

PUNJAB STATE INFORMATION COMMISSION

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

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Whatsapp No. 6284820189



Sh. Harpal Singh Kamboj 9815951128

1398/8

Street Guru Ram Das ji,

Chowk Jai Singh,

Gillwali Gate,

District Amritsar 143001.

....Appellant

Vs

Public Information Officer(By name) **Registered**

o/o Deputy Commissioner,

District Amritsar.

First Appellate Authority

o/o Deputy Commissioner,

District Amritsar.

Public Information Officer (By name) **Registered**

o/o the District Mandi Officer,

District Amritsar.

....Respondents

Appeal Case No. 3063 of 2020

(Video Conference/Telephone Proceedings)

Present:- Sh. Harpal Singh, appellant on phone.

None on behalf of the respondents.

ORDER

The RTI application is dated 8.2.2020 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 16.3.2020 and second appeal was filed in the Commission on 14.10.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for 20.1.2021 but the case was adjourned due to administrative reasons for today i.e 2.3.2021.

2. The appellant states that he has sought the information from the Public Information Officer o/o the Deputy Commissioner, District Amritsar but the application has been transferred under Section 6(3) to various authorities like Municipal Corporation, Improvement Trust and District Mandi Officer, Amritsar. He further states that the Hon'ble Supreme Court of India passed the order in Special Leave Petition No. 1522/2006 vide which the Deputy Commissioner, Amritsar was directed that "*THE STATUTORY AUTHORITIES SHALL BE AT THE LIBERTY TO PASS APPROPRIATE ORDERS AS MAY BE FOUND PROPER AND NECESSARY*" and he has sought the action taken on the said orders. He also states that sought information relates to the Deputy Commissioner, District Amritsar as well as the District Mandi Officer, Amritsar and they may be directed to supply the sought information. The appellant has also sent an email along with the annexures, which are taken on record.

3. Therefore, the Public Information Officer o/o the District Mandi Officer, Amritsar is impleaded as necessary party in this case. Accordingly, the directions are issued to the

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Appeal Case No. 3063 of 2020

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Public Information Officer o/o the Deputy Commissioner, District Amritsar and Public Information Officer o/o the District Mandi Officer, District Amritsar to file the reply/ supply the information before the next date of hearing under intimation to the Commission. A copy of the decision passed by the Hon'ble Supreme Court of India along with the RTI application is **sent** herewith this order to the respondents.

4. To come up on 19.4.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Amritsar/cisco webex.

Sd/

Dated: 2.3.2021

(Suresh Arora)

Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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Sh. Manjit Singh 9915865633
Ward No. 10, Namdev Marg,
Mansa 9915865633

....Appellant

Vs

Public Information Officer,
o/o Chief Secretary, Punjab,
Punjab Civil Secretariat-1, Chandigarh.

First Appellate Authority
o/o Chief Secretary, Punjab,
Punjab Civil Secretariat-1, Chandigarh.

Sh. Umesh Kalra 9041244161 **Registered**
Public Information Officer-cum-
E.G.T.O.
o/o the Director,
Employment Generations and Trainings
Punjab, Sector 17,
Chandigarh.

....Respondents

Appeal Case No. 2767 of 2020
(Video Conference Proceedings)

Present:- Sh. Manjit Singh, appellant, on phone
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.2.2021.

2. The appellant states that no information has been provided by the respondents so far. The respondents are absent without intimation. They were also not present during the last hearing dated 4.2.2021.

3. During the hearing on 22.12.2020, Sh. Gurpreet Singh, Supdt along with Sh. Harjit Singh, Clerk were present and assured to file the reply/supply the information before the next date of hearing. But neither they have complied with the orders nor any submissions have been received from them. Viewing the absence of the respondent-Public Information Officer and attitude in dealing with the RTI application of the appellant seriously, Sh. Umesh Kalra 9041244161 Public Information Officer-cum-E.G.T.O. is, thus, issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing wilful delay/denial of the information to the RTI application and also to show cause that why the compensation may not be awarded to the appellant for detriment suffered by him under Section 19(8) of the RTI Act, 2005.

In addition to the written reply, he 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 a note that in case he does not file his written reply and do not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

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Appeal Case No. 2767 of 2020

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4. In addition, the Public Information Officer o/o the Director, Employment Generations and Trainings, Punjab, Sector 17, Chandigarh is also directed to file the reply/supply the information, as has been sought by the appellant.

