

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



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 ATP, Building Branch Zone D
Municipal Corporation, Ludhiana.

Public Information Officer,

o/o Municipal Corporation, Zone-D,
Ludhiana.

First Appellate Authority,

Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 1840 of 2022 (Video Conference Proceedings)

PRESENT:

Yogesh Maini (Appellant) 99887-58800

Kamaljeet, Building Inspector from Zone D (for the Respondent) 99888-13929

ORDER:

1. The RTI application is dated **7.1.2022** vide which the appellant has sought information **regarding property no. B-1/933/2A(Silver Spoon Restaurant Hotel)**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **14.2.2022** and Second Appeal was filed in the Commission on **13.4.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **4.11.2022**.

2. Both parties are present. The respondent PIO has submitted a reply vide Letter No. 145 Dated 24.8.2022, stating that the information regarding the building cited in the RTI application is not available. The appellant however, pointed out that the PIO has not given any pointwise reply to the eight points of the RTI application.

3. After deliberations at this hearing, the respondent PIO-cum-ATP, Building Branch, Zone D, is directed to submit an affidavit by way of a pointwise reply, reproducing the points in the RTI application along with his reply to each point. This must be done within 10 days of receipt of this Order. Original affidavit be given to the appellant and a copy be sent to the Commission.

4. **Next hearing on 15.12.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

4.11.2022

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

Versus

Public Information officer,
o/o Municipal Corporation, Zone-A,
Ludhiana.

First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 4251 of 2021 (Video Conference Proceedings)

PRESENT:

Yogesh Maini (Appellant) 99887-58800

Gurjeet Singh, Junior Draftsman from Zone A (for the Respondent) 94176-70434

ORDER:

(To be read in continuity with earlier orders on 30.3.2022)

1. The RTI application is dated **28.6.2021** vide which the appellant has sought information **regarding Ajay Kumar, Building Inspector**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **29.7.2021** and Second Appeal was filed in the Commission on **20.9.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **30.3.2022**.

2. Both parties are present. The respondent PIO has submitted copy of reply sent to the appellant vide Letter No. 986 Dated 30.7.2022, wherein the requested information has been denied as "personal information". The Commission has examined the RTI application and rejects the respondent PIO's contention.

3. The respondent PIO is hereby directed to arrange for an inspection of the record by the appellant at 11.00 am on 25.11.2022. Sh. Gurjeet Singh, JDM from Zone A, shall be personally present during said inspection. Following the inspection, duly attested copies are to be given to the appellant on the same day. Both parties are to intimate the Commission after said inspection.

4. **Next hearing on 15.12.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
4.11.2022

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REGISTERED SHOW CAUSE NOTICE

Yogesh Maini,
S/o Late Kapil Bhushan Maini,
H.No.678/1, Prem Nagar,
Shiv Mandir Road, Civil Lines,
Ludhiana.

Versus

Public Information officer,
o/o Regional Transport Authority,
Ludhiana.

Public Information officer,
o/o Municipal Corporation, Zone-A,
Ludhiana.

Public Information officer,
o/o XEN (Zone-D) B & R,
Municipal Corporation, Ludhiana.

First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 4817 of 2021 (Video Conference Proceedings)

PRESENT:

Yogesh Maini (Appellant) 99887-58800
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 22.4.2022)

1. The RTI application is dated **16.7.2021** vide which the appellant has sought **regarding Indu Raj Thapar, Councillor Ward No.83, MC,Ludhiana**, information as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.8.2021** and Second Appeal was filed in the Commission on **22.10.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.4.2022**.

2. As per the appellant although various PIOs have provided partial information to his RTI application, but no information has yet been received regarding point no. 1 of the said RTI application. Point no. 1 of the RTI application reads as under:-

“Provide the Copy of the Nomination Papers Along with the Documents filed Before the Competent Authority By Smt Indu Raju Thapar Councilor Ward No. 83 Municipal Corporation Ludhiana which Were Filed At the Time of Election Held in the Year of 2018 of the Councillors, if this information is not available on the record of the Municipal Corporation Ludhiana then please transfer my Application Under Section 6(3) of The RTI Act 2005 to the Concerned Authority That is Holding this Information.”

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Appeal Case No. 4817 of 2021 (Video Conference Proceedings)

3. As per a communication to the appellant from the office of the Deputy Commissioner, the RTA, Ludhiana was the Returning Officer for the Ludhiana Municipal Corporation Elections held in 2018. In view of this, the Commission had sent a copy of its Order Dated 22.4.2022 to the the PIO, Office of Secretary, Regional Transport Authority. There is, however, been no reply from the aforesaid PIO.

