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Chir Raideep billadi	
s/o Shri Dev Raj Jindal	
r/o Roop Nagar, Ward No.19,	
Gidderbaha, District Sri Mukatsar Sahib-152101.	Appellant.
Vs	11
Public Information Officer	
o/o Block Development and Panchayats Officer,	
Near HDFC Bank, Kotkapura Road,	
Sri Mukatsar Sahib.	
First Appellant Authority,	
o/o District Development and Panchayats Officer,	
Sri Mukatsar Sahib.	Respondents.
Appeal Case No.3384/2019	•
(Video Conference Proceedings).	

Present:- None on behalf of the parties.

ORDER

Dated: 16.12.2019

Shri Kuldeen Jindal

This order may be read with reference to the previous order dated 4.12.2019, vide which the last opportunity was afforded to the appellant to send observations in the information so supplied to him in writing to the respondents with a copy to the Commission.

2. The absence of the appellant and non submissions of his observations seems that he is satisfied from the information so supplied to him. Accordingly, the case is disposed of and closed. However, the liberty is granted to the appellant that in case there is any deficiency in the information so provided to him, he may approach the Commission within one month from the issue of this order.

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Sh. Manish Bassi c/o Shri Kailash Bassi, r/o Model Town Main road, Dasuya Hoshiarpur

....Appellant

Vs

Public Information Officer o/o Executive Officer, Rural Dev. & Panchayat Department, Dasuya, District Hoshiarpur.

First Appellate Authority, o/o District Development and Panchayats Officer, Mini Secretariat, District Hoshiarpur

Public Information Officer, o/o Executive Engineer, Panchayati Raj, Hoshiarpur

....Respondents

Appeal Case No. 3805 of 2019

(Video Conference Proceedings)

Present:- Shri Manish Bassi, appellant.

Shri Yudhvir Singh, Superintendent on behalf of the respondents.

ORDER

This order may be read with the previous order dated 28.11.2019.

- 2. The representative of the respondents states that the information pertaining to his office has already been supplied and the remaining information concerning points at Sr.No.1 to 4 relates to the Executive Engineer, Panchayati Raj, Hoshiarpur as the information relates to their office. The appellant requests for the remaining information i.e. points at Sr.No.1 to 4.
- 3. Accordingly, after hearing both the parties, the Public Information Officer o/o the Executive Officer, Rural Development and Panchayat Department, Dasuya, District Hoshiarpur is directed to transfer the application under Section 6(3) of the RTI Act to the

Public Information Officer o/o Executive Engineer, Panchayati Raj, Hoshiarpur under intimation to the Commission. Public Information Officer o/o Executive Engineer, Panchayati Raj, Hoshiarpur is impleaded as necessary party in this case with the directions to provide the information related to his office. The RTI application of the appellant is also attached herewith for reference.

4. To come up on 27.1.2020 at 11.00 AM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Hoshiarpur.

Dated:16.12.2019

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Sh. Pramjit Singh Sandhu, s/o Sh. Harbans Singh, r/o V.P.O. Mehta Chowk, District Amritsar.

....Complainant

Vs

Public Information Officer, o/o District Development and Panchayats Officer, Mini Secretariat, District Amritsar.

....Respondent

Complaint Case No. 919 of 2019

(Video Conference Proceedings)

Present:- Sh. Paramjit Singh Sandhu, complainant.

Sh. Chetan Sharma on behalf of the respondent

ORDER

Dated: 16.12.2019

This order may be read with the previous order dated 28.11.2019.

- 2. The appellant states that complete information is still awaited from the respondents. The representative of the respondents states that the former two panchayat secretaries having the charge of the record of related information has died and in the absence nothing more can be supplied to the complainant. He also submits that the FIR was lodged at Police Post Baba Bakala, PO Beas but the police authorities are not providing the details of the FIR and his office is not aware about the same as the FIR was lodged by the Sarpanch itself.
- 3. After hearing both the parties, the Public Information Officer is directed to take up the matter with the police authorities to get the details of the FIR and supply the same to the complainant and also directed to supply the remaining information to the appellant and file an affidavit complete information has been supplied to the appellant and in case he has not received the concerned record from the previous Panchayat Secretaries than the facts about this should also be a part of the affidavit before the next date of hearing under intimation to the Commission.
- 4. To come up on 15.1.2020 at 11.00 to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar.

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Sh. Hardeep Singh, S/o Sh. Tarsem Lal, Village- Nurpur, Tehsil: Banga, District- Shaheed Bhagat Singh Nagar.

