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Versus



Sh Bhagwan Dass, S/o Sh Sadhu Ram, R/o Gali NO-2, Angad Nagar, Nawanshehar, Distt SBS Nagar.

... Appellant

Public Information Officer,

O/o State Health Agency, BSNL Building, Punjab, Sector-34, Chandigarh.

First Appellate Authority,

O/o CEO, State Health Agency, BSNL Building, Punjab, Sector-34, Chandigarh.

...Respondent

Appeal Case No. 1990 of 2021

PRESENT: Sh Bhagwan Dass, the Appellant'

Sh.Manish Kumar, PIO for the Respondent

ORDER:

The appellant, through an RTI application dated 27.11.2020 has sought information on 08 points regarding a copy of the file containing the record of hiring a legal agency alongwith the work experience of Sweta Mahindru in this legal agency – the list of employees of state health agency including outsourced employees – the waiting list prepared by Baba Farid University for the recruitment process of all categories – the order of the competent authority for closing the waiting list and other information as enumerated in the RTI application concerning the office of State Health Agency, Pb Chandigarh. The appellant was not satisfied with the reply of the PIO dated 24.12.2020 after which the appellant filed a first appeal before the First Appellate Authority on 07.01.2021, which did not decide on the appeal.

The case first came up for hearing on 29.11.2021 through video conferencing at DAC SBS Nagar. The respondent, alongwith their advocate, was present at Chandigarh and sought some more time to provide the information.

The appellant was absent, nor was represented.

On the date of the last hearing on **28.07.2022**, **the appellant** informed that the PIO had not supplied the information.

The respondent was absent nor represented. Through a letter, the respondent sought an adjournment. Adjournment granted. The respondent was directed to be present on the next date of hearing and conform with its earlier submission of the commission of providing information as per the provisions of the RTI Act.

The commission also observed that prima facie, the information has been denied blankly without going into the details of the information sought, as there are many points in the RTI application which do not qualify as personal information and should have been provided.

Hearing dated 31.08.2022:

The case has come up for hearing today through VC at DAC Nawanshahar. As per the appellant, the PIO has not supplied the information.

The respondent present pleaded that the information on points-2 & 4 has been supplied to the appellant. The information on point-3 & 5 relates to Baba Farid University since the process of recruitment was done by them.

The appellant is not satisfied with the provided information.

Having gone through the RTI application and hearing both the parties, the following is concluded:

- Point-1 - To provide information

- Point-2 - To provide the information except the appointment letter. Copy of

advertisement if available be also provided.

- Point-3&5 - As per the respondent, the information relates to Baba Farid

University.

The PIO-Baba Farid University of Health Sciences Faridkot is impleaded in the case and directed to provide

Information on these points.

- Point-4 - To provide information

- Point-6 - To provide information except for copies of cheques

- Point-7 - To provide information except for appointment letter and copy of

Educational certificates

Point-8
 To provide the information, if available in the record.

The information be provided at the earliest.

The case is adjourned. To come up for further hearing on **28.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Nawanshahar. The PIO to appear at Chandigarh.

Chandigarh Dated: 31.08.2022

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Sh Lajpat Rai, S/o Sh Harbans Lal, R/o Roamana Street, Tehsil Jaito, Distt Faridkot.

... Appellant

Versus

Public Information Officer, O/o SDM, Jaito, Distt Faridkot.

First Appellate Authority, O/o SDM, Jaito, Distt Faridkot.

...Respondent

Appeal Case No. 2832 of 2021

PRESENT: Sh.Lajpat Rai as the Complainant

None for the Respondent

ORDER:

The appellant through RTI application dated 29.09.2020 has sought information regarding copies of applications dated 11.09.2020, 19.06.2020, 06.08.2020, 9.07.2020, 11.09.2020, 19.09.2020 relating to case 107/151 of accused Gurdeep Singh – a copy of the letter sent from DC office – application diary No.2968 dated 31.01.2020 enquiry reports and against Ajay Singh clerk dated 11.06.2020 full file and other information as enumerated in the RTI application from the office of SDM Jaito. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 23.10.2020 which took no decision on the appeal.

The case last came up for hearing on 30.11.2021 through video conferencing at DAC Faridkot. As per the appellant, the information was not supplied by the PIO.