5. To come up on 18.3.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Mansa (for the appellant) and at Chandigarh (for the respondents).

Dated: 2.3.2021

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

CC

Director (By name) **Registered**
Employment Generations and Trainings
Punjab, Sector 17,
Chandigarh.

To look into the matter and
ensure compliance of this order.

1. Sh. Gurpreet Singh, Supdt
2. Sh. Harjit Singh, Clerk
o/o the Director,
Employment Generations and Trainings
Punjab, Sector 17,
Chandigarh.

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Whatsapp No. 6284820189



Sh. Jasbir Singh 9888296107

Guru Nanak Nagar, Village Bholapur

Jabhewal, PO Ramgarh,

District Ludhiana

....Appellant

Vs

Public Information Officer

o/o Minister, Finance Department, Pb.

Punjab Civil Secretariat-1, Chandigarh.

First Appellate Authority

o/o Minister, Finance Department, Pb.

Punjab Civil Secretariat-1, Chandigarh.

....Respondents

Appeal Case No. 3073 of 2020

(Video Conference Proceedings)

Present:- None on behalf of the parties.

ORDER

The RTI application is dated 20.7.2020 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 24.8.2020 and second appeal was filed in the Commission on 15.10.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant has sought the following information:-

“ਇਕ ਸ਼ਿਕਾਇਤ ਪੱਤਰ ਰਜਿਸਟਰਡ ਡਾਕ ਦੁਆਰਾ ਮਿਤੀ 6/7/2020 ਨੂੰ ਮਾਨਯੋਗ ਮੰਤਰੀ ਵਿੱਤ ਵਿਭਾਗ, ਪੰਜਾਬ, ਪੰਜਾਬ ਸਰਕਾਰ, ਚੰਡੀਗੜ੍ਹ ਜੀ ਨੂੰ ਭੇਜੀ ਸੀ। ਮੇਰੀ ਸ਼ਿਕਾਇਤ ਤੇ ਆਪ ਜੀ ਵੱਲੋਂ ਜਾਂ ਸਬੰਧਿਤ ਵਿਭਾਗ ਵੱਲੋਂ ਕੀਤੀ ਗਈ ਮੁਕੰਮਲ ਕਾਰਵਾਈ ਤੋਂ ਦਫਤਰ ਨੋਟਿੰਗ ਦੀ ਤਸਦੀਕਸੁਦਾ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ।”

3. The appellant is absent but the written submissions have already been received from him, which has been diarized in the Commission vide No. 2790 dated 5.2.2021, that the Public Information Officer o/o the Minister, Finance Department, Punjab has already transferred the case vide endst. No. TA/DDI/D3/2020/RTI/91-94 dated 23.12.2020 to the Deputy Commission, Ludhiana. It has further mentioned in the said submissions that nothing has been supplied by the Public Information Officer o/o Deputy Commissioner, District Ludhiana so far.

4. After going through the sought information it has transpired that the appellant has already sought the same information from the Public Information Officer o/o the Deputy Commissioner, Ludhiana and the 2nd appeal bearing Appeal Case No. 3175 of 2020 is fixed for hearing on 3.3.2021. Therefore, the present case is clubbed with the Appeal Case No. 3175 of 2020 and will be heard tomorrow i.e. 3.3.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/cisco webex.

Dated: 2.3.2021

sd

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Tarsem Singh, S/o Sh. Sadhu Singh,
R/o Village Athwal,
Tehsil Majitha,
Distt Amritsar. M : 7973011197

....Complainant

Vs

Public Information Officer
o/o Gram Panchayat, Village Athwal,
c/o Block Development and Panchayats Officer
Block Majitha, District Amritsar

Public Information Officer-cum-
Panchayat Secretary, Athwal,
c/o Block Development and Panchayats Officer
Block Majitha, District Amritsar

....Respondents

Complaint Case No. 710 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- None on behalf of the appellant.

Sh. Amanpreet Singh, Panchayat Secretary on phone 8872480006 on behalf
of the respondents.

ORDER

This order may be read with reference to the previous order dated 14.12.2020 vide which the case was adjourned to 20.1.2021 but due to administrative reasons the case was further adjourned for today i.e. 2.3.2021.

