**PUNJAB STAE INFORMATION COMMISSION**

 RED CROSS BUILDING SECTOR-16, MADHYA MARG, CHANDIGARH

 Tele No.0`172-2864112 FAX No. 0172-2864125 vis us : @www.inforcommpunjab.com

 Email: psic22@punjabmail.gov.in

Sh. Jasbir Singh

Village Bholapur Jhabewal,

P.O. 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.13/2018**

 Date of RTI application : 26.09.2017

Date of First Appeal :06.11.2017

Date of order of FAA :Nil

Date of 2nd Appeal/complainant:20.12.2017

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

 Sh. Anish Bansal, Superintendent, Zone ‘C’, MC office, Ludhiana – for Respondents.

**ORDER**

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

The appellant is not present. He is seeking an adjournment. His request is accepted. The matter shall be reheard on **23.05.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE 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 Superintendent of Police,

Vigilance Bureau, Economic Offence Unit No.3,

Jalandhar.

First Appellate Authority

O/o Senior Superintendent of Police,

Vigilance Bureau, Economic Offence Unit No.3,

Jalandhar Respondents

 **APPEAL CASE NO.15/2018**

 Date of RTI application : 26.09.2017

Date of First Appeal :06.11.2017

Date of order of FAA : Nil

Date of 2nd Appeal/complainant: 20.12.2017

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

 Sh. Harjinder Singh, Inspector, Vigilance Bureau, Jalandhar – for Respondents.

**ORDER**

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

The appellant has conveyed in writing that he is satisfied with the information already provided to him. No action seems called for.

 The appeal is **disposed.**

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. Rohit Sabharwal, (President),

Kundan Bhawan, 126, Model Grain,

Ludhiana Appellant

Versus

Public Information Officer

O/o Municipal Corporation, Zone –D,

Sarabha Nagar, Ludhiana

First Appellate Authority

O/o Municipal Corporation,

Ludhiana Respondents **APPEAL CASE NO.17/2018**

 Date of RTI application :29.09.2017

Date of First Appeal :01.11.2017

Date of order of FAA :30.11.2017

Date of 2nd Appeal/complainant:18.12.2017

**Present:** Adv. Sukhjinder Kaur, Counsel for the Appellant.

 Sh. Harjit Singh, Draftsman, Zone ‘D’, MC Office, Ludhiana – for Respondents.

**ORDER**

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

The appellant is seeking the information about the orders passed by the competent authority directing sealing and de-sealing of some properties on account of some infringements in the municipal areas of Ludhiana.

 Sh. Harjit Singh, Draftsman submits that they have not been to lay hand to the record immediately. However, they shall endeavour to provide it early.

 The Commission is not inclined to accept the submission. It has been reported that the matter is under consideration of the Hon’ble Punjab & Haryana High Court and senior functionaries of the Municipal Corporation have submitted a status report in a contempt petition. Thus being the case the contention of the respondents does not cut much ice. This forum takes strong exception to the lackadaisical attitude of the PIO in handling the application and directs him to provide the information without further delay. He shall simultaneously explain his conduct in having failed to neglect the timelines.

 To come up on **23.05.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. Rohit Sabharwal, (President),

Kundan Bhawan, 126, Model Grain,

Ludhiana

 Appellant

Versus

Public Information Officer

O/o Municipal Corporation,

Ludhiana

First Appellate Authority

O/o Municipal Corporation,

Ludhiana Respondents

 **APPEAL CASE NO.18/2018**

 Date of RTI application :31.08..2017

Date of First Appeal :10.10.2017

Date of order of FAA :Nil

Date of 2nd Appeal/complainant:16.12.2017

**Present:** Adv. Sukhjinder Kaur, Counsel for the Appellant.

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

**ORDER**

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

Sh. Rahul Kumar appearing on behalf of the respondents submits that a part of staff in the office has been transferred and the information being exhaustive has been delayed due to the aforesaid reason. He assures the Commission that they shall arrange to provide the information expeditiously in any case within three weeks.

 The matter is adjourned to **23.05.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STAE INFORMATION COMMISSION**

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Sh. Baljeet Singh

S/o Sh. Bachan Singh,

R/o Village Sunet, B.R.S. Nagar,

Ludhiana

 Appellant

Versus

Public Information Officer

O/o Improvement Trust,

Ludhiana

First Appellate Authority

O/o Deputy Director, Local Bodies, Pb. Govt..

Ludhiana Respondents

 **APPEAL CASE NO.49/2018**

 Date of RTI application : 12.09.2017

Date of First Appeal : 13.10.2017

Date of order of FAA : Nil

Date of 2nd Appeal/complainant:20.12.2017

**Present: None.**

**ORDER**

 None is present on behalf of the Parties.

