



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. 0191-2520970, 2520937

www.jksic.nic.in

File No: SIC/J/A/195/2013
Decision SIC/J/A/195/2013/297

Sh. Gurdev Singh	Appellant	Present
Sh. Sanjay Badyal Tehsildar(Territorial), Jammu.	PIO	Present
Sh. Ravinder Kumar Sharma Tehsildar (Settlement), Jammu.	PIO	Present

Jammu

30-09-2013

Briefly the facts in this appeal are that Sh. Gurdev Singh R/o H. No. 4-R, ST-7, Sector-7, Nanak Nagar, Jammu moved an application dated 01-01-2013 under J&K RTI Act, 2009 before the PIO/Tehsildar, Jammu seeking the following documents in respect of an allottee Sh. Ravail Singh S/o Sh. Bir Singh R/o Dilli, Jammu:-

1. *Roznamcha Vaqyati dated 13-04-1971.*
2. *Cancellation Register of Allotment of 1971.*
3. *Orders mentioned in the above Roznamcha Vaqyati dated 17-06-1971 i.e. 35 TR dated 26-04-1967, 291 TR, NY/538-II dated 20-04-1971 etc.*

The PIO did not provide the information to the information seeker on the ground that the record is not traceable. Thus, feeling aggrieved of inaction on the part of PIO, the information seeker preferred appeal dated 20-02-2013 before the Assistant Commissioner(R), Jammu. The FAA disposed of appeal vide order no. DCJ/RTI/PIO/2012-13/4163-65 dated 03-03-2013 with a direction to Tehsildar(S),

Jammu as well the Tehsildar (T), Jammu to dispose of application of the information seeker by passing speaking order within a period of 7 days from the date of pronouncement of the order. However, no information was provided to the information seeker. Thus, feeling aggrieved, the information seeker filed 2nd appeal dated 05-06-2013 before the Information Commission alleging therein the denial of the information by the PIO's. The matter was listed for hearing before the Commission on 20-09-2013 & 30-09-2013. During the course of hearing, the Tehsildar(S), Jammu apprised the Commission that the Cancellation Register of Allotment of 1971 has been utterly damaged beyond repair and thus it is not possible for him to provide the requisite information sought by the information seeker on the basis of that record. The Tehsildar(S), Jammu apprised the Commission that *Roznamcha Vaqyati dated 13-04-1971 & 17-06-1971* is also not traceable in his office record. However, he will make sincere efforts to trace it and seek assistance of his field staff in the matter and sought three weeks time to do the needful.

In view of the assurance given by Tehsildar(S), Jammu, it is hereby ordered that the information as sought by the information seeker may be provided to him after retrieving the revenue record(subject to its availability) within three weeks from the date of pronouncement 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 the:-

1. Public Information Officer / Sh. Ravinder Kumar Sharma, Tehsildar (Settlement),Jammu.
2. Public Information Officer / Sh.Sanjay Badyal, Tehsildar(Territorial), Jammu.
3. Sh. Gurdev Singh R/o H. No. 4-R, ST-7, Sector-7, Nanak Nagar, Jammu.

(Khalid. A. Shah)

Dy. Registrar

State Information Commission