The respondent was absent nor represented. There has been an enormous delay of more than one year in attending to the RTI application. The Commission having taken a serious view of this directed the PIO to look at the RTI application and provide whatever information is available in the record to the appellant otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

Hearing dated 31.08.2022:

The case has come up for hearing today through video conferencing at DAC Faridkot. As per appellant, the PIO has not supplied the information despite order of the Commission.

Appeal Case No. 2832 of 2021

The PIO is again directed to provide information to the appellant at the earliest.

The case is adjourned. To come up for further hearing on **28.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot

Chandigarh Dated: 31.08.2022

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Sh Lajpat Rai, S/o Sh Harbans Lal, R/o Roamana Street, Tehsil Jaito, Distt Faridkot.

... Complainant

Versus

Public Information Officer, O/o EO, MC, Jaito, Distt Faridkot.

...Respondent

Complaint Case No. 767 of 2021

PRESENT: Sh.Lajpat Rai as the Complainant

None for the Respondent

ORDER:

The complainant through RTI application dated 06.05.2021 has sought information on 05 points regarding copies of complete files of different persons relating to applications received under Pradhan Mantri Awaas Yojna – copies of files No.B-4/312 Majinderpal B/4-56 Paras Mani B-4/105 Sangita Sharma and other information as enumerated in the RTI application from the office of EO-MC Jaito. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 16.06.2021.

The case last came up for hearing on 30.11.2021 through video conferencing at DAC Faridkot. As per the complainant, the PIO had not supplied the information.

The respondent was absent nor represented.

Having gone through the record, the Commission observed that the copy of the RTI application with the commission is not legible. The appellant was directed to send a typed legible copy of the RTI application to the Commission with a copy to the PIO.

The PIO was directed to look at the RTI application and provide whatever information is available in the record and appear before the Commission on the next date of hearing along with an explanation for not attending to the RTI application within the time prescribed under the RTI Act. otherwise, the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

Hearing dated 31.08.2022:

The case has come up for hearing today through video conferencing at DAC Faridkot. As per complainant, the PIO has not supplied the information despite order of the Commission. The complainant has also sent typed legible copy of RTI application which has been taken on record.

Complaint Case No. 767 of 2021

The case is adjourned. To come up for further hearing on **28.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot

Chandigarh Dated: 31.08.2022

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Sh Lajpat Rai, S/o Sh Harbans Lal, R/o Roamana Street, Tehsil Jaito, Distt Faridkot.

... Complainant

Versus

Public Information Officer, O/o EO, MC, Jaito, Distt Faridkot.

...Respondent

Complaint Case No. 768 of 2021

PRESENT: Sh.Lajpat Rai as the Complainant

None for the Respondent

ORDER:

The complainant through RTI application dated 06.05.2021 has sought information on 10 points regarding copies of complaints filed by the complainant in the office of SDM, Deputy Commissioner, Faridkot, Deputy Director Ferozepur, Principal Secretary from 01.01.2016 till date against Davinder Kumar, Ramesh Kumar, Ajay Singh, Davinder Kumar along with action taken report and other information as enumerated in the RTI application from the office of EO-MC Jaito. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 16.06.2021.

The case last came up for hearing on 30.11.2021 through video conferencing at DAC Faridkot. As per the complainant, the PIO had not supplied the information.

The respondent was absent nor represented.

Having gone through the record, the Commission observed that the RTI application is not legible. The complainant was directed to send a typed legible copy of the RTI application to the Commission with a copy to the PIO.

The PIO was directed to look at the RTI application and provide whatever information is available in the record and appear before the Commission on the next date of hearing along with an explanation for not attending to the RTI application within the time prescribed under the RTI Act. otherwise, the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

Hearing dated 31.08.2022:

The case has come up for hearing today through video conferencing at DAC Faridkot. As per complainant, the PIO has not supplied the information despite order of the Commission. The complainant has also sent typed legible copy of RTI application which has been taken on record.

Complaint Case No. 768 of 2021

The case is adjourned. To come up for further hearing on **28.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot

Chandigarh Dated: 31.08.2022

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Sh Lajpat Rai, S/o Sh Harbans Lal, R/o Roamana Street, Tehsil Jaito, Distt Faridkot.

... Complainant

Versus

Public Information Officer, O/o EO, MC, Jaito, Distt Faridkot.

