



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/A/147/2013

Decision No: SIC/J/A/147/2013/270

Sh. Wazir Mohd. Mir	Appellant	Absent
Sh. Sanjay Badyal Tehsildar(T), Jammu	PIO	Present

Jammu
16-09-2013

Briefly the facts in this appeal are that Sh. Wazir Mohd. Mir through Mohd. Asif Mir, Advocate High Court, J&K R/o H.No. LIG-84, Housing Colony, Udhampur moved an application dated 16-03-2013 under J&K RTI Act, 2009 before the PIO / Additional Deputy Commissioner, Jammu seeking certain information comprising Khasra Nos. 1202, 1202 min, 1210, 1210 min, 1211, 1212, 1213, 1214, 1215, 1216, 1198, 1204, 1205, 1206, 1206 min, 1207 & 1207 min under mutation no. 2022, 2084 & 2087 situated in village Amb, Tehsil Jammu (Naibat Amb Grota).

The RTI application of the information seeker was transferred to Tehsildar / PIO, Jammu vide office letter no. DCJ/PIO/RTI/2012-13/4328-29 dated 18-03-2013. The Tehsildar, Jammu vide office letter no. Teh/J/RTI/11-12/512 dated 23-03-2013 informed the information seeker that the information is personal in nature and is not covered under the J&K RTI Act, 2009. The information seeker feeling aggrieved of the order passed

by the PIO, preferred appeal dated 10-04-2013 before the 1st Appellate Authority which is subjudice and has not been adjudicated and disposed of till date. Thus, feeling aggrieved of inaction on the part of the PIO/FAA, the appellant knocked the doors of the Commission by filing 2nd appeal dated 20-06-2013 before the Commission in which he has alleged that no information has been provided to him till date. After receiving 2nd appeal, the Commission vide notice no. SIC/J/A/147/2013/2629 dated 27-06-2013 directed the Tehsildar/PIO, Jammu to send counter reply to the Commission within 7 days from the receipt of the notice. In compliance to the direction of the Commission Tehsildar/PIO, Jammu filed counter reply vide office letter no. TJ/PIO/RTI/13-14/150 dated 10-07-2013 and informed the Commission that information sought by the information seeker which was readily available in office record has been provided. Copy of information which was provided to the information seeker vide office letter no. TJ/PIO/RTI/13-14/126-29 dated 22-06-2013 has also been submitted before the Commission along with counter statement. The Tehsildar/PIO, Jammu also informed the Commission that the information seeker has been requested to inspect the record in his office and in case he requires the certified photocopies of relevant documents that will be provided to him. In the given circumstances, it would be appropriate to allow the information seeker an opportunity to access the record in the office of the Tehsildar, Jammu.

During the course of proceedings held today, Tehsildar/PIO, Jammu assured the Commission that he will make available the entire record of the concerned village for inspection to the information seeker and in case he requires any certified photocopies of the relevant documents that will be provided to him free of cost.

In view of the aforesaid facts, the PIO/Tehsildar, Jammu is hereby directed to allow the information seeker an opportunity to access the record in his office during office hours on any working day and provide him the

certified photocopies of the relevant documents if any, required by the information seeker. The parties are directed to settle date and time of inspection of record in mutual consultation with each other which may be convenient to both of them. The PIO/Tehsildar, Jammu is also directed to file compliance report 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 the:-

3. Public Information Officer / Sh. Sanjay Badyal, Tehsildar(T), Jammu
4. Sh. Wazir Mohd. Mir through Mohd. Asif Mir, Advocate High Court, J&K R/o H.No. LIG-84, Housing Colony, Udhampur

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