



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

File No. SIC/K/Comp/05/2016
Decision No. SIC/K/Comp/05/2016/37

Appellant : Sheikh Gh. Qadir S/o Sheikh Gh.
Mohammad R/o Malbagh, Baghateshooru
Srinagar

Respondent : PIO Tehsildar Eidgah

Date of Decision : 31.05.2016

This is a complaint filed by Shri Sheikh Ghulam Qadir S/o Sheikh Ghulam Mohammad R/o Malbagh Achabagh (Baghateshooru) Srinagar stating that Deputy Commissioner Srinagar directed Tehsildar Srinagar to remove the illegal encroachments on Kacharie land falling under Survey No.443 and 444 of the estate Baghateshora Srinagar and in this regard, he filed an application before Tehsildar Eidgah on 05.02.2016. It is alleged that Tehsildar Eidgah failed to furnish the information within the prescribed period fixed under RTI Act. The complainant has prayed that action may be taken against the Tehsildar Edigah/Naib Tehsildar concerned and penalty may be imposed on them as per the provisions of the Act.

During proceedings in the Commission on 17.05.2016, the Commission observed as under:

“In the RTI application filed before PIO/Tehsildar Eidgah, information `seeker has sought information regarding steps taken by Tehsildar Eidgah and Naib Tehsildar concerned with regard to removal of encroachments under survey numbers 443 & 444 at Estate Bagat Shooru as desired by the Addl. Deputy Commissioner Srinagar vide communication dated 03.11.2015 and 12.12.2015. The letter dated 01.11.2015 referred to in the RTI application has been issued by ADC Srinagar to Tehsildar (East) Srinagar with directions to constitute a team of officers/officials and implement the court order in letter and spirit to remove encroachment (if any) on the Kahchari land and intimate action taken accordingly. Tehsildar (East) submitted that vide order dated 52/OQ/TEQ dated 19.04.2016, a team of officers/officials have been constituted for removal encroachments in Khasra numbers referred to above. Although the Tehsildar has marked copy of this order to the Commission, copy of the said order has not been sent to the information seeker. Tehsildar submitted that Committee has submitted the report. Appellant requested the Commission for adjournment, as he is outside the state.

In view of the above, the case is adjourned with the directions that PIO/Tehsildar Eidgah shall send a copy of order dated 19.04.2016 and report of Committee to the information seeker within one week and file compliance report”.

During proceedings in the Commission, Tehsildar Eidgah attended the hearing and submitted that Naib Tehsildar has furnished list of encroachers. Further, PIO has approached SSP Srinagar for demolition of illegal encroachment at Malbagh Srinagar vide letter dated 23.05.2016, copy of which is marked to the information seeker/complainant.

In view of the above, Commission directs PIO to comply with the directions already passed on 17.05.2016 and send copy of order dated 19.04.2016 and report of Naib Tehsildar along with list of encroachments to the complainant within one week from receipt of this order.

With the above directions, the complaint filed before the Commission is disposed of.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the:-

1. PIO/Tehsildar Eidgah
2. Pvt. Secy to HSIC (K)
3. Sh. Sheikh Gh. Qadir S/o Sheikh Gh. Mohammad R/o Malbagh, Baghateshoooru Srinagar

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