



Jammu and Kashmir State Information Commission

(Constituted under Right to Information Act 2009)

Old Assembly Complex, Srinagar, Fax No. 0194-2484269, 2484262
Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937
www.jksic.nic.in

File No: SIC/J/A294/2013

Decision No: SIC/J/A294/2013/33

Sh. Rashu Kanna	Appellant	Present
Sh. Kalyan Singh Addl. Deputy Commissioner & Distt. Vigilance Officer, Jammu.	PIO	Present
Sh. Mohd. Bashir Tehsildar Settlement, Jammu.	PIO	Present
Tehsildar Territorial, Jammu.	PIO	Absent

Jammu
06-02-2014

Briefly the facts in this appeal are that Sh. Rashu Kanna R/o. H.No. 579, near Subash Nagar, P.O. Jammu moved an application dated 10.07.2013 under J&K RTI Act, 2009 before the PIO / Asstt. Commissioner (Revenue), Jammu O/O Deputy Commissioner, Jammu whereunder he sought the following information:-

- 1. Copy of complaint filed by Charan Dass S/o Kripa Ram on the basis of which Commission comprising of Revenue officer/officer's was*

- constituted on 27-03-2001 Kh. No. 355 & Kh. No. 373 situated at Upper Thather presently named Karan Vihar, Jammu.*
2. *Copy of Commission report dated 27-03-2001 constituted under supervision of Naib-Tehsildar, Jammu (Khas) on application filed by Charandass S/o Kripa Ram, Khasra No. 355 & 373 situated at Upper Thather presently named Karan Vihar, Jammu.*
 3. *Copy of mutation no. 498 under Kh. No. 355 Upper Thather, Jammu presently named Karan Vihar, Jammu.*
 4. *Copy of an order passed by Tehsildar (T) during year 2012-2013 wherein further more construction in irregularise colony situated at Upper Thather (Nallah) of 1990, presently named Karan Vihar, Jammu been stopped till further orders, Kh. No. 355 and Kh. No. 373.*

During the course of proceedings held today, the appellant submitted that he has received the information relating to query no. 3 & 4, however, the information relating to query no. 1 & 2 is still pending. The Commission after receiving the appeal of the appellant issued notice to ADC, Jammu, Tehsildar(T), Jammu & Tehsildar(S), Jammu. The matter was listed for hearing on 10-01-2014 & 06-02-2014. The Tehsildar (T), Jammu vide office letter no. TJ/PIO/RTI/13-14/294 dated 09-12-2013 informed the information seeker that as per office record, no Commission for demarcation of the land under khasra no. 355 & 373 of Village Thather was constituted by his office. The Tehsildar (S), Jammu in his counter statement submitted that the information relating to query no. 1 & 2 is not forthcoming as the relevant record is not available in his office. The appellant submitted before the Commission that a Commission comprising of revenue officer/officer's was constituted on 27-03-2001 with respect to Kh. No. 355 & 373 situated at upper Thather presently named Karan Vihar, Jammu and also produced a document in support of his contention. Thus, it is evident from the factual matrix of the matter in hand that a Commission as submitted by the appellant was constituted, whereas its report is not forthcoming from the office record available with the Revenue Department, and as such matter needs to be inquired into in order to trace the relevant report so that the information sought by the information seeker be provided to him.

In view of the aforesaid facts and submissions made by the parties, ADC, Jammu is hereby directed to inquire into the matter and submit a report to the Commission within one month from the date of receipt of this order.

The appeal is accordingly disposed of.

Notice of this decision be given free of cost to the parties.

Sd/-
Dr. S.K. Sharma
State Information Commissioner

Copy to the:-

4. Public Information Officer/ Sh. Kalyan Singh, Addl. Deputy Commissioner & Distt. Vigilance Officer, Jammu.
5. Public Information Officer/ Sh. Mohd. Bashir, Tehsildar Settlement, Jammu.
6. Public Information Officer/ Tehsildar Territorial, Jammu.
7. Sh. Rashu Kanna R/o. H.No. 579, near Subash Nagar, P.O. Jammu.

(Khalid. A. Shah)
Dy. Registrar
State Information Commission