



**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/C/11/2013  
Decision No: SIC/J/C/11/2013/230

|   |             |         |
|---|-------------|---------|
| Sh. Shakti Swaroop Kohli                              | Complainant | Present |
| Sh. Sher Singh<br>Assistant Commissioner(R)<br>Jammu. | APIO        | Present |

**Jammu**  
**07-08-2013**

Briefly the facts in this complaint are that Sh. Shakti Swaroop Kohli R/o 33/7, Trikuta nagar, Jammu moved an application dated 25-10-2012 under the J&K RTI Act, 2009 before the PIO / Asstt. Commissioner (R), Jammu seeking the following information:-

- A. *Total Land in the name of Waryam Chand, Dharshan Kumar and Karam Chand sons of Sardari Lal R/o Village Sihoda, Tehsil Jammu in Khasra No. 569/1.*
- B. *Status of the above three persons in the land comprising of Khasra No. 569/1 in village Sihoda, Tehsil Jammu.*
- C. *Details of the Mutations attested in their favour in Khasra No. 569/1 village Sihoda, Tehsil Jammu.*
- D. *Copy of the latest Khasra Girdawari of the land measuring 10 Kanals and 4 marlas in Khasra No. 569/1 which was under the occupation of Waryam Chand, Dharshan Kumar and Karam Chand unauthorisedly with road on the north, land of Waryam Chand, Darshan Kumar etc. on the south, land of Murad Ali on the east and open land on the west. Any mutation attested in the land mentioned at D be also given.*

The APIO / Assistant Commissioner(R), Jammu vide office letter no. DCJ/PIO/RTI/2013-14/544 dated 24-07-2013 informed the Commission that the application of the information seeker was rejected on the ground that the information sought by him was personal in nature which could not be provided U/s 8(i) of the J&K

RTI Act, 2009 and was conveyed to the information seeker vide office letter no. DCJ/PIO/RTI/2012-13/3204 dated 07-04-2012 within the statutory period.

It would be pertinent to mention here that the stand taken by the PIO in denying the information to the information seeker on the ground that information sought by him is hit by Section 8 (i) of the J&K RTI Act, 2009 does not fall within the parameters and mandate of the J&K RTI Act, 2009 whose main object is to set up a regime of transparency and accountability in the functioning of public authorities and also to contain corruption. The information sought by the information seeker is not protected from disclosure in terms of the proviso laid down in Section 8(i) of the Act that the information which cannot be denied to Parliament or State Legislature cannot be denied to any person. Moreover, the information has to be provided from the Revenue record which is open to the scrutiny of the public being a public record.

In view of the aforesaid facts, the PIO is hereby directed to dispose of the application of the information seeker in the light of observations made herein within two weeks from the date of receipt of this order under an intimation to the Commission.

The complaint 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 Assistant Public Information Officer / Sh. Sher Singh, Assistant Commissioner (Revenue), Jammu.
2. Sh. Shakti Swaroop Kohli R/o 33/7, Trikuta nagar, Jammu

Khalid-A-Shah  
Deputy Registrar  
State Information Commission