

## Obligations of Public Authorities



### RIGHT TO INFORMATION ACT, 2005

### DISCLOSURE/MANUAL (Section 4(1)(b))



## Director Prosecution and Litigation

### Introduction

I. In order to promote transparency and accountability in the working of every Public authority and to empower the citizens to secure access to information under the control of each public authority, the Government of India have enacted "The Right to Information Act, 2005", (RTI Act) which came into Force on 15.06.2005. In accordance with the provisions of **section 4(1) (b)** of this Act, Punjab State Information Commission has brought out this manual for Information and guidance of the stakeholders and the general public.

II. Section 4 of RTI Act 2005

1. Every Public Authority shall:-

a) Every Public Authority shall maintain all its records duly catalogued and indexed in a manner

b) 17 Manuals

c) Publish all relevant facts while formulating important policies or announcing the decisions which affect public informed

d) Provide reasons for its administrative or quasi-judicial decisions to affected persons

2. Every Public Authority shall provide as much information suo-motu to the Public at regular intervals through various means of communication, including the internet (Clause b of Sub-Section 1)

3. Every Information shall be disseminated widely (Sub-Section 1)

4. All materials shall be disseminated taking into consideration the cost effectiveness, local language and the most effective method of communication in that local area and the information should be easily accessible

III. The purpose of this manual is to inform the general public about Authority's organizational set-up, functions and duties of its officers and employees, records and documents available with it

IV. This manual is aimed at the public in general and users of the services, and Provides information about the schemes, projects and programmes being implemented by the Authorities.