...Respondent

Complaint Case No. 769 of 2021

PRESENT: Sh.Lajpat Rai as the Complainant

None for the Respondent

ORDER:

The complainant through RTI application dated 05.05.2021 has sought information on 05 points action taken on the complaint against Chunki Bala clerk –copies of letters received from SIC-Hem Inder Singh dated 26.08.2020, 23.07.2020 and from Appellate Authority Ferozepur dated 19.12.2019, 07.11.2019, 19.12.2029 alongwith entry register and reply sent and other information as enumerated in the RTI application from the office of EO-MC Jaito. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 16.06.2021.

The case last came up for hearing on 30.11.2021 through video conferencing at DAC Faridkot. As per the complainant, the PIO had not supplied the information.

The respondent was absent nor represented.

Having gone through the record, the Commission observed that the RTI application is not legible. The complainant was directed to send a typed legible copy of the RTI application to the Commission with a copy to the PIO.

The PIO was directed to look at the RTI application and provide whatever information is available in the record and appear before the Commission on the next date of hearing along with explanation for not attending to the RTI application within the time prescribed under the RTI Act. otherwise, the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

Hearing dated 31.08.2022:

The case has come up for hearing today through video conferencing at DAC Faridkot. As per complainant, the PIO has not supplied the information despite order of the Commission.

Complaint Case No. 769 of 2021

The case is adjourned. To come up for further hearing on **28.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot

Chandigarh Dated: 31.08.2022

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Sh Lajpat Rai, S/o Sh Harbans Lal, R/o Roamana Street, Tehsil Jaito, Distt Faridkot.

... Complainant

Versus

Public Information Officer, O/o EO, MC, Jaito, Distt Faridkot.

First Appellate Authority, O/o Regional Deputy Director, Local Govt, Ferozepur.

...Respondent

Appeal Case No. 2769 of 2021

PRESENT: Sh.Lajpat Rai as the Complainant

None for the Respondent

ORDER:

The appellant through RTI application dated 07.04.2021 has sought information on 06 points regarding the maps deposited and passed from 18.03.2021 to 12.04.2021 in a pen drive and list of works running present time along with notice 195, 195(a) issued to public 1095 to 1140 from Nov.2014, 1340 to 1380 dt.09.05.2019 to onwards and proceeding done up to date – a copy of ACR from 2014 to 2019 of Ramesh Kumar, Prem Chand and other information as enumerated in the RTI application from the office of EO-MC Jaito. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 30.04.2021 which took no decision on the appeal.

The case last came up for hearing on 30.11.2021 through video conferencing at DAC Faridkot. As per the appellant, the PIO had not supplied the information.

The respondent was absent nor represented. There has been an enormous delay of more than seven months in attending to the RTI application. The Commission having taken a serious view of this directed the PIO to look at the RTI application and provide whatever information is available in the record to the appellant otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

Hearing dated 31.08.2022:

The case has come up for hearing today through video conferencing at DAC Faridkot. As per appellant, the PIO has not supplied the information despite order of the Commission.

Appeal Case No. 2769 of 2021

The PIO is again directed to provide information to the appellant at the earliest.

The case is adjourned. To come up for further hearing on **28.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot

Chandigarh Dated: 31.08.2022

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Sh Lajpat Rai, S/o Sh Harbans Lal, R/o Roamana Street, Tehsil Jaito, Distt Faridkot.

... Complainant

Versus

Public Information Officer, O/o EO, MC, Jaito, Distt Faridkot.

First Appellate Authority, O/o Regional Deputy Director, Local Govt, Ferozepur.

...Respondent

Appeal Case No. 2768 of 2021

PRESENT: Sh.Lajpat Rai as the Complainant

None for the Respondent

ORDER:

The appellant through RTI application dated 07.04.2021 has sought information on 05 points regarding copies of general cash book, urban cash book, Swach Bharat cash book of all receipts/dispatch registers of RTI/general other branch registries, movement register, attendance register of all employees including contract basis employees – diary register from 19.03.2021 to 12.04.2021/order-letters received from State Information Commission and dDLG Ferozepur/Bathinda – pan drive collecting the property tax details and other information as enumerated in the RTI application from the office of EO-MC Jaito. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 30.04.2021 which took no decision on the appeal.

The case last came up for hearing on 30.11.2021 through video conferencing at DAC Faridkot. As per the appellant, the PIO had not supplied the information.

The respondent was absent nor represented. There has been an enormous delay of more than seven months in attending to the RTI application. The Commission having taken a serious view of this directed the PIO to look at the RTI application and provide whatever information is available in the record to the appellant otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

Hearing dated 31.08.2022:

The case has come up for hearing today through video conferencing at DAC Faridkot. As per appellant, the PIO has not supplied the information despite order of the Commission.

