Red Cross Building, Near Rose Garden, Madhya Marg, Sector 16, Chandigarh. Ph: 0172-2864111, Visit us @ www.infocommpunjab.com, Email:psic21@punjabmail.gov.in



#### Major Lal,

S/o Sh. Sohan Lal, # 2179, Street No.4, New Kuldeep Nagar, Basti Jodhewal, Ludhiana – 141 007

#### Versus

Public Information officer (Headquarters)
o/o, Commissioner, Municipal Corporation,
Ludhiana.
Public Information officer,
o/o Superintendent Engineer, B&R Branch Zone-A,
Municipal Corporation Ludhiana.

First Appellate Authority,

o/o Commissioner, Municipal Corporation, District Ludhiana.

### Appeal Case No. 1040 of 2021 (Video Conference Proceedings)

PRESENT:

Major Lal (Appellant) 85915-74309 Gurpreet Kaur, Building Inspector from Zone-A (for the Respondent) 99885-00257

#### ORDER:

(To be read in continuity with earlier orders on 15.7.2021)

1. The RTI application is dated **13.7.20** vide which the appellant has sought <u>information</u> <u>regarding his complaint - No. 345/PS/R dated: 3.6.2020</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **28.9.20**, and Second Appeal was filed in the Commission on **22.2.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **15.7.2021**.

2. Both parties are present. As per the reply received from the Building Branch Zone-A, the complaint cited in the RTI application was received in the Commissioner's office from where it was marked to the Assistant Commissioner Sh. Rishipal, who further marked to the Superintending Engineer B&R, Zone-A. The appellant, present at this hearing, has also confirmed movement described by the respondent.

3. The Commission directs the PIO-cum-SE B&R, Zone-A, to file a written, pointwise reply to this RTI application before the next hearing. Failure to comply will invite penal consequences as per the RTI Act 2005.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

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Appeal Case No. 1040 of 2021 (Video Conference Proceedings)

5. <u>Next hearing on 25.3.2022 at 11.00 am via Video Conference Facility at DC Office,</u> <u>Ludhiana.</u>

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

Red Cross Building, Near Rose Garden, Madhya Marg, Sector 16, Chandigarh. Ph: 0172-2864111, Visit us @ www.infocommpunjab.com, Email:psic21@punjabmail.gov.in



Harjot Singh Harikay (Advocate), Chamber No.1011, District Court Complex, Ludhiana.

Versus

Public Information Officer, o/o Ludhiana Improvement Trust, Ludhiana. First Appellate Authority, o/o Ludhiana Improvement Trust, Ludhiana.

### Appeal Case No. 93 of 2021 (Video Conference Proceedings)

PRESENT: (Appellant) Absent Rama Shanker, Clerk (for the Respondent) 79734-99545

### ORDER:

(To be read in continuity with earlier orders on 9.4.2021, 12.8.2021, and 17.9.2021)

1. The RTI application is dated **13.8.2020** vide which the appellant has sought information regarding his family land that was taken up by the 256 Acre Scheme – Maharishi Balmiki Nagar vide an Award dated 27.4.1981, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **2.9.2020** and Second Appeal was filed in the Commission on **24.12.2020** under Section 19 of the Right to Information Act, 2005. This case was last heard on **17.9.2021**.

2. The appellant is absent but has intimated this Commission of his inability to attend this hearing. Meanwhile, the respondent PIO vide Letter No. 6612 Dated 13.12.2021, addressed to the appellant, has sent the remaining information pertaining to point no. 1 of the RTI application regarding Diyal Singh S/o Chanda Singh, Award Dated 27.4.1981.

3. However, since the appellant was not present. The case is adjourned to its next hearing.

### 4. <u>Next hearing on 25.3.2022 at 11.00 am via Video Conference Facility at DC Office,</u> <u>Ludhiana.</u>

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

Red Cross Building, Near Rose Garden, Madhya Marg, Sector 16, Chandigarh. Ph: 0172-2864111, Visit us @ www.infocommpunjab.com, Email:psic21@punjabmail.gov.in



Harjot Singh Harikay, (advocate) Chamber No. 1011, District Court Complex, Ludhiana.