### INDEX/ਤਤਕਰਾ

S. No	Details of Information/ ਜਾਣਕਾਰੀ ਦੇ ਵੇਰਵੇ	ਪੰਨਾ
1.	1st Manual (Section 4(1)(b)(i)): Particulars of the Public Authority 1 ਦਸਤਾਵੇਜ਼ - ਸੰਗਠਨ, ਕਾਰਜ ਅਤੇ ਫਰਜ਼ ਦੇ ਵੇਰਵੇ	4-6
2.	2nd Manual (Section 4(1)(b)(ii)): Powers & duties of officers & employees 2 ਦਸਤਾਵੇਜ਼ - ਅਧਿਕਾਰੀ ਅਤੇ ਕਰਮਚਾਰੀ ਦੇ ਅਧਿਕਾਰ ਅਤੇ ਫਰਜ਼	7
3.	3rd Manual (Section 4(1)(b)(iii)): Procedure followed in decision making 3 ਦਸਤਾਵੇਜ਼ - ਫੈਸਲੇ ਕਰਨ ਦੀ ਕਾਰਵਾਈ ਅਤੇ ਫਰਜ਼	7-8
4.	4th Manual (Section 4(1)(b)(iv)): Norms for discharge of functions 4 ਦਸਤਾਵੇਜ਼ - ਡਿਸਚਾਰਜ ਕਰਨ ਲਈ ਨਿਰਧਾਰਿਤ ਨਿਯਮ	8
5.	5th Manual (Section 4(1)(b)(v)): Rules, regulations, instructions, manuals and records under its control/ used by employees while discharging functions 5 ਦਸਤਾਵੇਜ਼ - ਕਾਰਜਾਂ ਦੀ ਵਰਤੋਂ ਕਰਦਿਆਂ ਨਿਯਮ, ਨਿਰਦੇਸ਼, ਦਸਤਾਵੇਜ਼ ਅਤੇ ਇਸਦੇ ਨਿਯੰਤਰਣ ਅਧੀਨ ਰਿਕਾਰਡ/ਕਰਮਚਾਰੀਆਂ ਦੁਆਰਾ ਵਰਤੇ ਜਾਂਦੇ	8
6.	6th Manual (Section 4(1)(b)(vi)): Categories of documents held by the Authority or which are under its control 6 ਮੈਨੂਅਲ ਦਸਤਾਵੇਜ਼ਾਂ ਦੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਜੋ ਅਥਾਰਟੀ ਦੁਆਰਾ ਰੱਖੀਆਂ ਜਾਂ ਜੋ ਇਸਦੇ ਅਧੀਨ ਨਿਯੰਤਰਣ ਹਨ।	8
7.	7th Manual (Section 4(1)(b)(vii)): Arrangement for consultation with or representation by the members of the public in relation to the formulation of policy or implementation thereof 7 ਮੈਨੂਅਲ ਨੀਤੀ ਬਣਾਉਣ ਜਾਂ ਇਸ ਨੂੰ ਲਾਗੂ ਕਰਨ ਦੇ ਸੰਬੰਧ ਵਿੱਚ ਜਨਤਾ ਦੇ ਨਾਲ ਵਿਚਾਰ ਵਟਾਂਦਰੇ ਜਾਂ ਨੁਮਾਇੰਦਗੀ ਲਈ ਪ੍ਰਬੰਧ	9
8.	8th Manual (Section 4(1)(b)(viii)): Boards, Councils, Committees and Other Bodies constituted as part of the Public 8 ਮੈਨੂਅਲ: ਬੋਰਡ, ਕੌਂਸਲਾਂ, ਕਮੇਟੀਆਂ ਅਤੇ ਹੋਰ ਸੰਸਥਾਵਾਂ ਜੋ ਜਨਤਾ ਦੇ ਹਿੱਸੇ ਵਜੋਂ ਬਣੀਆਂ ਹਨ।	9
9.	9th Manual (Section 4(1)(b)(ix)): Directory of Officers and employees 9 ਮੈਨੂਅਲ ਅਧਿਕਾਰੀਆਂ ਅਤੇ ਕਰਮਚਾਰੀਆਂ ਦੀ ਡਾਇਰੈਕਟਰੀ	9
10.	10th Manual (Section 4(1)(b)(x)): Monthly Remuneration received by officers & employees including system of compensation 10 ਮੈਨੂਅਲ: ਅਧਿਕਾਰੀਆਂ ਅਤੇ ਕਰਮਚਾਰੀਆਂ ਦੁਆਰਾ ਪ੍ਰਾਪਤ ਕੀਤਾ ਮਹੀਨਾਵਾਰ ਤਨਖਾਹ ਸਮੇਤ ਮੁਆਵਜ਼ੇ ਦੀ ਪ੍ਰਣਾਲੀ	9
11.	11th Manual (Section 4(1)(b)(xi)): Budget allocated to each agency including all plans, proposed expenditures and reports on disbursements made etc. 11 ਮੈਨੂਅਲ ਪ੍ਰਸਤਾਵਿਤ ਸਾਰੀਆਂ ਯੋਜਨਾਵਾਂ ਸਮੇਤ ਹਰੇਕ ਏਜੰਸੀ ਨੂੰ ਨਿਰਧਾਰਿਤ ਬਜਟ ਕੀਤੇ ਖਰਚਿਆਂ ਅਤੇ ਖਰਚਿਆਂ ਬਾਰੇ ਰਿਪੋਰਟਾਂ ਆਦਿ	9-10
12.	12th Manual (Section 4(1)(b)(xii)): Manner of execution of subsidy programmes 12 ਮੈਨੂਅਲ ਸਬਸਿਡੀ ਪ੍ਰੋਗਰਾਮਾਂ ਨੂੰ ਲਾਗੂ ਕਰਨ ਦਾ ਪ੍ਰਬੰਧ	10
13.	13th Manual (Section 4(1)(b)(xiii)): Particulars of recipients of concessions, permits or authorisation granted by the Public Authority 13 ਮੈਨੂਅਲ: ਪਬਲਿਕ ਅਥਾਰਟੀ ਦੁਆਰਾ ਰਿਆਇਤਾਂ, ਪਰਮਿਟ ਜਾਂ ਅਧਿਕਾਰ ਪ੍ਰਾਪਤ ਕਰ ਵਾਲਿਆਂ ਦੇ ਵੇਰਵੇ	10

