



- 1. "When was the mutation (intekaal) No. 159 attested with respect to the plots of land falling in Kh. No's 200,200/1, 202, 204 all these Khasra no's are situated at Halqa Malpora Panditan and originally belong to above titled property.**
- 2. In whose favour the mutation No. 159 is attested and on what grounds.**
- 3. What record was available before the mutation attesting authority on the basis of which mutation No. 159 was attested. Kindly make available the attested copies of all that record pertaining to mutation No. 159.**
- 4. Who was the officer incharge who attested the mutation No. 159 and who were the witnesses who rendered their statement in regard to attestation of mutation No. 159. Full name of the officer, witnesses, parentage, residential address may be provided in this regard.**
- 5. Who received the levy and on what date with reference to mutation No. 159.**
- 6. Please make me available the copy of mutation, patri sarkar for mutation no. 159, Khasra No's 200, 200/1, 202, 204 falling in Halqa Malpora Panditan".**

As no information was provided to the information seeker within stipulated period, First Appeal has been filed before FAA/Deputy Commissioner Baramulla through Registered Post on 14.10.2013. Thereafter Second Appeal has been filed by the appellant in the Commission dated 28.12.2013 (received on 01.01.2014) stating that RTI application dated 09.09.2013 has not been replied with the required information and has accordingly requested for dissemination of information sought under the Act.

During proceeding in the Commission, Shri Hameed Ullah Mir, PIO/ACR produced a communication from his predecessor Shri F.A. Shah dated 10.02.2014 giving reference of a series of applications filed

by the same appellant and stating that his office has not received any application dated 09.09.2013 as per records available in his office. Copy of this communication has been marked to appellant as well. Similarly, FAA/ADC Baramulla has submitted that their office has not received any appeal under the RTI Act from the above referred appellant.

In his counter reply to the notice of the Commission, Shri Mohammad Ramzan Sheikh, Tehsildar Sopore (deemed PIO) vide letter No. 59-60/OQ/Spr dated 03.03.2013 informed Deputy Commission Baramulla that village Malpora Panditan has undergone settlement and all the old revenue record of the said village stand deposited with Director Land Records Kashmir, so the information regarding Mutation No. 159 can be obtained from Regional Director Srinagar.

As per Section 6(3)(a) of the J&K RTI Act, 2009, where an application is made to a public authority requesting for an information which is held by another public authority, the public authority to whom application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer. FAA/ADC Baramulla as also ACR Baramulla, who is the controlling officer in the Revenue Department for district Baramulla, confirmed before the Commission that the records pertaining to village under reference have been deposited before Regional Director, Survey & Land Records (Central) Bemina Srinagar.

In view of above, Tehsildar Sopore (deemed PIO) is directed to transfer the RTI application alongwith relevant enclosures to appropriate authorities under section 6(3) of the J&K RTI Act within one week from issue of this order under intimation to information seeker.

Registry of the Commission is directed to send a copy of this order to Director Land Records (Central) Bemina Srinagar.

The appeal is disposed of with above directions.

**Sd/  
(Nazir Ahmed)  
State Information Commissioner**

Copy to the: -

1. ADC Baramulla.
2. Director Land Records (Central) Bemina Srinagar.
3. ACR Baramulla.
4. Tehsildar Sopore.
5. Shri Sunil Kumar s/o Late Kashi Nath Dass c/o Medi-Linker, Amar Vidya Market, Jammu.

(M.S. Bhat)  
Deputy Registrar,  
J&K State Information Commission