4. Under these circumstances, the Commission deems it fit to issue Show Cause Notice to the PIO, Office of Regional Transport Authority, Ludhiana. The RTA, Ludhiana, who was the Returning Officer for the Ludhiana Municipal Corporation Election in the year 2018 is also directed to provide a written reply to point no. 1 of RTI application, which has already been referred to him by the Deputy Commissioner, Ludhiana vide Letter No. 9879/81 Dated 21.3.2022.

5. The respondent **PIO, Office of Regional Transport Authority, Ludhiana**, 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 **16.7.2021**.

“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.

6. Further, as per the appellant, the PIO-cum-XEN (Zone-D) B&R, has provided only partial & unattested information with regard to point no. 8 of RTI application. The PIO-cum-XEN (B&R), Zone-D is directed to supply the deficient information requested at point no. 8 of this RTI application, to the appellant within 20 days of receipt of this Order.

7. **Next hearing on 15.12.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
4.11.2022

Cc: Sector Regional Transport Authority, Ludhiana, for information and further necessary action.

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Milan Sood,
R/o Milan Niwas,
New Dana Mandi, Salem Tabri,
Ludhiana-141008.

Versus

Public Information officer,
o/o Assistant Town Planner,
Building Branch, Zone-A,
Municipal Corporation, Ludhiana.
First Appellate Authority,
Joint Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 635 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Gurjeet Singh, Junior Draftsman from Zone A (for the Respondent) 94176-70434

ORDER:

(To be read in continuity with earlier orders on 31.3.2022)

1. The RTI application is dated **8.10.2021** vide which the appellant has sought information **regarding a memo issued to a building for Rs. 60.075.00 in five points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **9.11.2021** and Second Appeal was filed in the Commission on **27.1.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard **31.3.2022**.

2. The appellant is absent without intimation. At the last Hearing on 31.3.2022, a Show Cause Notice was issued to the PIO, Shri Mohan Singh, ATP Building Branch, Zone-A, to which he has submitted a reply vide Letter No. 1000/ATP/A/RTI/D dated 12.4.2022 along with some documents. The PIO, has also submitted copy of a pointwise reply, sent to the appellant vide Letter No. 998 Dated 5.4.2022. However, no documents, as cited in said reply have been appended.

3. The Respondent PIO, represented by Shri Gurjeet Singh, Building Inspector, Zone-A is hereby directed to re-send the reply to the appellant along with all the cited documents after due attestation, with a copy to the Commission, **FORTHWITH**.

4. **Next hearing on 15.12.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
4.11.2022

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Milan,

R/o Milan Niwas,
New Dana Mandi, Salem Tabri,
Ludhiana.

Versus

Public Information Officer,
o/o Assistant Town Planner,
Municipal Corporation, Zone A,
Ludhiana.

First Appellate Authority,
Commissioner,
Municipal Corporation.
Ludhiana.

Appeal Case No. 1215 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Gurjeet Singh, Junior Draftsman from Zone A (for the Respondent) 94176-70434

ORDER:

(To be read in continuity with earlier orders on 16.6.2022)

1. The RTI application is dated **13.12.2021** vide which the appellant has sought information **regarding Notice/Letter No. 155/BI/A/D Dated 21/10.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **17.1.2022** and Second Appeal was filed in the Commission on **8.3.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **16.6.2022**.
2. The appellant is absent without intimation. The Respondent PIO has submitted a reply to the Show Cause Notice vide Letter No. 144 Dated 2.8.2022 along with his reply sent to the appellant vide Letter No. 952 Dated 15.2.2022, with requested information. The said reply/information has only been received in this Commission via email, which is not legible.
3. The Respondent PIO, represented, by Shri Gurjeet Singh, Junior Draftsman, is directed to resend the reply to the Show Cause Notice; the reply sent to the appellant vide Letter No. 952 Dated 15.2.2022; and all the appended documents after due attestation, to this Commission within 10 days of this Hearing.
4. **Next hearing on 15.12.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh
4.11.2022

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Milan Sood,
Milan Niwas,
New Dana Mandi, Salem Tabri,
Ludhiana – 141 008

Versus

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

Appeal Case No. 3690 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Gurjeet Singh, Junior Draftsman from Zone A (for the Respondent) 94176-70434

ORDER:

*(To be read in continuity with earlier orders on **24.2.2022 and 2.6.2022**)*

1. The RTI application is dated **3.2.2021** vide which the appellant has sought information **regarding the sealing of three shops in Geeta Colony**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **5.3.2021** and Second Appeal was filed in the Commission on **16.8.21** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.6.2022**.