Director Prosecution and Litigation  
ਡਾਇਰੈਕਟਰ ਪ੍ਰਾਸੀਕਿਊਸ਼ਨ ਅਤੇ ਲਿਟੀਗੇਸ਼ਨ

<b>14.</b>	14th Manual (Section 4(1)(b)(xiv)): Information available in electronic form 14 ਮੈਨੂਅਲ ਇਲੈਕਟ੍ਰਾਨਿਕ ਰੂਪ ਵਿੱਚ ਉਪਲਬਧ ਜਾਣਕਾਰੀ	<b>10</b>
<b>15.</b>	15th Manual (Section 4(1)(b)(xv)): Particulars of facilities available to citizens for obtaining Information 15 ਮੈਨੂਅਲ ਜਾਣਕਾਰੀ ਪ੍ਰਾਪਤ ਕਰਨ ਲਈ ਨਾਗਰਿਕਾਂ ਲਈ ਉਪਲਬਧ ਸਹੂਲਤਾਂ ਦਾ ਵੇਰਵਾ	<b>10-11</b>
<b>16.</b>	16th Manual (Section 4(1)(b)(xvi)): Names, designations and other particulars of public information officers 16 ਮੈਨੂਅਲ ਜਨਤਕ ਸੂਚਨਾ ਅਧਿਕਾਰੀ ਦੇ ਨਾਮ, ਅਹੁਦਾ ਅਤੇ ਹੋਰ ਵੇਰਵੇ	<b>11</b>
<b>17.</b>	17th Manual (Section 4(1)(b)(xvii)): Any other useful information 17 ਦਸਤਾਵੇਜ਼ – ਕੋਈ ਹੋਰ ਲਾਭਦਾਇਕ ਜਾਣਕਾਰੀ	<b>11</b>

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**1st Manual (Section 4(1)(b)(i)): Particulars of the Public Authority**

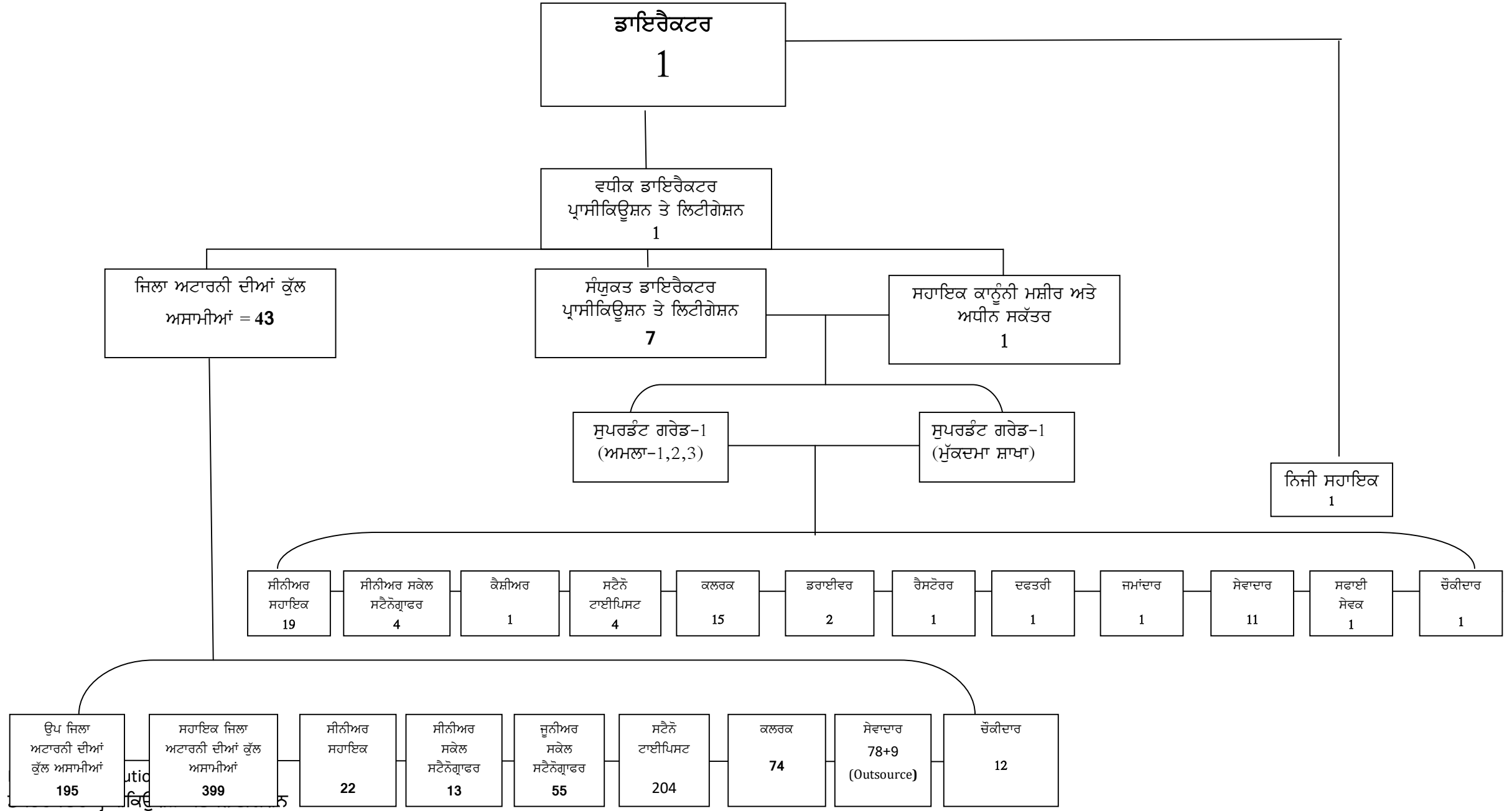
**1 ਦਸਤਾਵੇਜ਼ - ਸੰਗਠਨ, ਕਾਰਜ ਅਤੇ ਫਰਜ਼ ਦੇ ਵੇਰਵੇ**

