



**Jammu and Kashmir State information Commission**  
(Constituted under The Right to Information Act, 2009)  
**Wazarat Road, Near DC office Jammu, 0191-2520947, 2520937**  
**Old Assembly Complex, Srinagar. 0194-2484269, 2484262**  
[www.jksic.nic.in](http://www.jksic.nic.in)  
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File No: SIC-K/Comp/41/2013  
Decision No: SIC-K/Comp/41/2013/77

Title: Sh. Gh. Rasool Najar v/s Addl. DC Bandipora.  
s/o Sh. M. Jamal Najar (Respondent)  
r/o Nadihal, Bandipora  
(Complainant)

Present: 1. Sh. Nazir Ahmad Baba, ADC Bandipora/FAA.  
2. Sh. Gh. Rasool Najar, Complainant.

**Srinagar**  
**07.10.2013**

The Commission received a complaint on 19.06.2013 from Shri Gh. Rasool Najar against Deputy Commissioner Bandipora on the grounds that he requested many time to DC Bandipora to provide the original records of Girdawari/Jamabandi for the Survey No: 180-207. The Complainant has further stated that DC Bandipora is not able to provide him the satisfying record.

Records enclosed with complaint reveal that an RTI application has been filed by the complainant on 06.11.2012 before Assistant Commissioner Revenue Bandipora seeking copies of entries under Khasra No. 180-207 under village Gundpora Rampora. Subsequently First Appeal has been filed by the complainant before First Appellate Authority Office of Deputy Commissioner Bandipora Kashmir on 10.04.2013 stating that Tehsildar Bandipora has provided him Photostat copies of Jambandi which cannot be read and the Girdawari is not as per original

records of that register and fake record has been provided to him and that he is not satisfied with the record. Accordingly he has requested FAA to look into the matter and help in achieving truth that is being hidden by authorities at Bandipora.

In response to the notice of the Commission, FAA/ADC Bandipora vide letter No. DCB/SQ/2013/04-06 dated 22.07.2013 submitted that requisite information with regard Survey No's 180-207 of village Gundpora Rampora Tehsil Bandipora had been provided to complainant in the shape of photo state copies by the Tehsildar vide No. 1435/OQ dated 09.02.2013. Information seeker admitted to have received this information but again expressed his dissatisfaction. Thereafter, attested copies of the documents by Tehsildar have been sent to the information seeker through Registered Post on 31.07.2013 which has been returned by post office stating refusal. The complainant admitted to have refused to receive these documents.

While going through the correspondences of ADC referred to above, it is revealed that he has only given status of disposal of PIO, but the First Appeal filed before him by the information seeker has not been disposed by passing a speaking order as required under section 16 of J&K RTI Act, 2009.

In view of above the complaint is remanded back to FAA with the directions to decide the First Appeal pending before him by passing a speaking order as provided under section 16 of the Act after giving an opportunity of being to the complainant to be communicated in writing one week advance prior to hearing of First Appeal.

Announced in open court.

Sd/-  
(Nazir Ahmed)  
State Information Commissioner

Copy to the: -

1. Additional Deputy Commissioner Bandipora.
2. Sh. Gh. Rasool Najar s/o M. Jamal Najar r/o Chanapora Nadihal, Bandipora.

(G.Q. Bhat)  
R e g i s t r a r  
J&K State Information Commission