...Appellant

Vs

Public Information Officer, O/o Panchayat Secretary, Gram Panchayat, Vill: Nurpur, Block Aur, Tehsil: Banga, Distt:Shaheed Bhagat Singh Nagar.

First Appellate Authority O/o Block Development and Panchayat Officer, Block Aur, Tehsil: Banga,

Distt: Shaheed Bhagat Singh Nagar.Respondents

Appeal Case .No. 4338 of 2019 (Video Conference Proceedings)

Present:- Shri Hardeep Singh, appellant.

Shri Jiwan Lal Superintendent on behalf of the respondents.

ORDER

The RTI application is dated 16.11.2019 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 21.11.2019 and second appeal was filed in the Commission on 26.11.2019 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. Shri Hardeep Singh, appellant states that he is in urgent need of the information but the respondents are not providing the complete information like the 2nd copy of Patanama register from 5.6.2015 and 10.5.2016. The representative of the respondents states that the complete information comprising of 509 pages have been supplied to him as available in the office record.

-2-

- 3. After hearing both the parties the directions are issued to the respondent to take appropriate action on the RTI application of the appellant and file an affidavit that the complete information has been provided to him before the next date of hearing and in case the information is not available in the office, this fact should also be the part of an the affidavit
- 4. To come up on 15.1.2020 at 11.00 AM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Shaheed Bhagat Singh Nagar.

Dated: 16.12.2019

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Sh. Jatinder Kumar, c/o sachkhand Mishthan Bandar, Nehru Gate, District Nawanshehar

....Appellant

Vs

Public Information Officer, o/o Executive Officer, Nagar Council, Nawanshehar.

First Appellate Authority o/o Regional Deputy Director, Local Bodies, Mini Secretariat, District Jalandhar.

....Respondent

Appeal Case No. 3749 of 2019

(Video Conference Proceedings)

Present: Shri Jatinder Kumar, appellant.

Shri Amardeep Singh, Superintendent on behalf of the respondents.

ORDER

Dated: 16.12.2019

This order may be read with the previous order dated 28.11.2019 vide which the information pertaining to point no. 2 i.e. letter sent to the government to sought approval of the resolution.

- 2. The appellants states that the copy of the sanction of the resolution sent to government for approval may be provided. However, the representative of the respondents states that the reminder has been issued to the government and he provided the copy of the same to the appellant.
- 3. After hearing both the parties it tantamount that the information pertaining to the RTI application has been provided to the appellant and in case the appellant wants to take further information in this regard, he may file the fresh application with the government, if he so desires. Accordingly, the case is disposed of and closed.

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Sh. Ranbir Singh s/o Sh. Lal Singh, r/o Village Ram Nagar, Bakhsiwala, Ward No. 5, Tehsil & District Patiala.

....Appellant

Vs

Public Information Officer, o/o Panchayat Secretary, Ram Nagar, c/o Block Development and Panchayats Officer, Tehsil & Distt. Patiala.

First Appellate Authority, o/o District Development and Panchayat Officer, Mini Secretariat, District Patiala.

..Respondents

Appeal Case No. 3467 of 2019

(Video Conference Proceedings)

Present:- Shri Ranbir Singh, appellant.

None on behalf of the respondents.

ORDER

This order may be read with the previous order dated 7.11.2019.

- 2. The appellant states that he has pointed out the deficiencies to the respondents but no further information has been provided to him. Nobody is present on behalf of the respondents.
- 3. After hearing the appellant, the directions are issued to the appellant to submit the copy of the deficiencies so pointed out to the respondents again with a copy to the Commission and the respondents are bound to take appropriate action before the next date of hearing.
- 4. To come up on 15.1.2020 at 11.00 AM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala

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

Dated:16.12.2019

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Sh. Narinder Kumar s/o Shri Gopal Krishan r/o Village Prem Singh Wala, PO Buzark, Tehsil Samana, District Patiala.

..Complainant

Vs

Public Information Officer, Panchayat Secretary, Gram Panchayat, Prem Singh Wala, Block Samana, District Patiala.

....Respondent

Complaint Case No. 723 of 2019

Present:- Shri Narinder Kumar, complainant.

Shri Surjeet Singh, Panchayat Secretary on behalf of the respondent.

ORDER

Dated:16.12.2019

This order may be read with the previous order dated 7.11.2019.

- 2. The representative of the respondents states that he has brought the information along with him comprising of 240 pages, copy of the same handed over to the complainant during the course of hearing. Accordingly, the complainant is advised to go through the same and point out the deficiencies, if any, before the next date of hearing with a copy to the Commission.
- 3. To come up on 15.1.2020 at 11.00 AM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

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Sh. Sanjeev Kumar Agnihotri, VPO Sarhal Mandi via Dosanj Kalan, Tehsil Phillaur District Jalandhar.