2. The appellant is absent without intimation. The Respondent PIO, represented by Gurjeet Singh, Junior Draftsman, Building Branch, Zone-A has submitted a reply to the Show Cause Notice vide Letter No. 141 Dated 29.7.2022 along with the earlier reply sent to the appellant vide Letter No. 912 Dated 23.2.2022.

3. However, once again the respondent PIO is directed to resend his reply along with attested copies of the appended information as cited in said reply, both to the Commission and the appellant. This must be done within 10 days of receipt of this Order.

4. **Next hearing on 15.12.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
4.11.2022

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Milan Sood,
Milan Niwas,
New Dana Mandi, Salem Tabri,
Ludhiana – 141 008

Versus

Public Information Officer,
o/o Municipal Corporation,
Zone-A, Building Branch,
Ludhiana.
First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 3846 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Gurjeet Singh, Junior Draftsman from Zone A (for the Respondent) 94176-70434

ORDER:

*(To be read in continuity with earlier orders on **24.2.2022 and 2.6.2022**)*

1. The RTI application is dated **21.5.2021** vide which the appellant has sought information **regarding Geeta Colony**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **30.6.2021** and Second Appeal was filed in the Commission on **26.8.21** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.6.2022**.

2. The appellant is absent. The respondent PIO, represented by Sh. Gurjeet Singh, Junior Draftsman from Zone A, has submitted a reply to the Show Cause Notice vide Letter No. 141 Dated 29.7.2022, along with the reply sent to the appellant vide Letter No. 908 Dated 23.2.2022. However, once again the respondent PIO has failed to append the cited information, which is missing both from the copies sent to the Commission as well as to the appellant.

3. The PIO is given one final opportunity to be sent a reply to the appellant vide Letter No. 908 Dated 23.2.2022, along with all the appended information. This must be done within 10 days of receipt of this Order.

4. **Next hearing on 15.12.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
4.11.2022

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Maninder Kaur,
w/o Manpreet Singh,
c/o Bhavish Rauni (Advocate),
Chamber No. 509, Yadvindra Court Complex,
Patiala.

Versus

Public Information Officer,
o/o Director, Technical Education & Industrial Training,
Branch-1, Room No. 201,
2nd Floor, Mini Secretariat,
Sector-9, Punjab, Chandigarh

Complaint Case No. 677 of 2019

PRESENT:

JM Singh, Advocate (for the Complainant)
Rupinder Singh, PIO-cum-Deputy Director (Respondent)
Jaswinder Singh, APIO-cum-Superintendent (for the Respondent) 98728-26538

ORDER:

(To be read in continuity with earlier order on 4.10.19, 21.11.19, 24.1.2020, 31.7.2020, 25.9.2020, 13.11.2020, 13.1.2021, and 17.3.2021, 8.7.2021, 15.12.2021, 17.5.2022, and 24.6.2022)

1. The complainant, Maninder Kaur, filed this RTI application dated **20.5.19**, and sought **information by way of official letters, copies of receipt registers, noting pages of files etc.** When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **6.8.19**. The case was last heard on **24.6.2022**.

2. Both parties are present. The respondent PIO is present in person. The respondent PIO-cum-Deputy Director, Sh. Rupinder Singh, is accompanied by Jaswinder Singh, APIO-cum-Superintendent. After deliberations at this Hearing, the PIO-cum-Deputy Director, is directed to make a detailed submission explaining the delay in filing a reply to this RTI application and supplying the requested information to the complainant. The said submission must also contain the status of the information - as information already provided and that which is still pending.

3. The above must be submitted to the Commission by way of a duly notarized affidavit before the next hearing.

4. **Next hearing on 9.12.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh**

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

Chandigarh
4.11.2022

PUNJAB STATE INFORMATION COMMISSION

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Madhya Marg, Sector 16, Chandigarh.

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Gurdarshan Singh,
S/o Roop Singh,
R/o Village Kalwanoo,
Tehsil Patran, District Patiala.

Versus

Public Information Officer,
o/o Tehsildar Patran,
District Patiala.

Public Information Officer,
o/o Sub Divisional Magistrate,
Patran, District Patiala.

Complaint Case No. 1124 of 2021 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

Gurcharan Singh, Assistant (Respondent) 98142-71281

ORDER:

*(To be read in continuity with earlier orders on **24.3.2022 and 24.6.2022**)*

1. The complainant, **Gurdarshan Singh**, filed this RTI application dated **5.2.2020** and sought information **regarding an application to the office of SDM Patran dated 29.11.2018**, from the PIO o/o **Sub Divisional Magistrate, Patran, Patiala**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **3.9.2021**. The case was last heard on **24.6.2022**.