**1. Organization and Function**

S. No.	Item	Details of disclosure	Particulars
	Particulars of its organization, functions and duties [Section 4(1)(b)(i)]	(i) Name of the Organization and its website	Director, Prosecution and Litigation and Addl. Secy. to Govt. of Punjab, Chandigarh Address-First Floor, Education Department Building, Punjab, Phase-8, Sector-62, S.A.S Nagar (Mohali) 160062 Email-Dir.pro.lit@punjab.gov.in <a href="mailto:dplpunjab17@gmail.com">dplpunjab17@gmail.com</a> Phone no. 0712-2994089 Website- dpl.punjab.gov.in
		(ii) Head of the organization	Director, Prosecution and Litigation and Addl. Secy. to Govt. of Punjab, Chandigarh
		(iii) Vision, Mission and Key objectives	In the State of Punjab, the Directorate of Prosecution was established in 1974 on the recommendation of the Law Commission of India by separating the Prosecution Agency from the Police Department. This department provides legal advice to the administrative departments regarding the probable litigation and the pending court cases and apart from this department also represents Govt. departments in the cases pending before the courts under the subordination of High Court, Motor Accident Claim Tribunal and Rent Controller. This department also represents Punjab Govt. in its cases which are pending outside Punjab before the court under the subordination of the High Court. In the criminal cases before submission of challans in the court they are scrutinized by the Law Officers of this department. The Law Officers of this department who are deputed in other departments provide legal advice to the officers of those departments. The Department of Home Affairs and Justice, Punjab is the Administrative Department of Directorate of Prosecution. Objectives are: 1. Increasing the percentage of conviction rate of criminal cases especially in serious crimes. 2. Regarding early disposal of cases. 3. Decreasing the number of pending cases in the Court. 4. Regarding providing the requisite infrastructure like internet service, e-library, necessary staff to the public prosecutor, appropriate chambers to the public prosecutors and computerization