Versus

Public Information Officer, o/o Ludhiana Improvement Trust, Ludhiana. First Appellate Authority, O/o Ludhiana Improvement Trust, Ludhiana.

### Appeal Case No. 96 of 2021 (Video Conference Proceedings)

PRESENT: (Appellant) Absent Rama Shanker, Clerk (for the Respondent) 79734-99545

#### ORDER:

(To be read in continuity with earlier orders on 9.4.2021, 16.7.2021, and 8.10.2021)

1. The RTI application is dated **13.8.2020** vide which the appellant has sought information **regarding Orient Cinema in Ludhiana by way of the complete file etc.**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **2.9.2020** and Second Appeal was filed in the Commission on **24.12.2020** under Section 19 of the Right to Information Act, 2005. This appeal case was last heard on **8.10.2021**.

2. The appellant is absent but has intimated this Commission of his inability to attend this hearing and requested for an adjournment. For the record, as directed in this Commission's Order of 16.7.2021, the respondent PIO has certified copies of 19 pages from the file pertaining to Orient Cinema. These constitute documents that are no "personal and private" to the third party, Smt Sukhmeen Kaur. The said information was received in the Commission via email dated 14.9.2021 (vide Letter No. 4988 dated 14.9.2021).

3. Since the appellant is absent today, this case is adjourned to its next hearing.

#### 4. <u>Next hearing on 25.3.2022 at 11.00 am via Video Conference Facility at DC Office,</u> <u>Ludhiana.</u>

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

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#### Yogesh Maini,

S/o Late Sh. Kapil Bhushan Maini, # 678/1,Prem Nagar, Shiv Mandir Road, Civil Lines, Ludhiana.

Versus

Public Information officer, o/o Municipal Corporation, Zone-D, Ludhiana. First Appellate Authority, o/o Commissioner, Municipal Corporation, Ludhiana.

### Appeal Case No. 851 of 2021 (Video Conference Proceedings)

### PRESENT:

Yogesh Maini (Appellant) 99887-58800 Rakesh Kumar (for the Appellant) Ajay Kumar, Building Inspector from Zone-A (for the Respondent) 98762-99511

### ORDER:

(To be read in continuity with earlier orders on **15.7.2021**)

1. The RTI application is dated **6.11.20** vide which the appellant has sought <u>information</u> regarding construction bylaws etc. in the context of two properties – B-1-651/2B and 651/4 <u>Kundanpuri, etc.</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **10.12.2020**, and Second Appeal was filed in the Commission on **9.2.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **15.7.2021**.

2. Both parties are present. The appellant is represented by Rakesh Kumar. As directed by the Commission at the last hearing on 15.7.2021, the respondent PIO had submitted an affidavit Dated 15.11.2021. The affidavit submitted by the respondent PIO does not address any of the queries enumerated in the RTI application. Said affidavit is neither in line with the Commission's directions (para no. 3 of the Commission's Order of 15.7.2021), wherein the PIO was asked to reiterate his oral contention that the properties cited in the RTI application were "unauthorized".

3. The respondent PIO is herewith directed to:

a] file a fresh affidavit giving point-wise reply to all 3 points of the RTI application;

b] submit certified copies of all documents regarding the compounding fees etc. for the building(s) cited in the RTI application alongwith receipts etc.: and

c] transfer portion of the RTI application which seeks information regarding the fire safety of the building cited in the said application, to the PIO of the concerned branch.

The above must be done within 10 days of this hearing, failing which, penal consequences will follow.

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### Appeal Case No. 851 of 2021 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority Date

5. <u>Next hearing on 18.3.2022 at 11.00 am via Video Conference Facility at DC Office,</u> <u>Ludhiana.</u>

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

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### REGISTERED SHOW CAUSE NOTICE

### Yogesh Maini,

S/o Late Sh. Kapil Bhushan Maini, # 678/1, Prem Nagar, Shiv Mandir Road, Civil Lines, Ludhiana.