Appeal Case No. 2768 of 2021

The PIO is again directed to provide information to the appellant at the earliest.

The case is adjourned. To come up for further hearing on **28.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot

Chandigarh Dated: 31.08.2022

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Sh Satish Kumar, Ward No-10, Near Nehru Park, Jaito, Distt Faridkot.

... Complainant

Versus

Public Information Officer,

O/o District Food and Supply Controller, Faridkot.

First Appellate Authority,

O/o Director, Food and Supply, Sector-39-C, Chandigarh.

...Respondent

Appeal Case No. 2682 of 2021

PRESENT: None for the Appellant

Sh.Amandeep Singh, AFSO for the Respondent

ORDER:

The appellant through RTI application dated 16.03.2021 has sought information regarding copies of gate passes issued by Godown inspectors to drivers while distributing wheat under PMGKY yojna from July 2020 to Nov.2020 – gate passes issued branch-wise relating to Brar Open Plinth, Yadwinder Open Plinth Govt Open Plint and other information as enumerated in the RTI application from the office of District Food and Supply Controller, Faridkot. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 20.04.2021 which took no decision on the appeal.

The case last came up for hearing on 30.11.2021 through video conferencing at DAC Faridkot. The appellant claimed that the PIO has not supplied the information.

The respondent brought along the information. The respondent was directed to provide the information to the appellant.

The appellant was directed to point out the discrepancies if any to the PIO with a copy to the Commission and the PIO was directed to remove the same.

However, there has been an enormous delay of more than eight months in attending to the RTI application as the RTI application was filed on 16.03.2021 but the respondent only brought the information after the issue of notice of the Commission.

The Commission having taken a serious view of this issued a **show cause notice to** the PIO under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file reply on an affidavit.

Hearing dated 31.08.2022:

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondent present pleaded that the information has already been provided to the appellant and the discrepancies pointed out by the appellant has also been sorted out and complete information has been sent to the appellant vide letter dated 30.03.2022.

The appellant is absent and vide email has sought exemption.

Appeal Case No. 2682 of 2021

The PIO has however, not filed reply to the show cause notice for delay in providing the information. The PIO is given one last opportunity to file reply to the show cause notice otherwise it will be presumed that the PIO has nothing to say on the matter and the commission will take a decision, ex-parte.

The case is adjourned. To come up for further hearing on **28.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot

Chandigarh Dated: 31.08.2022

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Sh Satish Kumar, Ward No-10, Near Nehru Park, Jaito, Distt Faridkot.

... Appellant

Public Information Officer,

O/o District Food and Supply Controller, Faridkot.

First Appellate Authority,

O/o Director, Food and Supply, Sector-39-C, Chandigarh.

...Respondent

Appeal Case No. 2675 of 2021

PRESENT: None for as the Appellant

Sh.Amandeep Singh, AFSO for the Respondent

ORDER:

The appellant through RTI application dated 16.03.2021 has sought information regarding details of stock like wheat-crates-tarpals & sheets lying in H.M.Agro sheller Kotkpura Road, Jaitu – approval for hiring godown in Jaitu from 01.08.2020 to 15.03.2021 – details of stock articles and other information as enumerated in the RTI application from the office of District Food and Supply Controller, Faridkot. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 20.04.2021 which took no decision on the appeal.

Versus

The case last came up for hearing on 30.11.2021 through video conferencing at DAC Faridkot. The appellant claimed that the PIO has not supplied the information.

The respondent brought the information. The respondent was directed to provide the information to the appellant.

The appellant was directed to point out the discrepancies if any to the PIO with a copy to the Commission and the PIO was directed to remove the same.

However, there has been an enormous delay of more than eight months in attending to the RTI application since the RTI application was filed on 16.03.2021 but the respondent has brought the information only after the issuance of notice by the Commission. The Commission having taken a serious view of this issued a **show cause notice to the PIO under section 20** of the RTI Act 2005 and directed to file reply on an affidavit.

Hearing dated 31.08.2022:

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondent present pleaded that the information has already been provided to the appellant and the discrepancies pointed out by the appellant have also been sorted out and complete information has been sent to the appellant vide letter dated 24.03.2022 with a copy to the Commission.

Appeal Case No. 2675 of 2021

The appellant is absent and vide email has sought exemption.