		<p>(iv) Function and duties</p>	<p>District Attorney and officers above him are nominated under section 24 Cr.P.C. as public prosecutor for representing the state in criminal cases before the Sessions Court. Under this provision Deputy District Attorney and Assistant District Attorney having seven year experience as an advocate are nominated as Addl. Public Prosecutor for the Court of Addl. Session Judge. Likewise Assistant District Attorney appear in the court of Judicial Magistrate as Assistant Public Prosecutor as per section 25 Cr.P.C.</p> <p>At the district level District Attorney is the head of his office, who supervises the work and conduct of all Law Officers deputed in that district. It is the duty of Public Prosecutor to apply for the copy of the decisions (Judgments) of the courts immediately on the pronouncement of same by the court and without any delay give his comments regarding fit for appeal/revision or not and after that submit the same before higher officer. In the cognizable and non-bailable cases, if in the opinion of District Attorney, the decision of Judicial Magistrate is fit for appeal then against such decision, the District Attorney prefers appeal before the Sessions Court after obtaining the sanction from District Magistrate. Apart from this in all other cases the District Attorney send his comments direct to the Director Prosecution and Litigation, Punjab. In all the cases except offences against women and children, grievous hurt/savage offences, offences against Scheduled caste/Scheduled Tribes, attempt to murder and attempt to culpable homicide, murder/ culpable homicide, if the case is not fit for appeal than the matter is dealt itself at the level of Director Prosecution and Litigation and Addl. Secy. The cases which are found fit for Appeal by this department are send to the Home Department for Final decision. In above stated six categories of cases even if the case is not fit for appeal they are sent to Home Department for final decision. In the cases registered by vigilance department, this department sent its recommendation/opinion, whether fit or not fit for appeal to the Vigilance Department for final decision.</p> <p>In Civil cases also where State is one of the parties in that case also State is represented by the Law Officers of this department. In such cases after the pronouncement of the judgment by the court, the concerned law officers sent his opinion on the judgment through District Attorney to Director Prosecution and Litigation Punjab. At the Head Office, all the proposal/decisions received from District Attorneys are examined by Director Prosecution and Litigation Punjab. If the decision/order is found fit for appeal/revision then necessary action is taken for preferring appeal/revision.</p> <p>DA, Deputy District Attorney (DDA) and Assistant District Attorney (ADA) ਅਤੇ Deputy District Attorney (Legal) ਅਤੇ Assistant District Attorney (Legal) ਸੀ.ਆਰ.ਪੀ.ਸੀ, ਸੀ.ਪੀ.ਸੀ, ਪੰਜਾਬ ਡਿਸਪਿਊਟ ਰੈਜ਼ੋਲਿਊਸ਼ਨ ਅਤੇ ਲਿਟੀਗੇਸ਼ਨ ਪਾਲਿਸੀ, ਲਾਅ ਡਿਪਾਰਟਮੈਂਟ ਮੈਨੂਅਲ, ਪੰਜਾਬ ਮਾਨਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ, ਮਾਨਯੋਗ ਹਾਈਕੋਰਟ ਅਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਸਮੇਂ-ਸਮੇਂ ਸਿਰ ਹੋਈਆਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਜੋ Duties and Responsibilities ਦਿੱਤੀਆਂ ਜਾਂਦੀਆਂ ਹਨ, ਨੂੰ ਨਿਭਾਉਂਦੇ ਹਨ</p>
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**ਡਾਇਰੈਕਟਰ ਪ੍ਰਾਸੀਕਿਊਸ਼ਨ ਤੇ ਲਿਟੀਗੇਸ਼ਨ ਵਿਭਾਗ, ਪੰਜਾਬ ਦਾ ਵਿਸਥਾਰਪੂਰਵਕ Organization Chart**