Versus

Public Information officer,
o/o, Municipal Corporation Zone-A
Ludhiana.
Public Information officer,
o/o Municipal Corporation Zone-D,
Ludhiana.
First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Ludhiana.

### Appeal Case No. 1834 of 2021 (Video Conference Proceedings)

PRESENT: Yogesh Maini (Appellant) 99887-58800 Rakesh Kumar (for the Appellant) Ajay Kumar, Building Inspector from Zone-A (for the Respondent) 98762-99511

### ORDER:

(To be read in continuity with earlier orders on 15.7.2021)

1. The RTI application is dated **18.1.2021** vide which the appellant has sought <u>information</u> regarding the action taken by ATP Zone-D - challan and compounding fees etc. for a <u>property bearing the number 1/933/2A</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **19.2.2021**, and Second Appeal was filed in the Commission on **9.4.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **15.7.2021**.

2. Both parties are present. At the last hearing on 15.7.2021, the respondent PIO was directed to re-submit his reply of 13.7.2021, vide Letter No. 151/ATP-D/RTI-D, in the form of duly notarised affidavit. The respondent has submitted an affidavit which is not compliant with this Commission's Order of 15.7.2021.

3. The respondent PIO-cum-ATP Zone-A, is herewith directed to re-submit affidavit as per paragraph three of this Commission's Order of 15.7.2021. This Commission also deems it fit to serve the respondent PIO-cum-ATP Zone A, with this Show Cause Notice.

Contd....2

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### Appeal Case No. 1834 of 2021 (Video Conference Proceedings)

4. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **18.1.2021**.

"In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, 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*." Copies of this order be sent to the parties through registered post.

5. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority Date

6. <u>Next hearing on 18.3.2022 at 11.00 am via Video Conference Facility at DC Office,</u> <u>Ludhiana.</u>

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

Chandigarh 17.12.2021

**Cc:** Commissioner, Municipal Corporation, Ludhiana, for information and further necessary action.

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### Rakesh Kumar Gupta,

S/o Sh. Des Raj Gupta, # 8/237,Jagraon Road, Mandi Mullanpur, District Ludhiana.

Versus

### Public Information officer,

o/o Executive Officer, Municipal Council, Jagraon, District Ludhiana. **First Appellate Authority,** o/o Deputy Director Local Bodies, Mini Secretariat, Ludhiana-141001

### Appeal Case No. 866 of 2021 (Video Conference Proceedings)

PRESENT: Rakesh Kumar Gupta (Appellant) 98149-24851 Hira Singh, Clerk (for the Respondent) 98774-12158

### ORDER:

(To be read in continuity with earlier orders on 15.7.2021)

1. The RTI application is dated **28.12.20** vide which the appellant has sought <u>information</u> regarding registration certificate of contractors and license societies with income tax etc., as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **4.1.2021**, and Second Appeal was filed in the Commission on **18.2.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **15.7.2021**. 2. Both parties are present.

### 3. Order Reserved.

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

Red Cross Building, Near Rose Garden, Madhya Marg, Sector 16, Chandigarh. Ph: 0172-2864111, Visit us @ www.infocommpunjab.com, Email:psic21@punjabmail.gov.in



#### Rakesh Kumar Gupta,

S/o Sh. Des Raj Gupta, # 8/237,Jagraon Road, Mandi Mullanpur, District Ludhiana.

Versus

#### Public Information officer, o/o Executive Officer, Municipal Council, Jagraon, District Ludhiana. First Appellate Authority, o/o Deputy Director Local Bodies, Mini Secretariat, Ludhiana – 141 001

#### Appeal Case No. 1001 of 2021 (Video Conference Proceedings)

PRESENT: Rakesh Kumar Gupta (Appellant) 98149-24851 Hira Singh, Clerk (for the Respondent) 98774-12158

#### ORDER:

(To be read in continuity with earlier orders on 15.7.2021)

1. The RTI application is dated **16.1.19** vide which the appellant has sought <u>information</u> regarding vehicles owned, hired or borrowed by public etc., as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **14.5.19**, and Second Appeal was filed in the Commission on **18.2.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **15.7.2021**.

