kept pending, which could be supplied to him as per his RTI application. Nothing more can be done in this case. Hence, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 02.12.2019

Sd/  
( Suresh Arora )  
Chief Information Commissioner,  
Punjab

After the hearing was over, Shri Satinder Pal Singh, Advocate, appeared at Chandigarh on behalf of the appellant appeared and requests that penalty provisions may be invoked as his petitioner has filed RTI application on 20.07.2018 and they have provided partial information only on 30.10.2019 after the elapse of about 13 months. In view of the request of the counsel of the appellant, show cause notice is issued to the respondents for award of compensation under Section 19(8)(b) of the RTI Act, 2005. The respondents are directed to file their written reply before the next date of hearing why they have not supplied the information within stipulated period.

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 award of compensation 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 06.01.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Jalandhar.

Dated : 02.12.2019

Sd/-  
( Suresh Arora )  
Chief Information Commissioner,  
Punjab

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Shri Sarabjeet Singh Gill,  
#60-35-P-376-1,  
Street No.8, Maha Singh Nagar,  
P.O. Dhandari Kalan,  
District Ludhiana.

.....Appellant

**Vs**

Public Information Officer,  
Tehsildar (Central),  
Ludhiana.

First Appellate Authority,  
Tehsildar (Central),  
Ludhiana.

.....Respondents

## **Appeal Case No. 2580 of 2019**

Present:- Shri Balwinder Singh Gill on behalf of the appellant.  
Shri Gurdev Singh, Tehsildar (Central), Ludhiana on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 06.11.2019 vide which show cause notice for imposition of penalty and award of compensation was given to the respondent-PIO for his absence and for not providing the information within stipulated period.

2. The appellant states that nothing has been received from the respondents till date.

3. The respondent-PIO states that he has brought the information to be supplied to the appellant. He further states that he was given additional charge of Tehsildar (Central), Ludhiana few days back.

4. The appellant is advised to get the information, which the respondent-PIO has brought with him to be handed over to the appellant. The appellant received the same during the hearing. He may peruse the same and revert back to the authorities, in case of deficiencies, with a copy to the Commission. On receipt of the deficiencies from the appellant, the respondents are directed to remove the same before the next date of hearing. The respondent-PIO is further directed to file his explanation regarding show cause notice issued to him for imposition of penalty and award of compensation to the appellant before the next date of hearing. Decision on the explanation for withdrawal of Show cause notice will be taken on the next date of hearing.

5. To come up on 13.12.2019 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 02.12.2019

Sd/-  
( Suresh Arora )  
Chief Information Commissioner,  
Punjab

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Shri Jarnail Singh Mitke,  
Vice President Malwa Zone, Indian National Trade Union Congress,  
r/o H.No.318, Near Baba Manjil Gurudwara  
Hambran Road, Partap Singh Wala,  
Tehsil Lodhi West, Ludhiana. ....Appellant

**Vs**

Public Information Officer,  
o/o Block Development and Panchayats Officer-1,  
Ludhiana.

First Appellate Authority,  
o/o Block Development and Panchayats Officer-1,  
Ludhiana. ....Respondents

## **Appeal Case No. 2635 of 2019**

Present:- Shri Jarnail Singh Mitke alongwith Shri R.P. Singh.  
Shri Jagroop Singh, Panchayat Secretary on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 06.11.2019 vide which the respondents were directed to supply the information failing which punitive action under the provisions of RTI Act, 2005 will be initiated

2. The appellant states that information provided to him is partial and is without authentication.
3. The respondent-PIO states that he has supplied the information on 28.09.2019 and again on 31.10.2019.
4. The respondents are directed to handover one more copy of the information, already supplied to the appellant. He is further directed to supply the complete information according to the record available in their office, otherwise give in writing that no more information is available except which has already been supplied to him..
5. To come up on 13.12.2019 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 02.12.2019

Sd/-  
( Suresh Arora )  
Chief Information Commissioner,  
Punjab

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Shri Dilbagh Chand (Naib Subedar Retired)  
s/o Shri Ramji Dass, Village Hayatpur,  
PO Hambowal, Tehsil Samrala,  
District Ludhiana.

.....Appellant

**Vs**

Public Information Officer,  
o/o Financial Commissioner Rural Development and  
Panchayats, Punjab,  
Panchayats Bhawan, Sector 62, Mohali.

o/o Financial Commissioner Rural Development and  
Panchayats, Punjab,  
Panchayats Bhawan, Sector 62, Mohali.

PIO/District Development and Panchayats Officer,  
Ludhiana.

.....Respondents

## **Appeal Case No. 3789 of 2019**

Present:- Shri Dilbagh Chand, appellant..

None on behalf of the respondents.

### **ORDER**

The RTI application is dated 11.07.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 19.08.2019 and second appeal was filed in the Commission on 10.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for 14.11.2019 which could not be heard on that date due to administrative reasons and adjourned for today by the Commission.

2. The appellant states that no information has been provided to him by the respondents till date.

3. None is present on behalf of the respondents.

Contd.....p/2



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4. After hearing the appellant and going through the record available on the case file, it is revealed that Director Rural Development and Panchayats Punjab, SAS Nagar has transferred the complaint of the appellant under Section 6(3) of the RTI Act, 2005 to the District Development and Panchayats Officer, Ludhiana for providing action taken report on his complaint. The District Development and Panchayats Officer, Ludhiana is impleaded as a necessary party with the direction to provide action taken report on the complaint of the appellant before the next date of hearing.

5. To come up on 13.12.2019 at 3.00 P.M. to be heard thorough Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 02.12.2019

Sd/-  
( Suresh Arora )  
Chief Information Commissioner,  
Punjab