



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

File No. SIC/K/Comp/10/2016  
Decision No. SIC/K/Comp/10/2016/66

Complainant: Smt. Raj Dulari

Respondent : Tehsildar Pahalgam

Date of Decision: 01.11.2016

This is a complaint filed by Smt. Raj Dulari Bhat regarding non-response of her application submitted to FAA Anantnag on 11.05.2016 for execution of the order passed in appeal by the Additional Deputy Commissioner Anantnag dated 01.04.2016 for providing the petitioner the requisite information /copies from Tehsildar Pahalgam.

The complainant has submitted that vide her application dated 15.01.2016 before PIO, ACR Anantnag had sought the information i.e., copy of agreement attested under Section-12 of the Agrarian Reform Act and the extract of the concerned register of agreements. That owing to non-response from PIO petitioner preferred appeal to FAA. While disposing of the appeal ADC Anantnag vide order dated 01.04.2016 directed Tehsildar Pahalgam to provide requisite information to the petitioner. That Tehsildar Pahalgam on receipt of the aforesaid order, appears to have directed his office on 06.04.2016 to seek the information from Record Keeper within

stipulated time period, but instead of doing so all the papers received from ADC were send to her along with copy of Mutation No.619 by post on 27.04.2016 without copies of requisite information. That on 11.05.2016 complainant submitted an application to FAA requesting for execution of his order dated 01.04.2016 by issuing appropriate directions to Tehsildar Pahalgam. That FAA has not responded her application with the result order dated 01.04.2016 remained unexecuted/unimplemented, thereby depriving her legal rights by not having copies of requisite record. She has requested the Commission to take cognizance of the matter and pass appropriate orders enabling her to get the requisite information from Tehsildar Pahalgam.

As per records, the complainant has filed an application dated 15.01.2016 before ACR/PIO seeking:

- i. Copy of agreement under Section-12 of the Agrarian Reforms Act parported to have been attested on 06.06.1989 by the Tehsildar Agrarian Reforms Sallar pertaining to land covered under Khasra No.230 of village Sakhras Tehsil Pahalgam now Tehsil Srigupwara.*
- ii. Copy (extract) of concerned register of agreements with regard to S No. where under the authentication of the above referred agreement is shown, written.*

In response to First Appeal, ADC Anantnag vide letter dated 01.04.2016 directed Tehsildar Pahalgam to provide requisite information to the applicant under intimation to his office.

During proceedings in the Commission on 01.11.2016 Mr. Ghulam Rasool Bhat Tehsildar Pahalgam attended the hearing. Complainant Smt.

Raj Dulari did not attend the hearing to substantiate her allegation, although notice for hearing was sent to her on 17.10.2016. Tehsildar Pahalgam submitted that PIO/ACR O/o Deputy Commissioner Anantnag has already informed complainant vide communication dated 29.10.2016 where under the complainant has been informed that copy of agreement under Section-12 of J&K Agrarian Reforms Act 1976 could not be traced in Tehsil offices Pahalgam, Saller and Srigufwara as communicated by these offices vide references enclosed. However, copy of Mutation No. 619 has already been made available by Tehsildar Pahalgam on 27.04.2016.

From the communications on the subject referred to above and as informed by Tehsildar Pahalgam, information with regard to copy of agreement and Mutation Register was deposited in Tehsil Office Saller, which was the Agrarian Tehsil for Tehsildar Pahalgam. PIO/ACR Anantnag with his communication date 29.10.2016 has enclosed copy of letter from Tehsildar Saller dated 21.10.2016 that neither agreement under Section-12 nor register containing the said agreement is available from the available records of agreements and registers, as the same could not be traced.

Accordingly, Tehsildar Saller is directed to file an affidavit before the Commission on the basis of his communication dated 21.10.2016 within a period of two weeks.

The Commission has observed that an important revenue document sought by information seeker has been reported as "not traceable" by Tehsildar Saller. Therefore, this issue needs to be enquired into by higher officers of Revenue Department and fix responsibility.

Accordingly, the Commission directs Deputy Commissioner Anantnag to hold an enquiry into the matter within one month and inform the Commission of findings of enquiry and action taken.

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

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

No. SIC/K/Comp/10/2016

Dated: -11-2016

Copy to the:-

1. PIO/ ACR Anantnag
2. Tehsildar Sallar Anantnag
3. Tehsildar Pahalgam
4. Pvt. Secretary to HSIC.
5. Smt Raj Dulari W/o Lt. Jagar Nath Bhat C/o H No.87 Sec-4 Sharika Vihar Lower Roop Nagar
6. Guard File.

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