



**Jammu and Kashmir State Information Commission**

شٹیون کمٹی انفارمیری اسٹیونڈ کشمیری جموں ا  
(Constituted under The Right to Information Act, 2009)

**Wazarat Road, near DC Office Jammu, 0191-2520947, 2520937  
Old Assembly Complex, Srinagar, 0194-2506660, 2506661**

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File No. SIC/J/A/45/2016  
Decision No. SIC/J/A/45/2016/361

Appellant : Sh. Hem Raj  
Respondent : FAA/Sh. Ramesh Kumar, IAS, DC, Kathua.  
PIO/Sh. Hem Raj, Tehsildar, Basholi.  
Date of Registration : 24.05.2016  
Date of Decision : 10.08.2016

## **1. Brief Facts:**

Commission received Second Appeal on 24.05.2016 from appellant Shri Hem Raj. The Appellant has submitted that he filed a RTI application dated: 06.11.2015 before PIO/Tehsildar, Basholi, for providing certified copy of Indraj Girdawari on the basis of which Khasra Girdawari for Rabi 2004 was altered by Patwari Halqa in respect of Khasra No. 1212 Village: Palahi, Tehsil: Basholi (photocopy attached). He further submitted that instead of providing required copy of Indraj Girdawari Tehsildar Basholi (PIO) asked the appellant to appear before him, vide his letter No. RTI/105 dated: 03.12.2015 (copy attached). That the appellant approached DC, Kathua in appeal vide his appeal dated: 23.12.2015, but said appeal was passed on to Tehsildar, Basholi instead of providing the requisite Indraj Girdawari, sent to the appellant a copy of Khasra Girdawari of Khasra No. 1212 Village: Palahi for Khariel 2015. A copy each of appellant's appeal dated: 23.12.2015 and Tehsildar, Basholi letter No. RTI/106 dated: 30.01.2016 (copy attached). That appellant was forced to approach the DC, Kathua in pursuance of his 1<sup>st</sup> Appeal dated: 11.02.2016 but to no response (copy attached). In view of the above submissions, appellant has prayed that requisite certified copy of Indraj Girdawari of Rabi-2004 may kindly be provided to him.

## **2. Proceedings:**

During proceedings on 15.06.2016, appellant Sh. Hem Raj and respondent PIO/Tehsildar, Basholi were heard from Jammu office on phone as video conferencing could not be linked. After perusal of records following directions were issued and conveyed vide notice dated 23.06.2016:

***“PIO/Tehsildar, Basholi is directed to provide a copy of reply/counterstatement to the appellant and appellant shall file objections, substantiating his allegation, if any, within two weeks thereafter.”***

In compliance to directions of the Commission appellant has filed objections to the reply/counter statement of respondents interalia submitting that it was maintained by Tehsildar, Basholi that Indraj Girdwari could be changed only in presence of all concerned parties i.e. Lambardar, Chowkidar and other prominent persons of the village in accordance with the circular instructions of State Revenue Department. As such copies of such Indraj (record) on the basis of which Khana Kaasht was altered in Khasra Girdwari for Rabi-2004 was required to be provided to him. Whereas, Tehsildar has furnished the Khasra Girdwari for Rabi- 2004 in R/o Khasra No.1212 Village Palahi Tehsil Basohli and the concerned Godawari/ NT/ Tehsildar authenticating the said alternation. Naib Tehsildar/Tehsildar authenticating such alteration in Khana Kaasht, when neither any consent/agreement was given by co-owner nor any notice was issued by the Revenue authority in this behalf before making such alteration.

In view of the above, the appellant has prayed that concerned parties may kindly be directed to provide the requisite record/Information on the basis of which the Khana Khaast in Khasra Girdwari for Rabi-2004 in respect of Khasra No. 1212 village Palahi, Tehsil Basholi was altered with complete reports of Patwari Halqua & the concerned Girdwar/Naib Tehsildar/Tehsildar authenticating the said alteration.

### **3. Conclusion/Decision:**

Shri Hem Raj Tehsildar Bhasoli heard on phone from NIC Kathua and submitted that copy of objections have not been received by him. In his objections filed by appellant dated 05.07.2016, it is prayed that requisite record/indiraj on the basis of which the Khana Khaast in Khasra Godawari for Rabi-2004 in R/o Khasra No.1212 Village Palahi Tehsil Basohli was altered with complete reports of Patwari Halqa and the concerned Godawari/NT/Tehsildar authenticating the said alternation.

Accordingly, appellant is directed to send a copy of objections to Tehsildar Bhasoli within one week. Tehsildar is directed to provide required information as per records within 2 weeks thereafter.

Appeal is disposed of with above directions.

**(Er. Nazir Ahmed)**  
**State Information Commissioner**

Copy to the:-

1. FAA/ Dy. Commissioner, Kathua
2. PIO/ Tehsildar Basoli
3. Pvt. Secretary to HSIC.
4. Sh. Hem Raj S/o Lt. Durga Chand R/o H No 8 W. No.06 New Treatha  
Morh, Bari Brahmana
5. Guard File.

**(A.K. Kotwal), KAS**  
**Jt. Registrar,**  
J&K, State Information Commission