 The matter shall be reheard on **23.05.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. Harjinder Singh

S/o Sh. Kapur Singh

Village Gobindgarh, P.O. Jugiana,

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.99/2018**

 Date of RTI application :21.09.2017

Date of First Appeal :20.10.2017

Date of order of FAA :Nil

Date of 2nd Appeal/complainant: 21.12.2017

**Present:** Sh. Harjinder Singh, Appellant in person.

 Sh. Gaurav Kumar, Junior Draftsman, Zone ‘D’, MC office, Ludhiana – for Respondents.

 **ORDER**

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

The original application was filed by the appellant on 21.09.2017. Despite the lapse of about six months no cogent action seems to have been taken on it. The respondents represented by Sh. Gaurav Kumar, Jr. Draftsman say that he has brought along a reply to one of the points made in the original application. It has been advised to be handed over to the appellant on spot. The appellant may like to go through and respond in case he so desires.

 Meanwhile, Sh. Harvinder Singh, PIO – cum – Assistant Town Planner is issued a show cause notice for having failed to provide the information within the stipulated period of thirty days. Any further dereliction shall invite serious consequences.

 To come up on **23.05.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. Raj Kumar Sethi,

#71-D, Rajguru Nagar,

Ludhiana

 Appellant

Versus

Public Information Officer

O/o Executive Officer,

Improvement Trust, Ludhiana

First Appellate Authority

O/o Deputy Director, Urban Local Bodies, Punjab,

Ludhiana Respondents

 **APPEAL CASE NO.104/2018**

 Date of RTI application :14.09.2017

Date of First Appeal :07.11.2017

Date of order of FAA : Nil

Date of 2nd Appeal/complainant:26.12.2017

**Present:** Sh. Raj Kumar Sethi, Appellant in person.

 None on behalf of the Respondents.

**ORDER**

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

The appellant has filed an application on 14.09.2017 seeking a certified copy of a possession letter issued by the respondents in respect of Plot No.82 – ZD, Rajguru Nagar, Ludhiana. Besides the field report visit of the then JE monitoring the progress of construction along with other connecting information has also been sought. Having failed to procure it even after filing the first appeal the appellant has filed second appeal with the Commission.

 The respondents are absent. Reportedly their representative has to leave early to attend to an emergency conveyed to him on phone. Be that as it is, the PIO is directed to ensure the supply of information before the next date of hearing positively. He shall also show cause as to why the penal provisions under Section 20 (1) of the Act for having failed to provide the information in stipulated period may not be invoked.

 To come up on **23.05.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. Raj Kumar Sethi,

#71-D, Rajguru Nagar,

Ludhiana Appellant

Versus

Public Information Officer

O/o Executive Officer,

Nagar Improvement Trust, Ludhiana

First Appellate Authority

O/o Addl. Chief Secretary to Govt. of Punjab,

Department of Local Govt. Plot No.3, Sector-35-A,

Sathanik Sarkar Bhawan, Chandigarh. Respondents **APPEAL CASE NO.105/2018**

 Date of RTI application :14.09.2017

Date of First Appeal :03.11.2017

Date of order of FAA : Reply 04.10.2017

Date of 2nd Appeal/complainant:23.12.2017

**Present:** Sh. Raj Kumar Sethi, Appellant in person.

 Sh. Abhisek, Sr. Assistant, O/o Director, Local Govt., Pb, at Commission’s office, Chd. – for Respondents.

 **ORDER**

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

The appellant is aggrieved with the inaction on the part of the respondents towards restoration of the cancelled plot even when the government has already taken a policy decision to do the needful following the directions of Hon’ble Punjab & Haryana High Court made in the civil writ. The respondents are evasive. They have not provided him the information sought on the above score.

 Sh. Jasbir Singh Dhanoa, PIO – cum – Superintendent, Local Govt. 2 Br., Plot No. 3, Sathanik Bhawan, Sector – 35, Chandigarh, is directed to come present in person and explain the reasons of suppression of the information.

 The matter shall be reheard on **08.05.2018 at 11.30 AM at Chandigarh.**

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**CC: Sh. Jasbir Singh Dhanoa, PIO – cum – Superintendent, LG 2 br., Department of Local Govt., Sathanik Sarkar Bhawan, Plot No. 3, Sector 35, Chandigarh, for n/a.**

**CC: The Director of Local Govt., Punjab, Sathanik Sarkar Bhawan, Plot No. 3, Sec.35, Chandigarh, for n/a.**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. Narinder Kumar Bitta

S/o Sh. Rai Sahib,

House No. 2438 A, Street No. 2,

Sri Guru Nanak Nagar, Near 16Acre

Barnala. Appellant

Versus

Public Information Officer

O/o Nagar Council,

Bhadaur, Distt. Barnala

First Appellate Authority

O/o Regional Deputy Director ,

Local Govt, Mini Sett. Patiala Respondents

**APPEAL CASE NO.155/2018**

Date of RTI application :09.05.2017

Date of First Appeal :26.07.2017

Date of order of FAA :Nil

Date of 2nd Appeal/complainant: 29.12.2017

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

 Sh. Nikhil Kumar, JE, Nagar Council, Bhadaur at Commission’s office, Chd. – for Respondents.

