



Jammu and Kashmir State Information Commission

(Constituted under Right to Information Act 2009)

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File No: SIC/J/A/278/2013

Decision No: SIC/J/A/278/2013/360

Sh. Vilakshana Singh Advocate	Appellant	Present
Sh. Sanjay Badyal Tehsildar (T), Jammu.	PIO	Present

Jammu
21-11-2013

Briefly the facts in this appeal are that Sh. Vilakshana Singh (Advocate) S/o Lt. Sh. Jagdish Singh Dogra R/o Sidhra By pass, Opposite Eicher Workshop, Sidhra, Tehsil & District Jammu moved an application dated 20-06-2013 under J&K Right to Information Act, 2009 before the PIO O/o Deputy Commissioner, Jammu whereunder he has sought the information relating to details of land purchased/acquired by various modes including gift, relinquishment, will etc/mutated in favour of all the sitting Ministers of the State Government and their spouses and also certain MPs/MLAs/MLCs and their spouses in Tehsil Jammu since 2002 till June 2013.

The appellant did not receive any response from the PIO/Tehsildar(T), Jammu within a statutory period and thus feeling aggrieved of inaction on the part of the PIO/Tehsildar(T), Jammu, he

preferred 1st appeal dated 19-08-2013 before the FAA/AC(R), Jammu which was disposed of vide order no. ACR/RTI/2013-14/745-46 dated 27-08-2013 directing the PIO/Tehsildar(T), Jammu to provide the information whatsoever is available to the appellant within three weeks of time under an intimation to his office.

However, the PIO/Tehsildar(T), Jammu vide office letter no. TJ/PIO/RTI/13-14/218 dated 23-09-2013 informed the appellant that the information sought is not available in ready format. All the details of land purchased/acquired by various modes are reflected in the revenue record by way of mutations indicating the name, parentage, address and caste of the person acquiring/purchasing the land. The PIO/Tehsildar(T), Jammu further informed the appellant that each mutation has separate mutation number villagewise and for obtaining details of such information the requisite fees prescribed under statutes has to be paid. However, the appellant instead of depositing the requisite fee in the office of the PIO/Tehsildar(T), Jammu preferred 2nd appeal dated 28-10-2013 before the Commission. The matter was listed for hearing on 21-11-2013 at Jammu office of the Commission and both the parties were present.

During the course of proceedings held today, the PIO submitted before the Commission that the information sought by the information seeker is voluminous in nature and will require the scrutiny of mutation registers since 2002 till June 2013 of about 368 villages and 106 Patwar Halquas situated in Tehsil, Jammu and requested the Commission to grant him sufficient time so that the field staff can be instructed to conduct the scrutiny of mutation registers of the villages which fall under the territorial jurisdiction of Tehsil, Jammu and prepare the information accordingly. The appellant submitted before the Commission that he requires only certified copies of mutations (Parat Patwar) relating to the information sought by him in his RTI application. The PIO also requested the Commission that

the appellant should be directed to furnish the names and particulars of the persons and the land acquired by them about whom he is interested in seeking the information. Keeping in view the request of the PIO, the appellant is directed to submit an application containing the names and particulars of the persons and the land acquired by them to the PIO within a week's time about whom he has sought the information in his RTI application. It will facilitate the PIO to collect the information within a reasonable time, otherwise it may lead to random sampling and will be an exercise in futility, thus diverting disproportionately the meager resources of a public authority.

In view the aforesaid facts and observations, the PIO/Tehsildar(T), Jammu is hereby directed to dispose of the RTI application of the appellant as per law and procedure laid down in the J&K RTI Act, 2009 and preferably within a period of two months from the date of receipt of this order.

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. Sanjay Badyal, Tehsildar (T), Jammu.
2. Sh. Vilakshana Singh (Advocate) S/o Lt. Sh. Jagdish Singh Dogra R/o Sidhra By pass, Opposite Eicher Workshop, Sidhra, Tehsil & District Jammu.

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