2. The complainant is absent at the third successive hearing. At the last hearing on 24.4.2022, Tehsildar, Patran was impleaded as PIO and was directed to submit a reply giving reasons why this RTI application has not been addressed.. The PIO, Office of Tehsildar Patran, has failed to comply with the Commission's directions. However, the Tehsildar's representative, Shri Gurcharan Singh, Assistant In-charge, Office of Tehsildar, states that a number of replies have already been sent to the complainant along with the requested information.

3. The PIO, Office of Tehsildar Patran, is hereby directed to submit a written reply along with all the earlier replies and information provided to the complainant, to this Commission. This must be done before the next Hearing.

4. **Next hearing on 8.12.2022 at 11.30 am via Video Conference Facility at DC Office, Patiala.**

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

Chandigarh
4.11.2022

PUNJAB STATE INFORMATION COMMISSION

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Gurdarshan Singh,
S/o Roop Singh,
R/o Village Kalwanoo,
Tehsil Patran, District Patiala.

Versus

Public Information Officer,
o/o Tehsildar, Patran,
District Patiala.

Public Information Officer,
o/o Sub Divisional Magistrate,
Patran, District Patiala.

Complaint Case No. 1125 of 2021 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

Gurcharan Singh, Assistant (Respondent) 98142-71281

ORDER:

*(To be read in continuity with earlier orders on **24.3.2022 and 24.6.2022**)*

1. The complainant, **Gurdarshan Singh**, filed this RTI application dated **5.2.2020** and sought information **regarding application given to SDM Patran on 10.4.2017**, from the PIO o/o **Sub Divisional Magistrate, Patran, Patiala**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **3.9.2021**. The case was last heard on **24.6.2022**.

2. The complainant is absent at the third successive hearing. At the last hearing on 24.4.2022, Tehsildar, Patran was impleaded as PIO and was directed to submit a reply giving reasons why this RTI application has not been addressed. The PIO Office of Tehsildar Patran, has failed to comply with the Commission's directions. However, the Tehsildar's representative, Shri Gurcharan Singh, Assistant Incharge Office of Tehsildar states that a number of replies have already been sent to the complainant along with the requested information.

3. The PIO Office of Tehsildar Patran represented by Shri Gurcharan Singh is hereby directed to submit a written reply along with all the earlier replies and information provided to the complainant, to this Commission. This must be done before the next Hearing.

4. **Next hearing on 8.12.2022 at 11.30 am via Video Conference Facility at DC Office, Patiala.**

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

Chandigarh
4.11.2022

PUNJAB STATE INFORMATION COMMISSION

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Rajni Bala,

W/o Ritin Shahi, Advocate,
104, Golden City, Khanna, District Ludhiana.

Versus

Public Information officer,

o/o Secretary, District Legal Services Authority,
Fatehgarh Sahib.

Complaint Case No. 1308 of 2021 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

Balraj Singh, JA (for the Respondent) 98729-90651

ORDER:

(To be read in continuity with earlier orders on 17.3.2022 and 24.6.2022)

1. The complainant, **Rajni Bala**, filed this RTI application dated **7.10.2021** and sought information **regarding Surprise checking of One Stop Centre Fatehgarh Sahib**, from the PIO o/o **Secretary, District Legal Service Authority, Fatehgarh Sahib**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **3.12.2021**. The case was last heard on **24.6.2022**.

2. The complainant is absent. However, as directed by the Commission on 24.6.2022, the complainant has submitted all documents pertaining to her second RTI filed on 1.2.2022, which as per the complainant, is currently being heard by the First Appellate Authority. The documents produced by the complainant, evidently belie the contention made by the respondent PIO, represented at the last hearing Sh. Balraj Singh, JA, wherein he had stated that the complainant's RTI application Dated 7.10.2021, which is before this Commission as the present Complaint Case No 1308 / 2021, was also being heard as a First Appeal by the First Appellate Authority-cum-Additional Secretary, Punjab, State Legal Services Authority. It is very clear now that the appeal before the FAA pertains to a separate RTI application filed by Smt. Rajni Bala on 1.2.2022. On being queried about this, the respondent PIO's representative at today's hearing, Sh. Balraj Singh, JA, only states that the subject matter of both RTI applications is the same. Sh. Balraj Singh's contention is hereby rejected.

3. Meanwhile, the PIO-cum-Secretary, District Legal Services Authority, Smt. Manpreet Kaur, has made a detailed written submission vide Letter No. 2619 Dated 2.11.2022, to explain the delay in addressing the RTI application Dated 7.10.2021. The Commission has examined the PIO's reply and herewith directs her to submit the same along with any additional submission by way of a duly notarized affidavit, to the Commission. This must be done within 10 days of receipt of this Order.

4. Next hearing on 9.12.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

4.11.2022