



**J&K State Information Commission
Wazarat Road, Near D.C. Office, Jammu /
Old Assembly Complex, Srinagar.**

File No. SIC/K/NC/06/2016
Decision No. SIC/K/NC/06/2016/64

Complainant : Mukhtar Ahmad Wani
Respondent : Tehsildar Central Srinagar (Shaltang)
Date of Decision: 01.11.2016

This is a complaint filed by Shri Mukhtar Ahmad Wani alleging non-compliance of orders by PIO/Tehsildar Shalteng Srinagar in reference to SIC Decision No.SIC/K/SA/132/2015/147 Dated 18.01.2016. The complainant has submitted that in the order of the Commission referred to above, PIO/Tehsildar Shalteng was asked to come up with the relevant rules/Government order/authority by virtue of which Revenue office is competent to attest mutations outside the judicial process as admitted by Tehsildar in his reply dated 28.12.2015. The complainant has submitted that after a lapse of stipulated time period, the concerned Tehsildar has not come up with relevant rules/Government order/authority. He has accordingly requested the Commission to direct the Tehsildar concerned to provide copy of said rules to him.

In compliance to the notice of the Commission dated 05.10.2016, Mr. Ghulam Ahmad Khan, Tehsildar Shalteng attended the hearing and filed reply dated 29.10.2016 with copy to the appellant interalia submitting that vide Government Order No.108-Rev(Gaz) of 2016 dated 17.08.2016 he took over charge of Tehsil Srinagar Central on 22.08.2016. As regards information sought

under reference, Tehsildar has reproduced Section 29 of standing order No.23(A) which is reproduced as under:-

" 29. Powers,..... Under Section 33(4) of Jammu and Kashmir Land Revenue, Regulation (No. 1 of 1980), any Revenue Officer can pass such order as he thinks fit with respect to each new entry brought on the mutation register by the Patwari. In practice, however nearly the whole of the attestation of mutation of work is disposed of by (Assistant Collector of First and Second class).

He has enclosed Photocopy of standing order No.23 (A) mutations and also order of his transfer. It is therefore evident that directions of the Commission has now been complied, although belated. Therefore, Tehsildar Central Srinagar is directed to send copy of reply dated 29.01.2016 along with copy of standing order enclosed to complainant through registered post and file a compliance report before the Commission. The Commission further directs the then Tehsildar Syed Altaf Mosvi (reportedly presently posted as Tehsidlar Magam District Budgam) to explain as to why action in terms of provisions of the RTI Act should not be initiated against him for not complying with the directions of the Commission within the stipulated period.

Registry to issue notice returnable within two weeks.

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

Sd/-
(Er. Nazir Ahmad)
State Information Commissioner

No. SIC/K/NC/06/2016/

Dated: -11-2016

Copy to the:-

1. PIO/ Tehsildar Central Srinagar (Shaltang)

2. Sh. Syed Altaf Mosvi presently posted as Tehsidlar Magam District Budgam
3. Pvt. Secretary to HSIC.
4. Sh. Mukhtar Ahmad Wani S/o Late Habib Ullah Wani R/o Ziyarat Batmaloo
Srinagar C/o Bashir Watch House Ziyarat Batmaloo Srinagar
5. Guard File.

(M. S. Bhat)
Dy. Registrar,
J&K, State Information Commission