



**J&K 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

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File No: SIC/J/A/310/2013/  
Decision SIC/J/A/310/2013/74

Sh. Vilakshana Singh Advocate	Appellant	Absent
Sh. Sher Singh Assistant Commissioner Revenue, Jammu.	PIO	Present
Sh. Avtar Singh Jasrotia, Tehsildar Territorial, Jammu.		Present

**Jammu**  
**04-03-2014**

Briefly the facts in this appeal are that Sh. Vilakshana Singh (Advocate) S/o Lt. Sh. Jagdish Singh Dogra R/o Sidhra By pass, Opposite Eicher Workshop, Sidhra, Tehsil & District Jammu moved an application dated 10-08-2013 before the PIO/Assistant Commissioner ®, J&K Revenue Department, D.C office, Jammu under J&K Right to Information Act, 2009 whereunder he sought the following information:-

1. State the date on which the circle rates for the purposes of payment of Stamp Duty in the event of purchase/acquisition of land were issued and circulated in District Jammu by Deputy Commissioner Jammu. Also supply certified copy of the notification/circular/order as issued by Dy. Commissioner/Collector Jammu.
2. Whether it is a fact that circle rates issued under the Stamp Act/Rules were challenged in the High Court. If yes, provide me the details of the

directions/interim directions passed by the High Court in this regard from time to time and the status of their implementation as on date.

3. Provide me the following details of the pieces of land purchased/acquired by various modes including gifts, relinquishments, wills etc. by various persons/trusts along with their complete residential addresses in villages Sunjwan, Narwal By Pass, Digiana, Dilli, Bathindi, Ploura and Janipur of Tehsil Jammu from January 2004 to July 2012 indicating the following details:-
  - a. Name and residential address of the purchaser/person acquiring interest in the land so sold/alienated.
  - b. Name and residential address of the person from whom the said land was purchased/acquired.
  - c. Area/Quantum of land purchased/acquired/mutated.
  - d. Nature and type of land purchased/acquired/mutated.
  - e. Rate/Amount for which the said land was purchased/acquired/mutated.
  - f. Village/Patwar Halqa/Ward in which the said land so purchased/acquired/mutated is situated.
  - g. Khasra no., Khata no. and khewat no. of the land purchased/acquired/mutated.
  - h. Year in which the land was purchased/acquired/mutated.
4. Provide me the following details (as sought in point 3a to 3h above) of the pieces of land purchased/acquired by various modes including gifts, relinquishments, wills etc. by various persons/trusts along with their complete residential address in villages Ban Talab, Channi Rama and Chowadi from January 2004 to December 2006 and April 2008 to March 2012.
5. Provide me the Names and residential particulars of unauthorized occupants of the State land who availed the benefit of the Roshini Scheme/J&K state Lands (Vesting of ownership to occupants) Act and got the land regularized from 2004 to 2013 in District Jammu indicating the following details:-
  - a. Nature and type of land so regularized.
  - b. Area/Quantum of land regularized.
  - c. Rates at which land regularized.
  - d. Villages/Ward/Patwar Halqa.
  - e. Khasra no., khata no. and khewat no. of the land so vested/regularized.
  - f. Year of regularization/vesting of the said land.

The appellant has alleged in his appeal filed before the Commission that the information sought was not provided to him within a period of 30 days as required under the provisions of J&K Right to Information Act, 2009. Thus, feeling aggrieved of inaction on the part of the PIO, the appellant also filed Ist appeal dated 08-10-2013 before the FAA office of the Deputy Commissioner, Jammu

which has not been adjudicated and disposed of till date. The appellant has taken the plea that respondent has deliberately, intentionally and without any reasonable cause failed to provide the information sought by the appellant and prayed that penalty under section 17 of the J&K Right to Information Act, 2009 be imposed on the PIO.

Perusal of the RTI application of the appellant shows that the information sought by the appellant is voluminous as it pertains to Tehsil and District Jammu and more so the information sought is for the period 2004 to 2013 which is not readily available in computerized form and has to be shelled out from the office record manually which requires lot of resources and manpower on the part of a public authority. The matter was listed for hearing on 22-01-2014. The appellant requested for adjournment as he was out of station. Keeping in view his request, the matter was adjourned and again listed on 07-02-2014. The appellant again failed to cause his appearance before the Commission despite sufficient notice about the date of hearing. The matter was again listed for hearing on 04-03-2014. The appellant could not cause his appearance before the Commission despite sufficient notice about the date of hearing. The office of the Commission contacted him telephonically and during the course of proceedings, he apprised the Commission that he has received some of the information requested by him through the office of Asstt. Commissioner Revenue Jammu. It is a fact that the information sought by the appellant is voluminous in nature and may disproportionately divert the meager resources of the public authority, because it has to be created afresh from the office record. Therefore, keeping in view constraints and resources of a public authority, the Commission cannot direct the public authority to follow the statutory deadlines to provide the information to the appellant. However, the public authority may take its own time depending upon its resources and manpower to furnish the requisite information to the appellant. In the given circumstances, the Commission would like to advise the appellant to inspect the office record and seek photocopies of the relevant documents if any required by him.

Keeping in view the aforesaid facts and observations, the PIO is directed to allow the appellant an opportunity to inspect the record in his office and provide photocopies of the relevant documents if any required by the information seeker. The parties are at liberty to settle the date and time for inspection of record which may be convenient to them.

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:-

1. The Public Information Officer/ Asstt. Commissioner Revenue Jammu.
2. Tehsildar Territorial, Jammu.
3. Sh. Vilakshana Singh (Advocate) S/o Lt. Sh. Jagdish Singh Dogra R/o Sidhra By pass, Opposite Eicher Workshop, Sidhra, Tehsil & District Jammu.

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