....Appellant

Vs

Public Information Officer, o/o Block Development and Panchayats Officer, Phillaur 14410 District Jalandhar

First Appellate Authority o/o Block Development and Panchayats Officer, Pillaur 144410 District Jalandhar.

Shri Sulakhan Singh, Panchayat Secretary o/o Block Development and Panchayats Officer, Phillaur 14410 District Jalandhar.

....Respondents

Appeal Case No. 3314 of 2019 (Video Conference Proceedings)

Present:- None on behalf of the appellant.

Shri Sulakhan Singh, Panchayat Secretary on behalf of the respondents.

ORDER

This order may be read with the previous order dated 5.12.2019 vide which the respondents were directed to send the information to the appellant and the respondent Public Information Officer was directed to send his explanation on email.

- 2. The respondent-Public Information Officer states that the complete information has been provided to the appellant and no deficiency has been pointed out by the appellant, and requests for the closure of the case.
- 3. The Commission observes that the appellant have conveyed by email about his absence during the two hearings consecutively. He was provided with the information by the respondents. Since there is no intimation of any deficiency in the information provided to him, it appears that he is satisfied with the information so provided to him. Accordingly, the case is disposed of and closed for providing of information. However, the liberty is granted to the appellant that in case he is not satisfied from the information he may request to the Commission within one month from the issue of this order. With regard to the show cause notice issued to the respondent during the last hearing with the directions to send reply to the explanation on email but no such reply has been received from him, accordingly, the directions are issued to the

-2-

respondent-Public Information Officer, to submit his reply through email or by post before the next date of hearing which is fixed as 15.1.2020 at 11.00 AM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Jalandhar.

Dated:16.12.2019

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Sh. Sahib Singh s/o Sh. Raja Ram, Vill Tandi, P.O. Laroya, District Jalandhar

....Appellant

Public Information Officer Block Development and Panchayats Officer, Bhogpur District Jalandhar.

First Appellate Authority, District Development and Panchayats Officer, District Jalandhar.

....Respondents

Appeal Case No. 2833 of 2019 (Video Conference Proceedings)

Vs

Present:- Shri Sahib Singh, appellant,

Shri Paramjit Singh on behalf of the respondents.

ORDER

The above titled case was ordered to be reheard on 28.11.2019 and accordingly, the parties were issued notice for the hearing today.

- 2. The appellant submits that the respondents are demanding Rs.2580.00 as total cost of the information but they are still not giving the details of the amount so calculated by them on the one hand and also the complete information is not providing, on the other hand. The representative of the respondents states that the information has already been provided to the appellant.
- 3. According to the submissions of both the parties, the directions are issued to the respondents to give details of Rs.2580.00 to the appellant and ensure that the complete information be provided under the provisions of the RTI Act before the next date of hearing and also an affidavit be filed on the next date that there is nothing left or available on record that can be provided to the appellant relating to his RTI application.

4. To come up on 15.1.2020 at 11.00 AM at Chandigarh.

Sd/-

Dated:16.12.2019 (Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Fuman Singh s/o Jagga Singh r/o V.P.O. Ladhuka, Block Jalalabad (W) Tehsil & District Fazilka.

....Appellant

Vs

Public Information Officer, o/o Panchayat Secretary, Gram Panchayat Ladhuka, c/o Block Development and Panchayats Officer, Block jalalabad (west) Tehsil & District Fazilka

First Appellate Authority, o/o Block Development and Panchayats Officer, Block Jalalabad West Tehsil and District Fazilka

....Respondents

Appeal Case No. 3797 of 2019

(Video Conference Proceedings)

Present:- Shri Fuman Singh, appellant.

Shri Charanjit Singh on behalf of the respondents.

ORDER

This order may be read with the previous order dated 28.11.2019 vide which the appellant was directed to point out deficiencies within 7 days.

- 2. The representative of the respondents states that complete information has been provided to the appellant and no such deficiencies have been submitted by the appellant within the time specified in the last order. However, the appellant states that he has not received the complete information and now the deficiencies will be submitted to the respondents.
- 3. According to the above one more opportunity is granted to the appellant to point out deficiencies to the respondents and on receipt of the deficiencies from the appellant, the respondents are directed to remove the same before the next date of hearing.
- 4. To come up on 15.1.2020 at 11.00 AM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka.

