



**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

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File No: SIC/J/A/281/2013  
Decision SIC/J/A/281/2013/392

Ch. Chirag Din	Appellant	Present
Sh. Vikas Sharma Addl. Dy. Commissioner, Udhampur.	PIO	Present
Tehsildar, Udhampur.	APIO	Absent

Jammu  
23-12-2013

Briefly the facts in this appeal are that Ch. Chirag Din, Senior Superintendent of Police @ R/o59, Gujjar Colony Bypass Jammu, Post office-Chhani Himat Jammu moved an application dated 6-3-2013 before the PIO/ Dy. Commissioner, Udhampur under J&K RTI Act, 2009 whereunder he sought the following information:-

*Information regarding the land bearing Khasra Numbers:531(K.5.5), 538(K.1.8), 520(K. 5.15), 521(K. 1.5), 532(K.1.12), 539(K. 4.2), 530 (K. 5.2), 533(K. 0.4), 522 (K. 1.11),526(K. 0.18), 528(K. 15.17), 543 (K. 4.3) 514(K. 13.10) 542(K. 6.3), 519(K. 14.17), 525(K. 0.18), 523(K. 3.15), 548(K. 4.1) 549(K. 3.14), 522(K. 3.1), 534(K.10.10), 540(K.3.0), 541(K. 4.11), 546(K. 2.0), 529(K.0.9), 551(K. 6.18), 527(k. 4.0), 481(K. 10.10), 508(K. 2.10), 4.99(K. 3.12), 507(K. 9.4), 412(K. 11.1), 496(K. 2.3) and 506(K. 7.2) situated in village Manser, Tehsil and District Udhampur.*

7. *Copies of Misal Haqayat w.e.f 2000 to 2013 in respect of the above mentioned Khasra Numbers along with the old Khasra numbers.*
8. *Copies of Jamabandi w.e.f 1965 to 2013 in respect of the above mentioned Khasra Numbers along with the old Khasra numbers.*
9. *Copies of Khasra Girdawari w.e.f 2000 to 2013 in respect of the above mentioned Khasra Numbers along with the old Khasra numbers.*
10. *Copy of Khasra Girdwari and certificate showing/certifying the Year of last entry of Kashat (possession) recorded in the names of Ch. Alaw-ud-Din and Ch. Chirag Din in Khasra Girwadari of their inherited share of ownership in respect of the above mentioned Khasra numbers along with the old Khasra numbers.*
11. *Copy of the Khasra Girwadri and certificate showing/certifying the Year in which the entry of Kashat (possession) in respect of Alaw-ud-Din and Chairag Din was cancelled and transferred to other individual in Khasra Girwadari of ownership in respect of the above mentioned Khasra Numbers alongwith the old Khasra numbers.*
12. *Name of the Patwari Halqua, Girdawar Halqua, Naib Tehsildar of the area, Tehsildar of the area and Settlement Officer of time, who have cancelled Khasra Girwadari of Ch.Alaw-ud-Din and Ch. Chirag Din and transferred to other individuals in respect of their inherited share of ownership in the above mentioned Khasra numbers along with the old Khasra numbers.*
13. *Copy of the award sanctioned in favour of Land owners bearing khasra Numbers 532 and 533, situated in village Manser, Tehsil and District Udhampur acquired by State Power Corporation.*
14. *Copy of the receipts of Payment of amount of award along with the names of the beneficiaries and disbursing authorities.*

Since the information sought by the applicant pertained to Tehsildar, Udhampur and SQ section office of the Addl. Dy. Commissioner, Udhampur. The RTI application was forwarded by the APIO (Asstt. Commissioner Revenue) Udhampur to the concerned quarter vide office letter No:2081-83/Adm dated 11-03-2013 for providing the requisite information to the information seeker within the stipulated time under RTI Act, 2009. This was followed by a reminder issued vide No:1115-18/Adm dated 23-04-2013.