Director Prosecution and Litigation  
ਡਾਇਰੈਕਟਰ ਪ੍ਰਾਸੀਕਿਊਸ਼ਨ ਅਤੇ ਲਿਟੀਗੇਸ਼ਨ

2 <sup>nd</sup> Manual [Section 4(1)(b)(ii)]	Power and duties of its officers and employees 2 ਦਸਤਾਵੇਜ਼- ਅਧਿਕਾਰੀ ਅਤੇ ਕਰਮਚਾਰੀ ਦੇ ਅਧਿਕਾਰ ਅਤੇ ਫਰਜ਼	(i) Powers and duties of officers (administrative, financial and judicial)	ਸੀ.ਆਰ.ਪੀ.ਸੀ, ਸੀ.ਪੀ.ਸੀ, ਪੰਜਾਬ ਡਿਸਪਿਊਟ ਰੈਜ਼ੋਲਿਊਸ਼ਨ ਅਤੇ ਲਿਟੀਗੇਸ਼ਨ ਪਾਲਿਸੀ, ਲਾਅ ਡਿਪਾਰਟਮੈਂਟ ਮੈਨੂਅਲ, ਪੰਜਾਬ
		(ii) Power and duties of other employees	ਮਾਨਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ, ਮਾਨਯੋਗ ਹਾਈਕੋਰਟ ਅਤੇ ਪੰਜਾਬ
		(iii) Rules/ orders under which powers and duty are derived and	ਸਰਕਾਰ ਵੱਲੋਂ ਸਮੇਂ-ਸਮੇਂ ਸਿਰ ਹੋਈਆਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ
		(iv) Exercised	Punjab Civil Services (General and Common Conditions of Services) Rules, 1994 Punjab Civil Services(Punishment and Appeal)Rules 1970 Punjab Financial Rules Office Procedure Manual Punjab Prosecution and Litigation(Head Office) Group-A Services Rules, 2001 Punjab Prosecution and Litigation(Group-B) Services Rules, 2010 Punjab Prosecution and Litigation, Head Office (Group-C) Services Rules, 2001 instruction issued by the Government of Punjab from time to time Allocation of Business Rules 2007 Transaction of Business Rules Office Procedure Manual General Financial Rule and Manual Citizen Charter
		(v) Work allocation	
3 <sup>rd</sup> Manual [Section 4(1)(b)(iii)]	Procedure followed in decision making process 3 ਦਸਤਾਵੇਜ਼- ਫੈਸਲੇ ਕਰਨ ਦੀ ਕਾਰਵਾਈ ਅਤੇ ਫਰਜ਼	(i) Process of decision making. Identify key decision making points	Rules & Regulations- Govt
		(ii) Final decision making authority	<ul style="list-style-type: none"> <li>○ Director Prosecution and Litigation,</li> <li>○ Govt of Punjab</li> <li>○ Depends on the case to case basis</li> </ul>
		(iii) Related provisions, acts, rules etc.	Cr.PC CPC Punjab Dispute Resolution and Litigation Policy Law Department manual, Punjab Hon'ble High court, Supreme Court and as per instructions of Govt of Punjab Right to Information Act, 2005 Right to Information Rules, 2017 All Rules & Regulations- Govt