**ORDER**

 The video conference could not mature because of some technical glitch.

 The appellant is seeking information relating to the various activities of the Nagar Council, Bhadaur for a period of ten years.

 Sh. Nikhil Kumar appearing on behalf of the respondents says that the record is massive and it shall be in the fitness of things in case the appellant inspects and identify the particular record so that its certified copies could be provided to him. The Commission agrees with the plea of respondents. The provision of the record in its entirety as asked for by him shall definitely divert their resources significantly. The Regional Deputy Director, Local Bodies, Ludhiana in his order dated 17.10.2017 has advised the respondents to allow him the inspection and provide him the copies as mentioned above.

 Contd…page…2

 -2-

**APPEAL CASE NO.155/2018**

 On its face the Commission does not see any infirmity in the order passed by the Regional Deputy Director, Local Bodies, Ludhiana. However in the interest of natural justice an opportunity is afforded to the appellant to specifically point out any illegality in the order passed by the Regional Deputy Director – cum – First Appellate Authority so that holistic view of the entire case is taken.

 The matter shall be heard on **08.05.2018 at 11.30 AM at Chandigarh.**

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. Jaspal Singh

S/o Sh.Ramesh Arora,

House No.319/3, Gurdeep Nagar,

Jagraon Distt. Ludhiana

 Appellant

Versus

Public Information Officer

O/o Executive Officer,

Nagar Council, Jagraon,

Distt. Ludhiana

First Appellate Authority

O/o Deputy Director,

Urban Local Bodies, Punjab

Ludhiana Respondents

 **APPEAL CASE NO. 159/2018**

 Date of RTI application :03.10.2017

Date of First Appeal :07.11.2017

Date of order of FAA :Nil

Date of 2nd Appeal/complainant:28.12.2017

**Present:** Sh. Jaspal Singh, Appellant in person.

 Sh. Amar Pal Singh, Clerk, NC office, Jagraon – for Respondents.

**ORDER**

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

Sh. Amar Pal Singh appearing on behalf of the respondents says that the requisite reply has been sent to the appellant vide their letter dated 26.02.2018. The appellant is questioning the veracity of information provided to him. He may visit the office and inspect the record in case he so desires after following the due process and payment of requisite fee, and revert in case he still intends to say anything.

 To come up on **23.05.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. Harbans Singh

S/o Sh. Mahinder Singh R/o House No.40,

Aggarsain Colony, Near Greenland School, Bareta Kainchian

Bareta Tehsil Budhlada Distt. Mansa.

 Appellant

Versus

Public Information Officer

O/o Director,

Vigilance Bureau, Punjab,

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

First Appellate Authority

O/o Director,

Vigilance Bureau, Punjab,

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

**APPEAL CASE NO.162 /2018**

 Date of RTI application :05.08.2017

Date of First Appeal :24.11.2017

Date of order of FAA :Reply 05.09.2017

Date of 2nd Appeal/complainant: 26.12.2017

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

 1. Constable Anil Kumar, O/o Punjab Vigilance Bureau, Chd.,

 2. Sh. Satnam Singh, dealing hand, O/o Punjab Vigilance Bureau – for Respondents.

**ORDER**

 Due to a technical glitch the video conference has not matured.

 Constable Anil Kumar and Sh. Satnam Singh are present on behalf of the respondents. They have filed a written reply as well. They state that the enquiry into a complaint made by the appellant has been conducted by the Sr. Superintendent of Police (Vigilance), Ferozepur, the report of which has been sent to the concerned department for appropriate administrative action. The documents relating to the issue in hand have already been sent across to the appellant The case is adjourned to be heard on **23.05.2018 at 11.30 AM through video conference at Mansa**. Meanwhile the appellant may like to respond to the submissions made by the respondents.

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh.Sushil Kumar,

House No.1410, Phase 1, Urban Estate,

Dugri Road, Ludhiana

 Complainant

Versus

Public Information Officer

O/o Chief Incharge/Zonal Commissioner,

Zone –D, Municipal Corporation,

Ludhiana Respondent

**COMPLAINT CASE NO.5/2018**

 Date of RTI application :16.10.2017

Date of First Appeal :Nil

Date of order of FAA :Nil

Date of 2nd Appeal/complainant:19.12.2017

**Present:** Sh. Sushil Kumar, Complainant in person at Commission’s office, Chandigarh.

 Sh. Simerjeet Singh, JE, Zone ‘D’, Municipal Corporation, Ludhiana – for Respondents.

