



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/SA/69/2016
Decision No. SIC/K/SA/69/2016/46

Appellant : Shri Parvaiz Ahmad Zargar
Respondent : PIO/O/o Dy. Commissioner Budgam
PIO/Tehsildar Chadoora
Date of Registration : 06.06.2016
Date of Decision : 29.06.2016

Dated: 29.06.2016

1. Brief facts of this case are that appellant has filed an application before Tehsildar Chadoora on 20.02.2016 seeking information on the application filed by him before Deputy Commissioner Budgam, which was forwarded to Tehsildar Chadoora on 13.02.2016 regarding correction of records under survey No. 711(Old) and 1063 (New) . This TRI application has been received by the Tehsil Office vide receipt No. 12004 dated 20.02.2016. As no information was received within period prescribed under the Act, First Appeal has been filed before Dy. Commissioner Budgam on 22.03.2016. This appeal has been forwarded to Tehsildar Chadoora by Headquarter Assistant to Dy. Commissioner Budgam on 10.04.2016 directing Tehsildar Chadoora to verify

the reply/information already provided vide letter dated 22.03.2016 within 10 days. Copy of this letter is marked to the appellant.

2. The Commission received Second Appeal on 14.05.2016 stating that he filed an RTI application before Tehsildar Chadoora on 13.02.2016. That he submitted First Appeal before Dy. Commissioner, Budgam on 22.03.2016 regarding the same and the Dy. Commissioner issued an order under Section 7(1) of the Act dated 12.03.2016, but till date no reply has been given. He has accordingly requested the Commission to look into the matter and information regarding the issue be provided.

3. Perusal of documents enclosed with the appeal reveal that order under Section 7(1) of the Act as referred to in appeal has been passed by Tehsildar Chadoora on 12.03.2016 informing that a report was sought from the field agency regarding "*rectification of records*" and report furnished by Naib Tehsildar concerned has been submitted to the Dy. Commissioner Budgam vide letter dated 02.03.2016. Tehsildar Chadoora produced copy of letter dated 02.03.2016 addressed to Dy. Commissioner Budgam on the subject "*application of Parvaiz Ahmad regarding the correction of records with respect to Survey No. 711(Old) 1063 (New) at estate Sogam*". Tehsildar Chadoora has concluded that applicant has approached the Munsif Court Chadoora and therefore the matter is sub-judice. As such the preparation of the Fard-e-Badr could not be initiated till the matter is decided in the court.

4. The Commission is of the view that action on the application forwarded to Tehsildar Chadoora by Dy. Commissioner vide letter dated 13.02.2016 has already been taken vide letter dated 02.03.2016, which has been provided to appellant. Since the report of Tehsildar Chadoora is based on the report of Naib Tehsildar Chadoora dated 19.02.2016, the Commission directs Tehsildar Chadoora to provide a legible copy of the report of Naib Tehsildar / field staff

on the basis of which the Naib Tehsildar has submitted his report dated 19.02.2016

Appeal disposed of with the above directions.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the:-

1. PIO O/o Dy. Commissioner, Budgam
2. Tehsildar Chadoora
3. Pvt. Secy to HSIC (K)
4. Shri Parvaiz Ahmad Zargar S/o Ab. Kabeer Zargar R/o Sogam, Budgam

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