



**Jammu and Kashmir State Information Commission**  
(Constituted under Right to Information Act 2009)  
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Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937  
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File No: SIC/J/A/50/2013  
Decision No. SIC/J/A/50/2013/97

Sh. Upender Krishen Kaul	Appellant	Present
Dr. Ravi Shanker Sharma Addl. Deputy Commissioner, Jammu.	..... PIO	Present
Sh. Sher Singh Asstt. Commissioner (Revenue) Jammu.	.....PIO	Present

**Jammu**  
**23.04.2013**

Briefly the facts in this appeal are that Sh. Upender Krishen Kaul R/o 46-A, Patoli Mangotrian, Jammu moved an application dated 29-11-2012 under J&K RTI Act, 2009 before the PIO O/o Deputy Commissioner, Jammu, seeking the following information:-

- 1. Kindly provide me the name, parentage, R/o and year-wise details of all the Sale Deeds, Mortgage Deeds or other Deeds made for alienation of lands made in respect of Khasra no. 355 for the period (1989-2012) as recorded in the revenue record situated at Karan Vihar, village Upper Thather, Tehsil & Distt. Jammu.*
- 2. Kindly provide me the name, parentage, R/o and year-wise details of all the Sale Deeds, Mortgage Deeds or other Deeds made for alienation of lands*

made in respect of above said Khasra no. 373 for the period (1989-2012) as recorded in the revenue record situated at Karan Vihar, village Upper Thather, Tehsil & Distt. Jammu.

3. Kindly provide me the name, parentage, R/o the persons who were owners of the land comprised in above said khasra no. 355 as on 01-01-1989 to 31-10-2012 situated at Karan Vihar, village Upper Thather, Tehsil & Distt. Jammu. Also state extent of their ownership in the following format:-

Name & particulars of the owner	Khasra No.	Area falling in his/her share

4. Kindly provide me names & particulars of the persons who were owners of the land comprised in above said khasra no. 373 as on 01-01-1989 to 31-10-2012 situated at Karan Vihar, village Upper Thather, Tehsil & Distt. Jammu. Also state extent of their ownership in the following format:-

Name & particulars of the owner	Khasra No.	Area falling in his/her share

5. Kindly provide me the name, parentage, R/o of the owner, area falling in his / her share owners of the land comprised in khasra no's 355 as after 01-01-1999 till date situated at Karan Vihar, Village Upper Thather, Tehsil & Distt. Jammu. Also state extent of their ownership and the mode by which said persons attained ownership in the following format:-

Name & particulars of the owner	Mode of attaining ownership	Year in which ownership acquired

6. Kindly provide me the name, parentage, R/o of the owner, area falling in his / her share owners of the land comprised in khasra no's 373 as after 01-01-1999 till date situated at Karan Vihar, Village Upper Thather, Tehsil & Distt. Jammu. Also state extent of their ownership and the mode by which and year in which said persons attained ownership in the following format:-

Name & particulars of the owner	Mode of attaining ownership	Year in which ownership acquired

7. Kindly provide the copy of Mutation no. 136 under khasra no. 355 situated at Upper Thather presently named Karan Vihar, Jammu.  
 8. Kindly provide the copy of Mutation no. 137 under khasra no. 355 situated at Upper Thather presently named Karan Vihar, Jammu.

The information seeker has alleged in his appeal before the Commission that the PIO passed an order on 13-12-2012 and furnished him incomplete information which does not correspond to RTI application. He further alleged that the PIO has stated

that disclosure of information shall have no relation to any public activity or interest and providing the information in respect of query no. 1 & 2 will require a time period of 4 months. He also alleged malafide intention on the part of PIO to hide the facts and submitted that the stand taken by the PIO in dealing with his application is completely unjustified and unwarranted in terms of provisions of the RTI Act.

The information seeker filed an appeal before the FAA on 26-12-2012 which till date has not been adjudicated and disposed of. Thus, feeling aggrieved of inaction on the part of FAA, he preferred appeal dated 01-03-2013 before the Commission and prayed for disclosure of information by the PIO as well as by the Revenue Authorities as sought by him in RTI application. After receiving the appeal of the information seeker the Commission directed the FAA as well as the PIO to send counter reply to the Commission within 7 days from the receipt of the notice. In response to the aforesaid notice, Dr. G.J. Singh, Asstt. Commissioner Revenue / APIO, Jammu vide letter no. DCJ/PIO/RTI/2012-13/4377-78 dated 25-03-2013 intimated the Commission that the information was submitted to the applicant vide office letter no. DCJ/PIO/RTI/2012-13/3526 dated 13-12-2012 which the applicant has acknowledged and the information provided to the applicant was the same as was received from the office of the Tehsildar, Jammu. The PIO also intimated that the field agency with regard to query no. 1 & 6 have requested that additional time is required for submission of the information as the information is pertaining to the period spanning over 23 years and area measuring over 400 kanals of land. The APIO further submitted in the aforesaid letter that if the applicant is unsatisfied with the information provided to him he can examine the record in his office at date and time to be fixed by the Commission.

In view of the aforesaid facts, it is apparent that the information sought by the information seeker is voluminous in nature and it is not possible for the Revenue Authorities to compile and collate such information as it is not readily available in the computerized form and such an exercise would disproportionately divert the resources of a public authority. In such circumstances it would be feasible, if the information seeker is allowed an opportunity to access the record on date and time to be settled in consultation with the PIO.

The PIO is thus directed to allow the information seeker an opportunity to access the record in his office on any working day during office hours and in case the information seeker requests for photocopy of the relevant documents that may be furnished to him free of cost under an intimation 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. 1<sup>st</sup> Appellate Authority / Deputy Commissioner, Jammu.
2. Public Information Officer /Sh. Ravi Shanker Sharma, Addl. Deputy Commissioner, Jammu.
3. Public Information Officer / Sh. Sher Singh, Asstt. Commissioner (Revenue), Jammu.
4. Sh. Upender Krishen Kaul R/o 46-A, Patoli Mangotrian, Jammu.
5. Guard file.

M.S Shah  
Registrar,  
State Information Commission