2. Both parties are present. The respondent PIO, represented by Hira Singh, Clerk, states that the information is ready but the EO-cum-PIO, Municipal Council, Jagraon, was not available to attest it.

3. The respondent PIO is herewith directed to provide a written, point-wise reply to the RTI application along with the requested information and send it by registered post to the appellant with a copy to this Commission. At points (in the RTI application) where the PIO seeks exemption from disclosing the requested information, he must cite specific sections of the RTI Act 2005.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

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## Appeal Case No. 1001 of 2021 (Video Conference Proceedings)

### 5. <u>Next hearing on 25.2.2022 at 11.00 am via Video Conference Facility at DC Office,</u> <u>Ludhiana.</u>

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

Red Cross Building, Near Rose Garden, Madhya Marg, Sector 16, Chandigarh. Ph: 0172-2864111, Visit us @ www.infocommpunjab.com, Email:psic21@punjabmail.gov.in



### REGISTERED SHOW CAUSE NOTICE

#### Gurmej Lal,

S/o Sh. Baldev Raj Sharma, # 6375,Street No.16, Guru Gobind Singh Nagar, Backside Bachan Gas Agency, Near Mair Di Chakki, Post Office-Daba, District Ludhiana-141007

Versus

Public Information officer,

o/o Superintendent, House Tax, Zone-C, Municipal Corporation, Ludhiana. **Public Information officer,** Zone-C, Municipal Corporation, District Ludhiana. **First Appellate Authority,** o/o Commissioner, Municipal Corporation, Ludhiana.

### Appeal Case No. 1027 of 2021 (Video Conference Proceedings)

PRESENT: Gurmej Lal (for the Appellant) 97816-72776 (Respondent) Absent

#### ORDER:

(To be read in continuity with earlier orders on **15.7.2021**)

1. The RTI application is dated **28.11.20** vide which the appellant has sought <u>information</u> <u>regarding house tax recall</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **29.12.20**, and Second Appeal was filed in the Commission on **22.2.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **15.7.2021**.

2. The respondent PIO is absent without intimation for the second successive hearing. This Commission deems it fit to serve the respondent PIO with this Show Cause Notice.

3. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **28.11.2020**.

"In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, 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.*" Copies of this order be sent to the parties through registered post.

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### Appeal Case No. 1027 of 2021 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority Date

5. <u>Next hearing on 24.2.2022 at 11.00 am via Video Conference Facility at DC Office.</u> <u>Ludhiana.</u>

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

Chandigarh 17.12.2021

**Cc:** Commissioner, Municipal Corporation, Ludhiana, for information and further necessary action.

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### Amarjit Singh Dhamotia,

S/o Sh. Rai Šingh, # 60-35-P-330, Street No. 8, Maha Singh Nagar, PO Dhandari Kalan, District-Ludhiana – 141 014

### Versus

Public Information Officer,
o/o Superintending Engineer, Sidhwan Canal,
Durga Mata Mandir Road,
Phase-1, Urban Estate, Durgri, Ludhiana – 141 013
Public Information Officer,
o/o Executive Engineer, Ropar Headworks Division,
District Roopnagar.
First Appellate Authority,
o/o Superintendent Engineer, Sidhwan Canal,
District Ludhiana

### Appeal Case No. 1598 of 2021 (Video Conference Proceedings)

PRESENT: Gurmej Lal (for the Appellant) 97816-72776 (Respondent) Absent

### ORDER:

(To be read in continuity with earlier orders on 13.8.2021 and 22.10.2021)

1. The RTI application is dated **2.1.2021** vide which the appellant has sought information **regarding NOC by canal department for industrial/commercial sites on both sides of sua road,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **5.2.2021** and Second Appeal was filed in the Commission on **30.3.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.10.2021**.

2. The respondent PIO is absent. At the last hearing on 22.10.2021, the appellant was given an opportunity to examine the information sent to him vide Letter No. 69-70/RTI/SPL Dated 14.10.2021. The appellant represented by Gurmej Lal, however, states that he has not received said reply and information appended to it. A copy of the information (66 pages) is available on file at the Commission. The appellant can collect it at his convenience at on any working day.

