



**Jammu and Kashmir State Information Commission**

جموں اینڈ کشمیر سٹیٹ انفارمیشن کمیشن

(Constituted under The Right to Information Act, 2009)

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File No: SIC/J/A/33/2013  
Decision No: SIC/J/A/33/2013/76

Sh. Ruder Chand	Appellant	Present
Sh. Ashwani Khajuria Assistant Commissioner (Revenue) O/O Dy. Commissioner, Samba.	PIO	Present
Sh. Avtar Singh Jasrotia Tehsildar (Settlement) Vijaypur.	PIO	Present

**Jammu,  
03.04.2013**

Briefly the facts in this appeal are that Sh. Ruder Chand S/o Sh. Chhajju Ram R/o Village Gadwal P/o Vijaypur, Tehsil and District Samba moved an application on 11.09.2012 under the J&K RTI Act, 2009 before the PIO / Assistant Commissioner(R), Samba in which the following information was sought:-

- 1. Provide the detail of ownership land of deceased Atma Ram S/o Gopi Ram caste Brahmin father of Tej Ram village Gadwal.*
- 2. Provide the detail of land which Taj Ram and Tara Chand have got ownership through a Tamleeq Nama and also provide the date when the said Tamleeq Nama was got executed and registered by deceased Atma Ram.*
- 3. Provide the detail of land which Tej Ram has inherited the landed property of deceased Atma Ram as per record of Khasra girdawari and on spot.*
- 4. Provide the detail of landed property in which Tej Ram has got the ownership right u/s 8 of A.R. Act, 1976 and also provide the detail of the land which he has purchased through a registered sale deed and on*

*the basis of lease deed out of Khasra no. 128, 129, 130, 131 of village Gadwal.*

- 5. Provide the detail of land bearing khasra no. 123 and 151 of village Gadwal which Sanji Ram S/o Kanshi Ram Caste Mahajan has relinquished his rights in favour of Swan Dass S/o Tej Ram caste Brahmin and also provide the Act under which said Sanji Ram has got the ownership over the said land.*
- 6. Provide the status report of cultivation on spot with respect to land bearing khasra 536min situated at village Gadwal u/s S-432/c of 1966 which Balkrishan S/o Sh. Ram Chand has got ownership through a registered sale deed and on the basis of lease deed vide mutation no. 407 and 408 of village Gadwal.*
- 7. Provide the status report of cultivation on spot with respect to land bearing khasra no. 128, 129, 130, 131 U/s 8 of A.R. Act, 1976 of village Gadwal which Balkrishan S/o Ram Chand has purchased through registered sale deeds and also provide the status of occupant in which capacity he has occupied the said land.*
- 8. Provide the name of person who has got the ownership of land bearing khasra no. 265 measuring 15 marlas u/s 6 of Agr. Ref. Act, 1976 and also provide the present occupant name and also provide the capacity in which he has held the same.*

The PIO / Assistant Commissioner (R), Samba forwarded the application of the information seeker to both Tehsildars (S), Vijaypur and Samba providing the requisite information to the information seeker within stipulated period. The Tehsildar, Samba vide his no. OQ/RTI/365 dated 19-01-2013 intimated the PIO / Assistant Commissioner (Rev), Samba that the information called for falls within the jurisdiction of Tehsildar (S), Vijaypur as the village in question falls under the jurisdiction of Tehsildar(S), Vijaypur. Meanwhile, the applicant filed 1<sup>st</sup> appeal before the FAA i.e. D.C. Samba on 19-12-2012. The FAA accordingly called Tehsildar (S), Vijaypur and the applicant in his office on 06-02-2013, but the applicant did not attend the hearing, so the appeal was decided by FAA / Deputy Commissioner, Samba on 07-02-2013 and an interim order was passed vide his no. DCS/HQA/RTI/2012-13/1978-82 dated 09-02-2013, whereunder Tehsildar(S), Vijaypur was directed to submit the information to the office / Assistant Commissioner (R) / PIO, Samba within three days positively. The Tehsildar (S), Vijaypur provided the information to the PIO on 19-02-2013 and accordingly said information was furnished to the applicant on the same day.

During the course of proceedings, the information seeker informed the Commission that he has received the information and is satisfied with the

information provided to him as it is inconformity with the request made in his RTI application. The Tehsildar (S), Vijaypur was asked to explain the delay in furnishing the information to the information seeker and he submitted before the Commission that 70 % posts of field staff are lying vacant in 32 patwar halqas falling under his jurisdiction and each patwari is looking after 4-5 Halqas which are administratively unmanageable. He further submitted that most of his staff is busy in agricultural census and election related matters and expressed his regrets apologetically for the delay which was due to insufficient and inadequate staff and assured the Commission that in future he will be cautious and act diligently and reasonably while disposing of RTI applications.

The appeal is accordingly disposed of.

Notice of this decision be given free of cost to the parties.

Dr. S.K. Sharma  
State Information Commissioner