		(iv) Time limit for taking a decisions, if any	Depends on the case to case basis
		(v) Channel of supervision and accountability	Refer to the organization chart as given in Manual 1.5.
4 <sup>th</sup> Manual [Section 4(1)(b)(iv)]	Norms for discharge of functions	(i) Nature of functions/ services offered	---
		(ii) Norms/ standards for functions/ service delivery	
		(iii) Time-limit for achieving the targets ਉਦੇਸ਼ ਪੂਰਤੀ ਲਈ ਸਮੇਂ ਦੀ ਸੀਮਾ	
		(iv) Reference document prescribing the norms: ਹਵਾਲਾ ਦਸਤਾਵੇਜ਼	
5 <sup>th</sup> Manual [Section 4(1)(b)(v)]	Rules, regulations, instructions manual and records for discharging functions	(i) Title and nature of the record/ manual/instruction.	As per Punjab Litigation Policy 2011, As per Punjab Dispute Resolution Policy 2020
		(ii) List of Rules, regulations, instructions manuals and records.	As per Law Department Manual As per Central and Special Laws passed by the Parliament of India As per Local and Special Laws passed by the Legislative Assembly of Punjab State As per Rules, Regulation, Manual, the Instructions and Policies framed by Govt. of Punjab from time to time. RTI Act, 2005 Punjab RTI Rules, 2017 Instructions/circulars/office orders of Punjab Govt. Rules Notified by Punjab Govt.
		(iii) Acts/ Rules manuals etc.	
		(iv) Transfer policy and transfer orders	Transfer Policy of Punjab Govt., 2018 (Attached below)
6 <sup>th</sup> Manual [Section 4(1)(b)(vi)]	Categories of documents held by the authority under its control 6- ਦਸਤਾਵੇਜ਼ ਜੋ ਕਿ ਇਸ ਦੇ ਕੰਟਰੋਲ ਵਿੱਚ ਰੱਖੇ ਗਏ ਹਨ	(i) Title of the Documents: mentioned in table below	1. Personal/administration files ਨਿੱਜੀ/ਪ੍ਰਸ਼ਾਸਨ ਫਾਇਲਾਂ/ਲੇਖਾ ਰਿਕਾਰਡ(ਕੈਸ ਬੁੱਕ, ਲੇਜਰ ਆਦਿ
		(ii) Category of document: Mentioned in table below	ਅਮਲਾ -1 ਸ਼ਾਖਾ ਅਮਲਾ-2 ਸ਼ਾਖਾ
		(iii) Custodian of documents/categories	2. ਮੁਕੱਦਮਾ ਦਸਤਾਵੇਜ਼ ਮੁਕੱਦਮਾ ਸ਼ਾਖਾ 3. ਸਿਵਲ ਦਸਤਾਵੇਜ਼ ਸਿਵਲ ਸ਼ਾਖਾ
7 <sup>th</sup> Manual (Section 4(1)(b)(vii))	Arrangement for consultation with of representation by the member of the public in relation to the formulation of policy or implementation thereof ਨੀਤੀ ਦੀ ਫਾਰਮੂਲੇਸ਼ਨ/ਲਾਗੂ ਕਰਨ ਦੇ ਸਬੰਧ ਵਿੱਚ ਜਨਤਾ ਦੀ ਸਲਾਹ/ਨੁਮਾਇੰਦਗੀ	(i) Relevant rule, circular etc	---
		(ii) Arrangements for consultation with or representation by the members of the public in policy formulation/policy implementation	----
8 <sup>th</sup> Manual	Boards,	(i) Name of Boards, Council, Committee etc.	

[Section 4(1)(b)(viii)]	Councils, Committees and other Bodies constituted as part of the Public Authority ਬੋਰਡ, ਕੌਂਸਿਲ ਕਮੇਟੀ ਅਤੇ ਹੋਰ ਸਰੀਰਕ ਜਨਤਕ ਤੌਰ ਤੇ ਗਠਿਤ ਕਮੇਟੀ	(ii) Composition	-----
		(iii) Dates from which constituted	
		(iv) Term/ Tenure	
		(v) Powers and functions	
		(vi) Whether their meetings are open to the public?	
		(vii) Whether the minutes of the meetings are open to the public?	
		(viii) Place where the minutes if open to the public are available?	
		9 <sup>th</sup> Manual [Section 4(1)(b)(ix)]	
(ii) Telephone , fax and email ID			
10 <sup>th</sup> Manual [Section 4(1)(b)(x)]	Monthly Remuneration received by officers & employees including system of compensation 10- ਅਧਿਕਾਰੀ ਅਤੇ ਕਰਮਚਾਰੀ ਦੁਆਰਾ ਪ੍ਰਾਪਤ ਮਿਸਕ ਮਿਹਨਤਾਨਾ	(i) List of employees with Gross monthly remuneration	List attached below
		(ii) System of compensation as provided in its regulations	
11 <sup>th</sup> Manual [Section 4(1)(b)(xi)]	Budget allocated to each agency including all plans, proposed expenditure and reports on disbursements made etc.	(i) Total Budget for the public authority	<a href="https://finance.punjab.gov.in/statebudget/index">https://finance.punjab.gov.in/statebudget/index</a>
		(ii) Budget for each agency and plan & program	Salary/non Salary
		(iii) Proposed expenditures	As per funds approved by FD
		(iv) Revised budget for each agency, if any	NOT APPLICABLE FOR THIS OFFICE
		(v) Report on disbursements made and place where the related reports are available	o/o DPL
12 <sup>th</sup> Manual [Section 4(i)(b)(xii)]	Manner of execution of subsidy programme	(i) Name of the program of activity	N/A
		(ii) Objective of the program	N/A
		(iii) Procedure to avail benefits	N/A
		(iv) Duration of the program/scheme	N/A
		(v) Physical and financial targets of the program	N/A
		(vi) Nature/scale of subsidy/ amount allotted	N/A
		(vii) Eligibility criteria for grant of subsidy	N/A
		(viii) Details of beneficiaries of subsidy program (number, profile etc)	N/A