2. A request has been received from the appellant which has been diarized in the Commission vide No. 3681 dated 16.2.2021 along with the annexures vide which he has requested for the adjournment of the case, which is taken on record. The appellant also alleged that Sh. Amanpreet Singh, Panchayat Secretary is not supplying the information knowingly. The relevant part of the sought information which remained pending as per the version of the appellant is reproduced below:-

“....ਕਾਲਮ ਨੰ: 1 ਵਿੱਚ ਮੈਂ ਪੁੱਛਿਆ ਸੀ ਕਿ ਸਾਡੇ ਪਿੰਡ ਅਠਵਾਲ ਦੀ ਪੰਚਾਇਤੀ ਜਮੀਨ ਦੀ ਬੋਲੀ ਸਾਲ 2019 ਨੂੰ ਕਿਸ ਜਗ੍ਹਾ ਤੇ ਅਤੇ ਕਿਸ ਟਾਇਮ ਤੇ ਹੋਈ। ਕਾਲਮ ਨੰ: 2 ਇਸ ਵਿੱਚ ਮੈਂ ਪੁੱਛਿਆ ਸੀ ਕਿ ਜੇਕਰ ਪਿੰਡ ਵਿੱਚ ਬੋਲੀ ਹੋਈ ਹੈ ਤਾਂ ਉਸ ਦੀ ਸਰਕਾਰੀ ਲੈਟਰ ਕਿਸ ਜਗ੍ਹਾ ਤੇ ਲਗਾਈ ਅਤੇ ਅਨਾਉਸਮੈਂਟ ਕਿਸ ਨੇ ਕੀਤੀ। ਕਾਲਮ ਨੰ: 5 ਜਿਸ ਵਿੱਚ ਮੇਰੇ ਦੁਆਰਾ ਪੁੱਛਿਆ ਗਿਆ ਸੀ ਕਿ ਲੰਮੇ ਸਮੇਂ ਤੋਂ ਪੰਚਾਇਤੀ ਜਮੀਨ ਦੀਆਂ ਗਰਦੋਰੀਆਂ ਕਿਸੇ ਪ੍ਰਾਈਵੇਟ ਬੰਦੇ ਦੇ ਨਾਮ ਤੇ ਚੱਲ ਰਹੀਆਂ ਹਨ ਇਸ ਸਬੰਧੀ ਬਲਾਕ ਵੱਲੋਂ ਮਾਲ ਮਹਿਕਮੇ ਨੂੰ ਕੋਈ ਲੈਟਰ ਦਰੁਸਤੀ ਵਾਸਤੇ ਲਿਖੀ ਹੋਵੇ ਤਾਂ ਉਸ ਦਾ ਕੋਈ ਪੱਤਰ ਨੰ: ਦਿੱਤਾ ਜਾਵੇ.....”

3. The respondent-Public Information Officer states that the complete information as per record has already been supplied to the appellant with a copy to the Commission. Also, a letter bearing No. 15 dated 16.12.2020 has been received from the Public Information Officer-cum-Panchayat Secretary, which is taken on record and the relevant para 1,2 and 5 of the reply is reproduced below:-

“1. ਗਰਾਮ ਪੰਚਾਇਤ ਅਠਵਾਲ ਦੀ ਪੰਚਾਇਤੀ ਜਮੀਨ ਦੀ ਬੋਲੀ ਸਾਲ 2019 - 20 ਵਿੱਚ ਮਿਤੀ 13.8.2019 ਨੂੰ ਸਰਕਾਰੀ ਸੀਨੀਅਰ ਸੈਕੰਡਰੀ ਸਕੂਲ, ਅਠਵਾਲ ਵਿੱਚ ਹੋਈ ਅਤੇ ਬੋਲੀ ਦੌਰਾਨ ਸੁਖਦੇਵ ਸਿੰਘ ਸਰਪੰਚ, ਮੇਜਰ

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Complaint Case No. 710 of 2020

