



**Jammu and Kashmir State Information Commission**  
(Constituted under The Right to Information Act, 2009)  
**Wazarat Road, near DC Office Jammu, 0191-2520947, 2520937**  
**Old Assembly Complex, Srinagar, 0194-2506660, 2506661**  
www.jksic.nic.in

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File No. SIC/K/SA/44/2016  
Decision No. SIC/K/SA/44/2016/19

Appellant : Jehangir Ahmad Sheikh  
Respondent : Tehsildar Magam  
Date of Registration : 04.04.2016  
Date of Decision : 09.05.2016

The Commission received Second Appeal on 04.04.2016 on the grounds of poor response from concerned quarters. It is submitted that appellant applied to PIO Tehsildar Magam on 03.12.2015 for providing the information and thereafter District Development Commissioner Budgam was approached vide appeal dated 03.01.2016 for providing information of Tehsil in respect of 8 land owners as per list provided by him of total land holdings and land acquired for railway tracks in different villages. It is alleged that above departments did not provide sufficient information. He has accordingly requested the Commission to direct concerned authorities to provide the

information as sought by him as per his RTI application and sought that necessary action may be taken against them.

In response to the notice of the Commission, Tehsildar Magam has filed reply dated 28.04.2016 interalia stating that Tehsil Magam came into existence in September 2014 after bifurcation of erstwhile Tehsil Beerwah. That respondent Tehsildar Magam has already furnished information to the appellant as enclosed as Annexure "A". That Tehsildar Magam has also furnished information in response to subsequent RTI application. As regards persons appointed by the railways, Tehsildar has submitted that he is not appointing authority, as such the details of such appointments can be obtained from the Railway Authorities as Revenue Department is not supposed to maintain record of such appointments.

In view of the above, Tehsildar submitted that appeal has no cause/substance and has prayed for dismissal of appeal.

In response to the RTI application, Tehsildar Magam has given details of 8 land owners in village Aqilpora, whose land was acquired by the Railways. The plea of the appellant is that as per the policy of the railways, one member of the family was provided employment whose more than 75% of land was acquired by the railways. The appellant submitted that the 8 land holders, in respect of whom information have been sought, have land in four villages, while as he has been given information only in respect of village Aqilpora. During proceedings, Tehsildar submitted that Revenue extracts of village Sanoor Kalipora and Aqilpora have been prepared and these were shown before the Commission.

Tehsildar submitted that only village Malpora falls in his jurisdiction. Accordingly, Tehsildar Magam is directed to provide similar information in respect of village Malpora within two weeks. Tehsildar submitted that information sought is revenue extracts to be prepared on the basis of Revenue records and therefore, the fee prescribed under Land Revenue Act is applicable in this case, which the appellant refused to pay. The Commission upholds the plea of the Tehsildar and directs him to provide relevant extracts to the appellant within one week after depositing required fee as prescribed under Land Revenue Act

The Appeal is disposed of with the above directions.

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

**Copy to the:-**

1. PIO/Tehsildar Magam, Budgam
2. Pvt. Secy to HSIC (K)
3. Sh. Jehangir Ahmad Sheikh S/o Gh. Mohi-ud-Din Sheik R/o Aqilpora Raqwan, Budgam

**(G.Q.Bhat)**  
**Registrar,**  
**J&K State Information Commission**