



**J&K State Information Commission**

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File No: SIC/J/A/199/2015  
Decision No: SIC/J/A/199/2015/215

Title: Sh.Ramesh Parkash, V/s FAA: Sub Divisional Magistrate,  
C/O Sh.Isher Dass, R.S.Pura.  
R/O Badyal Brahamna Basti PIO: Tehsildar, R.S.Pura.  
Ram Nagar, Tehsil R.S.Pura,  
District Jammu.

Present:

Sh. Deep Raj, S.D.M., R.S.Pura.  
Sh. Abhishek Abrol, Tehsildar R.S.Pura. ....Respondents  
Sh. Ramesh Parkash. ....Appellant

**JAMMU:**  
11.01.2016

Brief facts of the case are that appellant filed second appeal before the Commission on 19.11.2015 stating that he filed RTI application before PIO/Tehsildar R.S.Pura on 09.07.2015. That PIO/Tehsildar R.S.Pura provided information at the end of the stipulated period which is not genuine. On

12.10.2015, he received information, which information he has contested. Accordingly, he requested the Commission to provide authentic information.

In the RTI application addressed to the PIO/Tehsildar R.S.Pura, the appellant has referred to a complaint lodged before Financial Commissioner, Revenue Jammu on 04.02.2011 regarding tampering of revenue record of land comprising Kh. No.1096/489, measuring 9 kanals 10 marlas situated at Badyal Brahmana, Tehsil R.S.Pura. The learned Financial Commissioner, Revenue, vide letter dated 15.02.2011 directed Addl. Deputy Commissioner(ADC), Jammu to enquire into the matter. On the basis of this letter, RTI application has been filed seeking status report of enquiry on three points. The RTI application has been responded to by Tehsildar, R.S.Pura, on 09.10.2015 by enclosing para-wise information of Naib Tehsildar which is as under:

1. No such enquiry proceeded in the undersigned office. As such, no statement is recorded.
2. No such enquiry is received.
3. No tampering of the said Khasra No.2096/489 is found in Girdwari.

The First Appellate Authority/SDM, R.S.Pura has disposed of first appeal vide order dated 02.11.2015 with the observation that Tehsildar R.S.Pura has provided information to the applicant on 12.10.2015, which is beyond the period of prescribed limit.

The information sought by the appellant is related to complaint filed by him before Financial Commissioner Revenue, which has been forwarded to ADC, Jammu by Administrative Officer(R) vide office letter No. FC/Cord/Comp/108/2011 dated 15.02.2011 along with enclosures directing ADC, Jammu to enquire into the matter and report to his office within 15 days. Evidently, the records pertaining to this inquiry should ordinarily be in the office of the ADC, Jammu. Therefore, Tehsildar, R.S.Pura ought to have gone

through the enclosures/documents and should have transferred the RTI application to the concerned PIO, on the basis of the communication of Financial Commissioner Revenue addressed to the ADC, Jammu as referred to above.

The First Appellate Authority/SDM, R.S.Pura has also overlooked the communication on which RTI application is based and thereby endorsed reply of the Tehsildar, R.S.Pura, which is irrelevant because the enquiry, if any, was to be conducted by the ADC, Jammu.

Therefore, Commission directs Tehsildar, R.S.Pura to immediately transfer the RTI application of the applicant alongwith its enclosures to PIO, Office of the Deputy Commissioner, Jammu under Sec. 6(3) of the Act. The PIO, Office of the Deputy Commissioner, Jammu shall dispose of RTI application as per record within the period prescribed under Sec.7 of the Act.

The appeal is disposed of with the direction to the Tehsildar, R.S.Pura and PIO, Office of the Deputy Commissioner, Jammu to file compliance report to the Commission.

Sd/-  
**(Er.Nazir Ahmed)**  
**State Information Commissioner**

Copy to the:

1. Appellant: Sh.Ramesh Parkash, C/O Sh.Isher Dass, R/O Badyal Brahamna Basti Ram Nagar, Tehsil R.S.Pura, District Jammu.
2. FAA: Sh. Deep Raj, S.D.M., R.S.Pura.
3. PIO: Sh. Abhishek Abrol, Tehsildar R.S.Pura.

(Renu Mahajan)  
Joint Registrar  
J&K State Information Commission