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ਸਿੰਘ, ਪੰਚ, ਅਮਨਪ੍ਰੀਤ ਸਿੰਘ ਪੰਚ, ਤਰਸੇਮ ਸਿੰਘ, ਪੰਚ, ਸੁਰਜੀਤ ਕੌਰ ਪੰਚ, ਰੇਸ਼ਮ ਸਿੰਘ, ਤਿਲਕਰਾਜ, ਚਿਮਨ ਸਿੰਘ, ਅਜੀਤ ਸਿੰਘ, ਚਰਨਜੀਤ ਸਿੰਘ, ਰਣਜੀਤ ਸਿੰਘ, ਲਖਬੀਰ ਸਿੰਘ, ਜਸਪਾਲ ਸਿੰਘ, ਅਮਨਪ੍ਰੀਤ ਸਿੰਘ, ਪੰਚਾਇਤ ਸਕੱਤਰ ਅਤੇ ਕੁਲਬੀਰ ਸਿੰਘ, ਪੰਚਾਇਤ ਅਫਸਰ ਹਾਜ਼ਰ ਸਨ।

2. ਸ਼ਾਮਲਾਤ ਜਮੀਨ ਦੀ ਬੋਲੀ ਸਬੰਧੀ ਅਨਾਉਂਸਮੈਂਟ ਸਰਪੰਚ, ਸੁਖਦੇਵ ਸਿੰਘ ਵੱਲੋਂ ਕਰਵਾਈ ਗਈ ਸੀ।

5. ਸਰਪੰਚ, ਸੁਖਦੇਵ ਸਿੰਘ ਗਰਾਮ ਪੰਚਾਇਤ ਅਠਵਾਲ ਵੱਲੋਂ ਕੇਸ ਦੀ ਪੈਰਵਾਈ ਕਰਨ ਵਾਸਤੇ ਪੰਚਾਇਤ ਵਿੱਚੋਂ ਕੋਈ ਵੀ ਫੰਡ ਨਹੀਂ ਕੱਢਵਾਇਆ ਗਿਆ ਅਤੇ ਨਾ ਹੀ ਇਸ ਸਬੰਧੀ ਕੋਈ ਮਤਾ ਪਾਇਆ ਗਿਆ।”

4. After going through the reply of the respondent-Public Information Officer it has transpired that the respondent-Public Information Officer has supplied the information pertaining to Point No.1 except that the time of auction as has been sought by the appellant has not been mentioned. Therefore, the respondent-Public Information Officer is directed to mention the time of auction of panchayat land as has been sought by the appellant before the next date of hearing.

5. As far as the contention of the appellant vide letter dated 16.2.2021 the appellant has mentioned that “ਕਾਲਮ ਨੰ: 5 ਜਿਸ ਵਿੱਚ ਮੇਰੇ ਦੁਆਰਾ ਪੁੱਛਿਆ ਗਿਆ ਸੀ ਕਿ ਲੰਮੇ ਸਮੇਂ ਤੋਂ ਪੰਚਾਇਤੀ ਜਮੀਨ ਦੀਆਂ ਗਰਦੋਰੀਆਂ ਕਿਸੇ ਪ੍ਰਾਈਵੇਟ ਬੰਦੇ ਦੇ ਨਾਮ ਤੇ ਚੱਲ ਰਹੀਆਂ ਹਨ ਇਸ ਸਬੰਧੀ ਬਲਾਕ ਵੱਲੋਂ ਮਾਲ ਮਹਿਕਮੇ ਨੂੰ ਕੋਈ ਲੈਟਰ ਦਰੁਸਤੀ ਵਾਸਤੇ ਲਿਖੀ ਹੋਵੇ ਤਾਂ ਉਸ ਦਾ ਕੋਈ ਪੱਤਰ ਨੰ: ਦਿੱਤਾ ਜਾਵੇ”

Whereas he has sought the information as per the RTI application is “5. ਇਹ ਕਿ ਜੇਕਰ ਕੇਸ ਦੀ ਪੈਰਵਾਈ ਕਰਨ ਵਾਸਤੇ ਪੈਸੇ ਪੰਚਾਇਤ ਦੇ ਫੰਡ ਵਿੱਚੋਂ ਕਢਵਾਏ ਜਾ ਰਹੇ ਹਨ ਜਾਂ ਕੋਈ ਮਤਾ ਪਾਸ ਕੀਤਾ ਗਿਆ ਹੈ ਉਸਦਾ ਪੂਰਾ ਬਿਊਰਾ ਲਿਖਤੀ ਰੂਪ ਵਿੱਚ ਦਿੱਤਾ ਜਾਵੇ ਤੇ ਮਤੇ ਦੀ ਤਸਦੀਕਸੁਦਾ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ। ਜੇਕਰ ਕੋਈ ਮਤਾ ਨਹੀਂ ਪਾਸ ਕੀਤਾ ਗਿਆ ਅਤੇ ਕਿਉਂ ਨਹੀਂ ਕੀਤਾ ਗਿਆ ਇਸਦਾ ਪੂਰਾ ਬਿਊਰਾ ਲਿਖਤੀ ਰੂਪ ਵਿੱਚ ਦਿੱਤਾ ਜਾਵੇ। Since the specific reply has been filed by the respondent-Public Information Officer regarding Point No. 5 of the RTI application, therefore, the same is accepted as the contents of the original RTI application cannot be amended at this point of time.