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

Dated:16.12.2019

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Er. Nitin Kumar Tayal s/o Late Dr. S.P. Tayal r/o # 179-B,
Model Town Extension,
District Ludhiana.

...Appellant

Public Information Officer, o/o Tehsildar, Ludhiana West, Ludhiana.

First Appellate Authority, o/o Addl Chief Secretary, revenue & rehabilitation Deptt., Punjab Civil Secretariat-1, Chandigarh.

....Respondents

Appeal Case no. 3989 of 2019 (Video Conference Proceedings)

Vs

Present:- None on behalf of the appellant.

Shri Darshan Singh, Sr. Asstt at Chandigarh and Shri Amandeep Singh,

Reader to Tehsildar, Ludhiana West, Ludhiana on behalf of the

respondents.

ORDER

This order may be read with the previous order dated 25.11.2019 vide which the hearing date was fixed for 14.12.2019 at 3.00 PM, but being the date on Saturday, the telephonic message was given to both the parties for hearing on 16.12.2019.

2. The representative of the respondents Shri Darshan Singh, Sr. Asstt states that they have already transferred the RTI application to the Tehsildar, Ludhiana West, Ludhiana and he further states that the information has to be provided by them only. Shri Amandeep Singh, present on behalf of the Tehsildar, states that he does not have the complete RTI application of the appellant and request for the same to take appropriate action on the RTI application.

3. Accordingly, the copy of the complete RTI application is sent to the respondents along with this order to go through the same and take the appropriate action on the RTI application before the next date of hearing.

Dated:16.12.2019

CC: Financial Commissioner (Revenue)	for information and to intervene in the RTI	
(By name)	application which relates to the property of	
Punjab Civil Secretariat-1,	Shri S.P. Tayal in which the lien has been	
Chandigarh.	shown by GATS City Bank, Ludhiana and the	
	appellant is stating that no such bank exist and	
	they have never taken the loan from any of the	
	bank against this property of Rs.5.00 crores	

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Sh. Manpreet Singh Aulakh, s/o Sh. Davinder Singh, r/o Village kailpur, PO Dakha, District Ludhiana.

....Appellant

Vs

Public Information Officer, o/o Executive Officer, Nagar Council, Mullanpur Dakha. Ludhiana.

First Appellate Authority o/o Deputy Director, Local Bodies Mini Secretariat, District Ludhiana.

....Respondents

Appeal Case No. 3746 of 2019 (Video Conference Proceedings)

Present:- Shri Rakesh Kumar, Advocate on behalf of the appellant.

Shri Lakhwinder Singh Jr. Asstt on behalf of the respondents.

ORDER

This order may be read with the previous order dated 28.11.2019.

- 2. The representative of the respondents states that the complete information as available on the record has been sent to the appellant on 12.12.2019 through registered post. However, the representative of the appellant states that he has not received any information till date. But since, the respondents have already sent the information through registered post, the representative of the appellant states that he wants to inspect the whole record pertaining to his RTI application for which the representative of the respondents agreed too.
- 3. Accordingly, the respondents are directed to allow the inspection to the appellant or his authorised representative before the next date of hearing.
- 4. To come up on 15.1.2020 at 11.00 AM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Sd/-

Dated:16.12.2019 (Suresh Arora)
Chief Information Commissioner,
Puniab

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Sh. Binder Kumar s/o Sh. Parkash Chand, r/o # 4281, Prem Nagar, Tehsil Raikot, District Ludhiana.

....Appellant

Public Information Officer, o/o Sub Registrar (West) Ludhiana

First Appellate Authority o/o Deputy Commissioner, Administrative Complex, Ferozepur Road, District Ludhiana.

....Respondents

Appeal Case No. 3814 of 2019

Vs

(Video Conference Proceedings)

Present:- Shri Binder Kumar, appellant

Shri Kanwar Narinder Singh, Public Information Officer on behalf of the

respondents.

ORDER

This order may be read with the previous order dated 28.11.2019.

- 2. The respondent-Public Information Officer states that the appellant actually wants to change the name in the FARAD and he further states that the FARAD relates to the Tehsildar Ludhiana (West) Ludhiana and he may file the simple application with that office and they will change the name accordingly. He further requests for the withdrawal of the show cause notice and closure of the case.
- 3. According to the submissions of the respondent-Public Information Officer the show cause notice issued to him is hereby withdrawn and the appellant is advised to file an application to the Tehsildar Ludhiana (West), Ludhiana for change of name, as nothing can be provided in this case from the Sub Registrar (West), the case is disposed of and closed.