The PIO has however, not filed reply to the show cause notice for the delay in providing the information.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, the PIO-District Food Supply Controller is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request. Moreover, the PIO has chosen not to reply to the show cause, which can be inferred that the PIO has nothing to say on the matter.

Hence, given the above facts a penalty of **Rs.5,000/-** is imposed on the PIO- District Food Supply Controller Faridkot which will be deposited in the Govt. Treasury. The PIO is directed to duly inform the Commission about the compliance of the orders by producing a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

The case is adjourned. To come up for compliance on **28.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot

Chandigarh Dated: 31.08.2022

PUNJAB STATE INFORMATION COMMISSION

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Sh Bharat Goyal, S/o Sh Raj Kumar,. R/o Model Town, Tappa.

... Appellant

Versus

Public Information Officer, O/o DSP, Jaito, Distt Faridkot.

First Appellate Authority, O/o SSP, Faridkot.

...Respondent

Appeal Case No. 3325 of 2021

PRESENT: Sh.Lajpat Rai for the Appellant

Sh.Prem Lal, ASI for the Respondent

ORDER:

The appellant through an RTI application dated 06.02.2021 has sought information on 06 points regarding name of duty staff alongwith mobile number with duty orders and copy of RTI receipts/dispatch register and list of RTIs pending – date of joining of SI Jaswant Singh in department/list of his property including approval of purchasing from department – copy of dispatch register – log book of vehicle from 25.05.2019 to 16.02.2021 including diesel bills, repair bills as enumerated in the RTI application from the office of DSP Jaito. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 20.03.2021 which took no decision on the appeal.

The case last came up for hearing on 15.02.2022 through video conferencing at DAC Faridkot. As per respondent, the information had been supplied to the appellant vide letter dated 02.02.2022 with a copy to the Commission. The Commission received copy of the letter dated 02.02.2022 which was taken on record.

As per appellant, the information was incomplete and the not as per the RTI application.

Having gone through the RTI application and hearing both the parties, following was concluded:

-	Point-1	-	Provided

- Point-2 - To provide joining date of the employee

- Point-3 - As per respondent, the said register contains secret information, it cannot be provided. The PIO is directed to get the record

inspected and provide information only relating to the appellant.

- Point-4 - To provide copies of diesel bills, repair bills with date of payment.

Log book not to be provided

Point-5 - As per respondent, no record is maintained. The PIO is directed

to reconsider and reply appropriately

- Point-6 - To provide figure of pendency

Appeal Case No. 3325 of 2021

Hearing dated 31.08.2022:

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondent present pleaded that in compliance with earlier order of the Commission, the information has been supplied to the appellant vide letter dated 23.08.2022.

The representative of the appellant stated that the information is incomplete and not as per the order of the Commission.

Hearing both the parties, the Commission observes that the order of the Commission are not complied with and it is a great concern. I am writing this to the SSP-Faridkot who is the PIO of the District that the points-2, point-3 & point-4 of the RTI application have not been reconciled which may be reconciled and information on these point be provided to the appellant as per the RTI Act.

The case is adjourned. To come up for compliance on **28.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh Dated: 31.08.2022 Sd/-(Khushwant Singh) State Information Commissioner

CC to :Senior Superintendent of Police, Faridkot.

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Sh Mohan Singh S/o Sh.Joginder Singh, B-III-225, Mohalla Kazian, Purana Bazar, Ludhiana. PSIC Signature Property Proper

... Appellant

Versus

Public Information Officer, O/o Registrar of Firms & Societies, Behind Sector 17 Head Post Office, Chandigarh.

...Respondent

Appeal Case No. 2836 of 2022

PRESENT: Sh.Mohan Singh as the Appellant

None for the Respondent

ORDER:

The appellant through an RTI application dated 13.12.2021 has sought information regarding certified copy of register of the Dera Satkartar, 803 Model Town Jalandhar registered with Regn.No.393 on 27.10.1987 alongwith entries pertaining to the resolutions passed from the year 2005 as enumerated in the RTI application from the office of Registrar of Firms and Societies, Pb Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 26.03.2022 which took no decision on the appeal.

The case has come up for hearing today. The appellant claims that the PIO has not supplied the information.

The respondent is absent nor is represented.

In the interest of justice, one more opportunity is granted and the case is adjourned.

To come up for further hearing on **12.12.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh Dated: 31.08.2022