6. A letter received from the respondent-Public Information Officer dated 16.12.2020 is **sent** along with this order to the appellant.

7. Accordingly, the respondent-Public Information Officer is directed to provide the time of auction of the Panchayat Land as per record, as has been sought by the appellant pertaining to Point No. 1 of the RTI application else file a specific undertaking in this regard. Regarding Point No. 2 of the RTI application, the respondent-Public Information Officer is directed to supply the information else file a specific undertaking in this regard.

8. To come up on 12.4.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Amritsar/cisco webex.

Dated: 2.3.2021

Sd/

(Suresh Arora)

Chief Information Commissioner, Punjab.

CC

The Director, (By name) **Registered**
Rural Development & Panchayat Deptt., Pb.
Vikas Bhawan, Sector 62, Mohali

To look into the matter
as the appellant is alleging regarding
the GIRDAWARIES of Panchayat Land
A copy of the RTI application along
with the submissions of the appellant
is **sent** along with this order.

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Sh. Jasbir Singh 9888296107

Guru Nanak Nagar, Village Bholapur

Jabhewal, PO Ramgarh,

District Ludhiana

....Appellant

Vs

Public Information Officer

o/o Joint Sub Registrar,

Sahnewal,

District Ludhiana

First Appellate Authority

o/o Sub Divisional Magistrate,

Ludhiana East,

District Ludhiana

....Respondents

Appeal Case No. 3077 of 2020

(Video Conference Proceedings)

Present:- None on behalf of the parties.

ORDER

The RTI application is dated 13.7.2020 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 13.8.2020 and second appeal was filed in the Commission on 15.10.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for 20.1.2021 but due to administrative reasons the case was adjourned for today i.e. 2.3.2021.

2. Since none is present on behalf of the parties, therefore, the case is adjourned.

3. To come up on 22.4.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/cisco webex.

Dated: 2.3.2021

Sd/

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Dharampal M 9514221225

VPO Bhagwanpura,

Tehsil Samrala,

District Ludhiana.

Appellant

Vs

Public Information Officer, (By name) **(Registered)**

o/o Director, Rural Development and Panchayat,

Department, Punjab, Vikas Bhawan,

Mohali.

First Appellate Authority,

O/o Director, Rural Development and Panchayat,

Department, Punjab,

Vikas Bhawan, Mohali

Public Information Officer

o/o the Block Development and Panchayats Officer,

Block Samrala,

Ludhiana

Public Information Officer

o/o the Executive Engineer,

Panchayati Raj,

Ludhiana.

Public Information Officer – By name Registered

o/o the Sub Divisional Engineer,

Panchayati Raj Sub Division,

Samrala 9814099934

Ludhiana.

Respondents

Appeal Case No. 783 of 2016

(Video conference/Cisco Webex/Phone Proceedings)

Present:- Shri Daharpal, appellant.

Sh. Rupinder Singh, Superintendent 9888110227 o/o Block Development and

Panchayats Officer and Sh. Jaswant Singh, SDO, Panchayati Raj, Samrala

9814099934 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 20.1.2021 vide which the case was adjourned to 20.1.2021 but due to administrative reasons the case was further adjourned for today i.e. 2.3.2021.

2. The representative of the respondents on behalf of the Block Development and Panchayats Officer sent the copy of letter No. 407 dated 19.7.1999 along with the list of persons living in the Bhagwanpura Colony, which is taken on record.

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PUNJAB STATE INFORMATION COMMISSION

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Sector 16, Chandigarh.

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3. After deliberations, both the parties are directed to remain present along with the original record/information supplied to take the matter to its logical end. A copy of the letter along with the annexure is **sent** along with this order to the appellant.

4. To come up on 19.4.2021 at 12.30 PM at Chandigarh.

Dated: 2.3.2021

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