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

Dated: 16.12.2019

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Sh. Balram Dhawan s/o Sh. Jagdish Lal, r/o Vill – Bettu Kadem, Block Mamdot. Tehsil and District Ferozepur.

....Appellant

Public Information Officer, o/o Panchayat Secretary, Gram Panchayat Bettu kadeem, c/o Block Development and Panchayats Officer, Block Mamdot, Tehsil & District Ferozepur.

First Appellate Authority, o/o District Development and Panchayats Officer, Mini Secretariat. District Ferozepur.

....Respondents

Appeal case No. 3811 of 2019

Vs

(Video Conference Proceedings)

Present:-Shri Balram Dhawan, appellant. None on behalf of the respondents.

ORDER

This order may be read with the previous order dated 28.11.2019 vide which the show cause notice was issued to the Public Information Officer - Shri Dilbag Singh to explain his conduct as to why compensation should not be awarded to the appellant.

- The appellant states that nothing has been supplied to him as per his RTI application. The video conference facility was introduced for the convenience of the public servants and the complainants/appellants. The non appearance of the Public Information Officer – Shri Dilbag Singh, Panchayat Secretary without intimation and non submissions of the reply of the show cause notice issued to him shows his callous attitude.
- The perusal of the file and the conduct of the respondent-PIO compelled 3. the Commission to issue him a formal show cause notice on 28.11.2019 as to why action under Section 19(8)(b) of the RTI Act 2005 should not be taken against him and he was also provided an opportunity to file his written reply and also make use of opportunity of personal hearing under the principles of natural justice.

- 4. Since the responsibility to ensure timely transmission of the information to the appellant lies on the PIO, Shri Dilbag Singh, Panchayat Secretary c/o the Block Development and Panchayats Officer, Mamdot, Ferozepur is hereby held guilty for not providing the information on time as prescribed under Section 7 of the RTI Act, 2005, which is within 30 days of the receipt of the request for supply of information and for repeated and willful defiance of the Punjab State Information Commission's orders.
- 5. Such kind of failure on the part of the respondent-PIO is totally unacceptable. It is pertinent to mention here that RTI Act has been enacted to ensure participative nature of management between the public & the public authorities and also to know as to what is happening behind the closed doors with regard to the governance affairs of the public authorities and their functioning.
- 6. After giving thoughtful consideration and due perusal of the facts of the case and the material available on record, I have come to the conclusion that he has failed to perform his duty as per the mandate of the RTI Act, which requires the public servant to ensure due transparency and accountability in its functioning. It has also come out that he has not only failed to perform his duty at his own level but also has shown his casual approach in complying with the explicit order of the Commission.
- 7. It has been further established from his conduct that he has failed to provide the information even after getting formal show cause notice from the Commission. This speaks volumes as to how much respect & regard he has in his mind to the provisions of the RTI Act, which mandates that all public authorities will ensure that the RTI Act, 2005 is duly implemented by them, whenever any citizen approaches the public authority to get any public information for which they have right to ask for as per the provisions of RTI Act.
- 8. Further the Commission is of the view that since the appellant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant under Section 19(8)(b) of the RTI Act.
- 9. Shri Dilbag Singh, Panchayat Secretary c/o the Block Development and Panchayats Officer, Mamdot, Ferozepur o/o BDPO, Bhogpur is directed to pay an amount of Rs.5000/- (Rupees Five thousand only) via demand draft drawn through Government Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting the information in time. The PIO is directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant.
- 10. The Block Development and Panchayats Officer, Mamdot, Ferozepur is directed to ensure to send compliance report after paying Rs.5000/- as compensation to the appellant.
- 11. In view of the above, Sh. Dilbag Singh, Panchayat Secretary-cum-Public Information Officer c/o the Block Development and Panchayats Officer, Mamdot, Ferozepur to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant for the detriment suffered.

- 12. In addition to his submission, the PIO is also hereby 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 note that in case he does not file his written submission and does not avail himself of the opportunity of personal hearing on the next 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.
- 13. The respondent-PIO is directed to intimate the appellant after taking appropriate action on the application dated 30.5.2019 for seeking information with a copy to the Commission before the next date of hearing.
- 14. To come up on 15.1.2020 at 11.00 AM to be heard through Video Conferene Facility available in the office of the Deputy Commissioner, Ferozepur.

Dated: 16.12.2019.

Sd/-(Suresh Arora), Chief Information Commissioner, Chandigarh.

CC

Block Development and Panchayats Officer, Block Mamdot, Tehsil & District Ferozepur.

District Development and Panchayats Officer, Ferozepur.

Deputy Commissioner, Ferozepur.