



Jammu and Kashmir 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
www.jksic.nic.in

File No: SIC/J/A/43/2013
Decision No: SIC/J/A/43/2013/94

Sh. Rashu Khanna	Appellant	Present
Dr. G.J. Singh Asstt. Commissioner(N) On behalf of Asstt. Commissioner(R), Jammu.		Present
Tehsildar (Territorial), Jammu.	PIO	Present
Sh. Ravinder Sharma	PIO	Present
Tehsildar(Settlement), Jammu.		

Jammu
17-04-2013

Briefly the facts in this appeal are that Sh. Rashu Khanna R/o H.No. 579, Near Subash Nagar, P.O. Jammu moved an application dated 12-12-2012 under J&K Right to Information Act, 2009 before the PIO Revenue Department, J&K, Jammu seeking the following information:-

Query No.1

Name, parentage of all the share holders, co-share-holder of land along with Khewat Numbers, date, month & year of Mutation, mutation no's(Intekal No's) falling under Khasra no. 355 situated at Karan Vihar situated at village Upper Thather in below mentioned format (period 1987-Dec. 2012):-

Khasra No. 355

<i>Name of all the share holders.</i>	<i>Parentage of all the Co-Share-Holders.</i>	<i>Khewat No.</i>	<i>Date, month, year of Mutation(inteegal)</i>	<i>Mutation no. (Inteegal No's)</i>
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Query No. 2

Name, parentage of all the share holders, co-share-holder of land along with mutation Khewat Numbers, date, month & year of Mutation, mutation no's(Inteegal No's), falling under Khasra no. 373 situated at Karan Vihar situated at village Upper Thather in below mentioned format (period 1987-Dec. 2012):-

Khasra No. 373

<i>Name of all the share holders.</i>	<i>Parentage of all the Co-Share-Holders.</i>	<i>Khewat No.</i>	<i>Date, month, year of Mutation(inteegal)</i>	<i>Mutation no. (Inteegal No's)</i>
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Query No. 3

Name, parentage of all the officer / office's, who gave permission of ownership rights 'Gair Mumkin Khad's & Shamlat land at Karan Vihar colony situated at village Upper Thather, Jammu on (Gair Mumkin Khad), along with date, month, year of development in the below format:-

Khasra No. 373

<i>Name of the officer</i>	<i>Parentage of the officer.</i>	<i>Khewat No.</i>	<i>Date, month, year of developing of Karan Vihar Colony.</i>
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Query No. 4

Total number of Jamabandi registers of village Upper Thather, Jammu.

Query No. 5

Number of newly created Jamabandi registers revised after every five years from December 1989 to Dec. 2012 of village Upper Thather, Jammu, along with date, month and year of creation.

After receiving the application of the information seeker, the PIO office of the Deputy Commissioner, Jammu forwarded it to Tehsildar (Territorial), Jammu vide letter no. DCJ/PIO/RTI/2012-13/3564-65 dated 19-12-2012 as the information pertained to office of Tehsildar, Jammu. The PIO did not respond to the information seeker's request within the stipulated time thus feeling constrained he preferred appeal before the FAA Deputy Commissioner, Jammu on 16-01-2013.

The appellant preferred 2nd appeal dated 21-02-2013 before the Commission. The appellant alleged that the FAA did not pass any speaking order in the matter but, issued verbal directions to the PIO to furnish the information which were not complied with by the PIO. After receiving 2nd appeal, the Commission issued notice bearing no. SIC/J/A/43/2013/1302-04 dated 18-03-2013 to FAA / Deputy Commissioner, Jammu, PIO /Asstt. Commissioner Revenue, Jammu and PIO / Tehsildar(Territorial), Jammu to send counter reply to the Commission within 7 days from receipt of the notice. In compliance to the 7 day notice of the Commission,Asstt. Commissioner (R), Jammu informed the Commission vide letter no. DCJ/PIO/RTI/2012-13/4402-03 dated 28-03-2013 that the PIO / Tehsildar, Jammu was directed to dispose of the application filed by the information seeker within a period of 07 days of the pronouncement of the order no. DCJ/RTI/2012-13/3968-69 dated 04-02-2013. Finally, the matter was listed for hearing on 17th of April 2013 (11.00 a.m) at Jammu office and during the course of proceedings, it was found that the information sought by the information seeker needs to be collated and complied with and it is not possible to provide in the format requested by the information seeker. Such an exercise will unnecessarily divert the resources of a public authority which as pointed out by the PIO are limited in nature in terms of office staff etc. Thus keeping in view the nature of information sought and compulsions of the office of Tehsildar Jammu / PIO, it would be appropriate, if the information seeker is allowed an opportunity to access the record. Keeping in view the aforesaid fact situation, the PIO is hereby directed to allow the information seeker an opportunity to access the record in his office on 26-04-2013 onwards and in case the information seeker requires the photocopy of the relevant

documents that may be furnished to him free of cost. The Tehsildar (T) / PIO, Jammu is also 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 the:

1. 1st Appellate Authority / Deputy Commissioner, Jammu.
2. Public Information Officer / Assitt. Commissioner (R), Jammu.
3. Public Information Officer / Sh. Shesh Paul Tehsildar (Territorial), Jammu.
4. Public Information Officer / Sh. Ravinder Sharma Tehsildar (Settlement), Jammu.
5. Sh. Rashu Khanna R/o H.No. 579, Near Subash Nagar, P.O. Jammu.
6. Guard file.

M.S Shah
Registrar,
State Information Commission