13 <sup>th</sup> Manual [Section 4(1)(b)(xiii)]	Particulars Recipients of concessions, permits of authorizations granted by the public authority	(i) Concessions, permits or authorizations granted by public authority	N/A
		(ii) For each concessions, permit or authorization granted	N/A
		(iii) Eligibility criteria	N/A
		(iv) Procedure for getting the concession/ grant and/or permits of authorizations	N/A
		(v) Name and address of the recipients given concessions/permits or authorizations	N/A
		(vi) Date of award of concessions/permits of authorizations	N/A
14 <sup>th</sup> Manual [Section 4(1)(b)(xiv)]	Information available in electronic form	(i) Details of information available in electronic form	dpl.punjab.gov.in
		(ii) Name/ title of the document/record/ other information	
		(iii) Location where available	
15 <sup>th</sup> Manual [Section 4(1)(b)(xv)]	Particulars of facilities available to citizen for obtaining information	(i) Name & location of the facilities	(1) Connect.punjab.gov.in  (2) Submission of RTI/RTI Appeal Application can be done through RTI Portal or through post or by hand at the o/o Director, Prosecution and Litigation and Addl. Secy. to Govt. of Punjab, Chandigarh Address-First Floor, Education Department Building, Punjab, Phase-8, Sector-62, S.A.S Nagar (Mohali) 160062 Email-Dir.pro.lit@punjab.gov.in <a href="mailto:dplpunjab17@gmail.com">dplpunjab17@gmail.com</a> Phone no. 0712-2994089
		(ii) Details of information made available	As per office record
		(iii) Working hours of the facility	09.00 AM to 05.00 PM on all working days. Holidays notified by Punjab Government are observed.
16 <sup>th</sup> Manual [Section 4(1)(b)(xvi)]	Name, designations and other particulars of public Information officers	(i) Name and designation of the Public Information Officer, Assistant Public Information Officer and Appellate Authority	List attached below
		(ii) Address, telephone numbers and email ID of each designated official	o/o Director, Prosecution and Litigation and Addl. Secy. to Govt. of Punjab, Chandigarh Address-First Floor, Education Department Building, Punjab, Phase-8, Sector-62, S.A.S Nagar (Mohali) 160062 Email-Dir.pro.lit@punjab.gov.in <a href="mailto:dplpunjab17@gmail.com">dplpunjab17@gmail.com</a> Phone no. 0712-2994089
17 <sup>th</sup> Manual [Section 4(1)(b)]	Any other useful information	(i) Citizen's charter of the public authority	N/A
		(ii) Grievance redressal mechanism	Contact us- Connect.punjab.gov.in Lodge Grievance

(xvii)]		(iii) Details of applications received under RTI and Information provided	ਸਾਲ	RTI ਦਰਖਾਸਤ	RTI ਅਪੀਲ
			2020	38	2
			2021	55	6
			2022	49	9
			2023	58	6
			2024	87	31
		(iv) List of completed schemes/projects/programmes	N/A		
		(v) List of schemes/projects/programmes underway	N/A		
		(vi) Details of all contracts entered into including name of the contractor, amount of contract and period of completion of contract-	N/A		
		(vii) Any other information	---		

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