After receipt of information from SQ section in respect of point No: 13 and 14 (the points have been serially numbered from No. 7 to 14 in the

application-totalling 8 points), the same was sent to the information seeker vide office letter No:1126/Adm dated 26-04-2013. In the meanwhile, the appellant preferred an appeal dated 16-04-2013 before the FAA i.e Dy. Commissioner, Udhampur mentioning therein that he has not received any response from the office of PIO with regard to his RTI application. The FAA/Dy. Commissioner, Udhampur accordingly forwarded the said application to Tehsildar Udhampur vide office letter No:1141-42/Adm dated 30-04-2013. The FAA vide letter No:1174/Adm dated 11-05-2013 communicated to the appellant that owing to the ongoing strike of the Patwaris, the requisite information could not be gathered and the same shall be provided within a month after the strike is over. Simultaneously, Dy. Commissioner, Udhampur has also directed the Addl. Dy. Commissioner, Udhampur to prepare and provide the information to the RTI applicant vide letter No:1177-78/Adm dated 11-05-2013.

Perusal of the record reveals that Tehsildar, Udhampur vide letter No:3428-29/OQ dated 20-03-2013 has intimated the applicant that the information asked by him is voluminous and that some of the information involves copies of revenue extracts for which receipts of requisite fees have not been enclosed and advised the applicant to produce receipts of the payments to the tune of Rs. 1000/- for minimum 500 copies of revenue extracts to provide a part of information for the time being and fees be deposited in LR:0029 Head. The Tehsildar, Udhampur vide letter No: 53-54/OQ dated 24-05-2013 addressed to the information seeker again intimated to the information seeker that as per the office record, the requisite information stands already provided to him vide letter No:3428-29 dated 20-03-2013. The information pertaining to the office of Addl. Dy. Commissioner, Udhampur was further provided to the information seeker which pertain to point No. 7 and 8 of the RTI application vide office letter No: 1471/Adm dated 4-07-2013. The applicant Ch. Chirag Din was also

reminded about the depositing of fees for obtaining the information as requested by Tehsildar, Udhampur vide Addl. Dy. Commissioner letter No: 1334-35 dated 25-07-2013.

Commission after receiving the second appeal, listed it for hearing on 3-12-2013. Tehsildar, Udhampur could not cause her presence on the date of hearing due to some official assignment and requested for adjournment. Matter was adjourned and notice was sent to Tehsildar, Udhampur and Addl. Dy. Commissioner to remain personally present on next date of hearing and the matter was listed for hearing on 23-12-2013. Meanwhile, the Addl. Dy. Commissioner, Udhampur/PIO vide office No: 2029-30 Adm dated 30-11-2013 filed counter statement before the Commission in which he clarified the entire process which was undertaken while disposing of the RTI application of the information seeker.

During the course of proceedings held today, the information seeker requested the Commission that he only wants the certified copies of the relevant documents as requested by him in his RTI application and also assured the Commission that he will pay the requisite fee as prescribed under statutes. The PIO also agreed to furnish the requisite information to the information seeker as requested by him in his RTI application on payment of requisite fee by the appellant and requested the Commission that he needs three weeks time to prepare and collect the information as information sought by the information seeker is voluminous in nature and requires the involvement of field staff of concerned Patwar Halqa. The PIO also assured the Commission that in case appellant wants to inspect the record, he will be provided the facility to do the same.

Keeping in view the aforesaid facts and observations, the PIO/Addl. Dy. Commissioner, Udhampur is hereby directed to provide the requisite information (certified copies of Revenue extracts) to the information seeker before 15<sup>th</sup> of January, 2014 after charging the fee as prescribed

under the J&K Public Service Guarantee Act and the Rules framed thereunder. In case the information seeker wants to inspect the record, he may be provided the facility to do the same during the office hours on a working day. The parties are at liberty to settle the date and time for inspection of record which may be convenient to them. The PIO is further 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 :

1. The First Appellate Authority/Dy. Commissioner, Udhampur.
2. Public Information Officer /Addl. Dy. Commissioner, Udhampur.
3. The Asstt. Public Information Officer/Tehsildar, Udhampur.
4. Ch. Chirag Din, Senior Superintendent of Police ® R/o59, Gujjar Colony Bypass, Jammu Post office-Chhani Himat, Jammu

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