



Jammu and Kashmir State Information Commission

(Constituted under Right to Information Act 2009)

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File No: SIC-J-A-105 /2013
Decision No: SIC-J-A-105 /2013/219

Sh. Rashu Kanna	Appellant	Present
Sh. Inderjeet Bhagat Settlement Officer, Jammu.	PIO	Present
Sh. Shesh Pal Tehsildar Territorial, Jammu.	PIO	Present

Jammu
30-07-2013

Briefly the facts in this appeal are that Sh. Rashu Kanna R/o. Opp. Govt. Higher Secondary School, Rehari Colony, Jammu moved an application on 04-02-2013 before the PIO/Assistant Settlement Commissioner, J&K Jammu seeking the following information:-

Query No.1

Is new (Shajra Nasab), (Khatauni) of Village Upper Thather prepared with the help of last Jamabandi.

Query No.2

Copies of Commission's report and Khasra Paimiash Report of Survey No. 355 & Survey No. 373 conducted under the Supervision of R.C Misri Retd. Tehsildar (T) and Abdul Shakoor (Patwari) Settlement period (2000-2002).

Query No.3

Field Book of Survey No. 355 in Central Record room shows total land area 155 Kanal & 5 Marla only & does n't correspond to (Jamabandi) & Misal Haqaiat showing 165 Kanal & 5 Marla land area of herein above village kindly provide the information steps taken by former Settlement Commissioners/present one in rectification of record i.e 10 Kanal & 5 Marla excess to original land area.

Query No.4

Field Book of Survey No. 373 in Central Record room shows total land area 302 Kanal & 18 Marla only whereas (Jamabandi) show sale of 414 kanal and 8 ¼ Marla land area of herein above village kindly provide the information steps taken by former Settlement Commissioners/present one in rectification of record i.e 112 Kanal & 8 1/4 Marla to original land area.

The Settlement Officer, Jammu vide office letter NO:SOJ/R/12/423 dated 23-02-2013 furnished some information to the information seeker. However, the information seeker was not satisfied with the information provided to him. He preferred Ist appeal dated 15-03-2013 before the FAA, ie. Settlement Commissioner J&K, Wazarat Road Complex Jammu. The information seeker has alleged in his second appeal before the Commission that FAA i.e Settlement Commissioner has not adjudicated and disposed of Ist appeal which is fatal to the cause of transparency and openness as mentioned in the Act and requested the Commission to take cognizance of the matter and issue necessary direction in this regard. The matter was listed for hearing several times and had to be adjourned on the request of the parties and finally it was listed for hearing on 30-07-2013. During the course of proceedings held today, the information seeker vehemently pleaded that he has not been provided information as requested by him in query No. 2 of his RTI application. The information seeker has requested for copies of Commission's report and Khasra Paimaish Report of Survey

No. 355 & Survey No. 373 conducted under the supervision of R.C Misri Retd. Tehsildar (T) and Abdul Shakoor (Patwari Settlement period (2000-2002)).

The Settlement Officer, Jammu has specifically mentioned in the reply submitted to the information seeker that no such Commission was constituted by his office. However, the information seeker was categorical in his submissions before the Commission and also produced documents on the basis of which he alleged that Commission was constituted by the office of Settlement Commissioner, J&K. As the matter pertains to the office of Settlement Commissioner J&K and is remanded with the direction that in case the aforesaid information is available in their office record that may be furnished to the information seeker within 3 weeks from the date of receipt of this order under an intimation to the Commission.

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 First Appellate Authority / Settlement Commissioner J&K.
2. Public Information Officer / Settlement Officer, Jammu.
3. Public Information Officer/Tehsildar Territorial, Jammu.
4. Sh. Rashu Kanna R/o. Opp. Govt. Higher Secondary School, Rehari Colony, Jammu.
5. Guard file.

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