



Jammu and Kashmir State Information Commission
(Constituted under Right to Information Act 2009)
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File No: SIC/J/A/127/2013
Decision No: SIC/J/A /127/2013/187

Sh. Vijay KumarAppellant	Present
Sh. Inderjeet Bhagat Settlement Officer, Jammu.PIO	Present
Sh. Shesh Pal Tehsildar Territorial, Jammu.PIO	Present
Sh. Ravinder Kumar Sharma, Tehsildar Settlement, Jammu.	PIO	Present

Jammu
11-07-2013

Briefly the facts in this appeal are that Sh. Vijay Kumar S/o Sh. Sewa Ram, R/o Garhi Vill. Kota Mora Kote Gadi, Tehsil and District Jammu moved an application dated 26-02-2013 under J&K Right to Information Act, 2009 before the PIO Settlement Commissioner, Jammu for seeking the following information:-

- i. About providing details/measurement under latest settlement recorded in respect of land comprising Kh. No. 1087 (5K-14M) and Kh. No. 1088 (4K-19 M) in village Kote Gadi (Kote), Tehsil and District Jammu.
- ii. About present status of measurements of land with regard to Kh. No.s 1087 (5K-14M) and Kh. No. 1088 (4K-19M) in village Kote Gadi (Kote), Tehsil and District Jammu.
- iii. About if any change has been made with regard to measurements of land comprising Khasra No. 1087 (5K-14M)

- and Kh. No. 1088 (4K-19 M) in village Kote Gadi (Kote), Tehsil and District Jammu under latest settlement, if so provide the report/entries made thereof, with the reasoning under which rule and Agrarian Reforms Act change in measurements of the above land has been effected.
- iv. About if any change in measurements has been made in respect of above mentioned Khasra Nos in against the field Book of Village, Reasons thereof.
 - v. About satus of 'Khal' comprising Khasra No. 1099 projected in Settltlement Records.
About if the status is in accordance with the irrigation Department as per Akas Chhajra issued.
 - vi. About provide copy of Akas Chhajra of land comprising Kh. No. 1087 and 1088 of village kote Gadi, Tehsil Jammu duly attested.
 - vii. About certifying the Akas Chhajra of above mentioned Khasra Numbers in village Kote Gadi, Kote, Tehsil Jammu, if stands in accordance with the copy of the Executive Engineer, Irrigation Division Jammu-I, as per the copy enclosed herewith

The PIO O/o Settlement Commissioner Jammu vide office letter No: SC/Phy/2011/105/29 dated 04-03-2013 transferred the application to Settlement Officer Jammu with a request to provide information to the information seeker. The Settlement Officer, Jammu vide No: SOJ/R/12/462 dated 19-03-2013 transferred the application to Tehsildar Settlement Jammu for providing information to the applicant. The Tehsildar Settlement, Jammu after going through the application found that the information sought about Khasra Nos. are situated in village Kote Garhi which falls under the jurisdiction of Tehsildar Territorial Jammu. Therefore, application was transferred vide No. STG/R/3980 dated 28-03-2013 to Tehsildar Territorial for favour of providing information to the applicant. The Tehsildar Territorial, Jammu in his counter statement bearing No.TT/PIO/RTI/13-14/15 dated 17-04-2013 informed the FAA that the settlement of village Kote Gadi is in progress and the measurement work thereof is under process. Since the settlement work has not been yet completed so the detailed information sought by the applicant cannot be supplied. The Tehsildar Territorial further informed the FAA that his department does not have Aks Shajra of Irrigation department and Aks Massavi of village kote is not available so the certified copy cannot be provided to the information seeker.

During the course of proceedings held today, the Tehsildar Territorial reiterated his stand and submitted that settlement work has not been yet completed in village Kote Gadi so the information sought by the applicant cannot be supplied. In view of the aforesaid submissions of the Tehsildar Territorial, it is evident that measurement work in the said village is in progress and record is under preparation so the information sought cannot be made available to the information seeker till completion of the record. Thus no further direction in the matter is required.

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 :-

5. The First Appellate Authority/ Settlement Commissioner, Jammu.
6. Public Information Officer / Settlement Officer, Jammu.
7. Public Information Officer /Tehsildar Settlement, Jammu.
8. Public Information Officer /Tehsildar Territorial, Jammu.
9. Sh. Sh. Vijay Kumar S/o Sh. Sewa Ram, R/o Garhi Vill. Kota Mora Kote Gadi, Tehsil and District Jammu.

(Khalid A. Shah)
Dy.Registrar
J&K State Information Commission