**ORDER**

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

The respondents have failed to file a written reply. They have not been able to provide the information to the information seeker as well. The Commission takes a strong exception to the neglect and apathy shown by them. They are advised to provide him the information under intimation to the Commission before the next date of hearing positively failing which the penal provisions of the Act shall be invoked.

 To come up on **23.05.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. P.D.Bansal (President),

Lok Sewa Club, Shop No.57,
Sant Market, G.T. Road, Khanna

Distt. Ludhiana Complainant

Versus

Public Information Officer

O/o Executive Officer,

Municipal Council, Khanna,

Distt. Ludhiana Respondents

**COMPLAINT CASE NO.14/2018**

 Date of RTI application :28.10.2017

Date of First Appeal : Nil

Date of order of FAA :Nil

Date of 2nd Appeal/complainant:26.12.2017

**Present:** Sh. P.D.Bansal, Complainant in person.

 Sh. Amar Pal Singh, Inspector, MC Office, Khanna - for Respondent.

 **ORDER**

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

The original application has been filed on 23.10.2017. The information sought concerns the leasing out of a parking lot by the Municipal Council in Guru Amardass Market, Khanna and the amount involved therein. The information sought is simple and concise and should have been parted with promptly in any case within the stipulated time.

 Sh. Amar Pal Singh, Inspector, Municipal Committee Khanna submits that he has brought along the information for handing it over to the complainant. It transpires that information thus brought is deficient as it does not pertain to all the years for which it has been sought. The Commission believes that the respondent is willfully withholding the information with malafide intent.

 Sh. Ravneet Singh, PIO – cum – E.O, Municipal Council, Khanna, therefore, is issued Contd..page…2

 -2-

**COMPLAINT CASE NO.14/2018**

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 himfor causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Complainant 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 **23.05.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Naresh Devgun Sharma, Advocate,

Chamber No.7022/2a, District Courts,

Ludhiana Appellant

Versus

Public Information Officer,

O/o Commissioner of Police,

Ludhiana

First Appellate Authority

O/o Commissioner of Police,

Ludhiana Respondents

 **APPEAL CASE NOs.3198 and 3304 of 2017**

Date of RTI application : 07.11.2017/14.11.2017

Date of First Appeal : 11.11.2017/19.11.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :13.11.2017/21.11.2017

**Present:** Sh. Naresh Devgun Sharma, Advocate, Appellant in person.

 Inspector Dev Raj, In charge, RTI Cell, O/o Dy. Commissioner of Police, Ludhiana,

**ORDER**

 This should be read in continuation of order passed by the Commission on 08.02.2018. In compliance with the direction made in the order, the Deputy Commissioner of Police, Ludhiana has submitted a reply a copy of which has been handed over on spot to the appellant. He may like to go through it and file his rejoinder in case he deems it appropriate.

 The matter shall be reheard on **11.04.2018 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**CC: Sh. Ashwini Kapoor, PPS, Deputy Commissioner of Police, Ludhiana.**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Naresh Devgun Sharma, Advocate,

Chamber No.7022/2, District Courts,

Ludhiana Appellant

Versus

Public Information Officer,

O/o Chief Minister, Punjab,

Punjab Civil Secretariat, Sector-1,

Chandigarh

First Appellate Authority

O/o Chief Minister, Punjab,

Punjab Civil Secretariat, Sector-1,

Chandigarh Respondents

 **APPEAL CASE NO.3305/2017**

Date of RTI application : 18.11.2017

Date of First Appeal : 21.11.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :22.11.2017

**Present:** Sh. Naresh Devgun Sharma, Advocate, Appellant in person.

 1. Inspector Dev Raj, In charge, RTI Cell, O/o Dy. Commissioner of Police, Ludhiana,

 2. HC Purshottam Kumar, O/o DGP, Pb., Chd – for Respondents.

**ORDER**

 Heard.

 The respondents have brought along a reply copy of which has been handed over on spot to the appellant. He may like to advert on the submissions thus made.

 Since the action is being taken at the level of the Commissioner of Police, Ludhiana, the presence of the PIO in the office of the Director General of Police, Punjab, is not called for. They are accordingly exempted from the future hearing.

 To come up on **11.04.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**21.03.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**CC: PIO, O/o the Additional Chief Secretary to Government, Punjab,**

 **Department of Home Affairs & Justice, Punjab Civil Secretariat – 1,**

 **Chandigarh for n/a.**

**CC: PIO, O/o the Director General of Police,**

 **Sector – 9, Chandigarh, for information.**

**CC: PIO, O/o the Commissioner of Police, Ludhiana.**