#### 3. <u>Next hearing on 24.2.2022 at 11.00 am via Video Conference Facility at DC Office,</u> <u>Ludhiana.</u>

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

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#### Ramandeep Singh Ahluwalia,

S/o Sh. Gurcharan Singh, Ward No.18, Street No. 2, Kartar Nagar, Amloh Road, Khanna – 141 401, District Ludhiana.

Versus

### Public Information officer,

o/o Executive Officer, Municipal Council, Khanna, District Ludhiana.

### First Appellate Authority,

o/o Regional Deputy Director, Urban Local Government, 1<sup>st</sup> Floor, Mini Secretariat, Ferozepur Road, Ludhiana.

### Appeal Case No. 924 of 2021 (Video Conference Proceedings)

PRESENT: (Appellant) Absent Amarjeet Singh, Junior Engineer (for the Respondent) 94634-76839

### ORDER:

#### (To be read in continuity with earlier orders on **15.7.2021**)

1. The RTI application is dated **11.10.20** vide which the appellant has sought <u>information</u> regarding his complaints dated: 8.8.2020 and 2.9.2020 regarding the enlistment of a <u>contractor</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on 24.11.20, and Second Appeal was filed in the Commission on 12.2.2021 under Section 19 of the Right to Information Act, 2005. The case was last heard on 15.7.2021.

2. The appellant is absent but he has informed the Commission of his inability to attend this hearing. The respondent PIO, represented by Amarjeet Singh, Junior Engineer, has submitted a reply to the Show Cause Notice issued to the respondent PIO vide this Commission's Order Dated 15.7.2021 along with a point-wise reply to this RTI application.

3. The respondent PIO is directed to submit a fresh point-wise reply to the RTI application along with all the requested information after duly attested each and every page. A copy of the reply and appended information is also to be submitted to this Commission.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

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### Appeal Case No. 924 of 2021 (Video Conference Proceedings)

5. <u>Next hearing on 16.3.2022 at 11.00 am via Video Conference Facility at DC Office,</u> <u>Ludhiana.</u>

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

Red Cross Building, Near Rose Garden, Madhya Marg, Sector 16, Chandigarh. Ph: 0172-2864111, Visit us @ www.infocommpunjab.com, Email:psic21@punjabmail.gov.in



#### Ramandeep Singh Ahluwalia,

S/o Sh. Gurcharan Singh, Ward No.18, Street No. 2, Kartar Nagar, Amloh Road, Khanna – 141 401, District Ludhiana.

Versus

## Public Information officer,

o/o Executive Officer, Municipal Council, Khanna, District Ludhiana. **First Appellate Authority,** o/o Regional Deputy Director, Urban Local Government, 1<sup>st</sup> Floor, Mini Secretariat, Ferozepur Road, Ludhiana.

### Appeal Case No. 940 of 2021 (Video Conference Proceedings)

(Appellant) Absent Amarjeet Singh, Junior Engineer (for the Respondent) 94634-76839

#### ORDER:

(To be read in continuity with earlier orders on 15.7.2021)

1. The RTI application is dated **10.10.20** vide which the appellant has sought <u>information</u> <u>regarding list of unauthorized and authorized colonies in Municipal Council Khanna</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **24.11.20**, and Second Appeal was filed in the Commission on **12.2.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **15.7.2021**.

2. The appellant is absent but he has informed the Commission of his inability to attend this hearing. At the last hearing on 15.7.2021, the respondent PIO was directed to send a fresh pointwise reply to the RTI application with the requested information. The respondent PIO has failed to comply with said Order.

3. The respondent PIO, represented by Amarjeet Singh, Junior Engineer, is one final opportunity to submit a fresh point-wise reply to the RTI application alongwith all the requested information after duly attested each and every page. A copy of the reply and information is also to be submitted to this Commission.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

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## Appeal Case No. 940 of 2021 (Video Conference Proceedings)

### 5. <u>Next hearing on 16.3.2022 at 11.00 am via Video Conference Facility at DC Office,</u> <u>Ludhiana.</u>

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