



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/170/2013
Decision SIC/J/A/170/2013/325

Sh. Meharvan Singh(Adv) Present
on behalf of Sh. Girdhari Lal/Appellant

Sh. Shafiq Ahmad PIO Present
Assistant Commissioner (Revenue),
Poonch.

**Jammu
22-10-2013**

Briefly the facts in this appeal are that Sh. Girdhari Lal S/o Sh. Mohan All R/o Q.No. 252/253, near Education Board, Rehari Colony, Jammu moved an application dated 01-04-2013 under J&K RTI Act, 2009 before the Collector, Revenue Department, Tehsil Haveli, Disttt. Poonch seeking the following information pertaining to Land Acquisition:-

- 1. On what date and how much amount received from the intending department for the Acquisition of Land at Air Field Poonch for Khasra No. 515, measuring 19 Marlas at S.no. 1 in Rehabilitation Plan vide no. DCP/LA 967-71 dated 13-02-2012 in which land has been acquired by Revenue Department (emergency acquisition) for construction of "Mini Secretariat" at Tehsil Haveli District Poonch*
- 2. How much amount was disbursed among the affected families (Rightful Owners) give details from S.No. 1 to 6 as per final award. Details of Bank Statements.*

3. *Specific reasons for nonpayment of compensation to me till date of land measuring 19 marlas comprising khasra no. 515.*
4. *Provide me the details of day to day proceeding on my award file from date of Final Award i.e. 13-02-2012 to till date. Provide me the copies of all such documents/notings/correspondence details.*

PIO/AC(R), Collector Land Acquisition, Poonch vide office letter no. DCP/LA/124-25 dated 30-04-2013 furnished the requisite information to the information seeker containing 32 leaves as enclosures. However, the information seeker was not satisfied with the information provided to him, and preferred appeal dated 21-05-2013 before the 1st Appellate Authority/Deputy Commissioner, Poonch. The FAA did not adjudicate and dispose of the appeal till date. Thus, feeling aggrieved of inaction on the part of FAA, the appellant filed 2nd appeal dated 08-07-2013 before the Commission in which he has alleged inaterialia that the information provided by AC(R), Poonch is incomplete, misleading and amounts to concealment of facts. During the course of proceedings held today, the learned counsel for the appellant Sh. Meharvan Singh (Advocate) submitted before the Commission that the payment of land compensation to his client has been withheld on the false ground that a case is pending against him in which his title to the land has been disputed. He further submitted that there is no such case pending in any court against his client and there is no dispute relating to his title in Khasra no. 515 measuring 19 marlas and requested that AC(R), Poonch may be directed to provide the requisite information on the basis of which he has withheld the payment of land compensation in favour of his client.

In view of the aforesaid facts and observations, the PIO/AC(R), Poonch is hereby directed to provide the requisite information relating to the title of the information seeker in Khasra no. 515 measuring 19 marlas and also to the effect whether payment of any land compensation to Sh. Girdhari Lal has been stayed by the Hon'ble Court of Sub-Judge, Poonch.

The PIO is further directed to send the information under registered cover at the address given in the RTI application within 10 days from the date of receipt of this order and also 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:-

1. The Public Information Officer / Sh. Shafiq Ahmad Assistant Commissioner (Revenue), Poonch.
2. Sh. Girdhari Lal S/o Sh. Mohan Lal R/o Q.No. 252/253, near Education Board, Rehari Colony, Jammu

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