



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/J/48/2017
Decision No. SIC/J/48/2017/68

FINAL ORDER

Appellant : Sh. Balwant Singh
Respondent : First Appellate Authority (FAA)/SDM, Jammu
(South) and Public Information Officer (PIO),
Tehsildar, Bahu, Jammu
Date of Registration : 17 .07.2017
Date of Decision : 14.11.2017

Brief Facts:

This appeal has resulted from the application filed by Sh. Balwant Singh on 07.10.2016 with PIO/Tehsildar, Bahu, Jammu. While hearing the 2nd appeal, the Commission through its last interim order dated 04.09.2017, had adjourned the hearing interalia with the following directions:-

"From the perusal of records brought by the Tehsildar in the hearing and after consideration of the statements made by the appellant, it appears that the appellant is seeking possession of 07 marlas of land in Khasra No. 31 falling in Village Channi Himmat which he has

reportedly purchased and in which case the mutation has also been attested. It is, therefore, strictly a matter for the Revenue Department and particularly the Tehsildar in Charge of the area, to resolve the matter under the relevant law and the rules. Therefore, by way of advice, the Tehsildar, Bahu and SDM, Jammu (South) are enjoined upon to look into the matter and if need be order a fresh demarcation to identify the 07 marlas of land being claimed by the appellant. The matter may also be taken up with the JDA if on demarcation, it transpires that this 7 Marlas of land are under the unauthorized possession of JDA.

The 2nd appeal was filed in the SIC on 17.07.2017 but owing to the need for conduct of more hearings for appropriate and final disposal of the appeal, the time period for the disposal was accordingly extended by another 60 days w.e.f. 17-09-2017 from the date of filing the appeal in terms of Section 16(11) of the J&K RTI Act, 2009.

The 2nd appeal came up for hearing today on 14.11.2017. Sh. Mohammad Majeed Chowdhary, PIO/Tehsildar, Bahu, Jammu and appellant Sh. Balwant Singh attended the hearing. During the proceedings, the PIO/Tehsildar, Bahu, Jammu stated that he has fixed the date of demarcation on 16.11.2017 with the Jammu Development Authority (JDA) and that hopefully, the matter will be got resolved in consultation with the JDA. As regards, the copy of demarcation of land made on 14.05.2015 by the representative of the Revenue Department and JDA in pursuance of mutation No. 427, the Tehsildar said that he does not have a copy of record of that demarcation, but the same is expected to be available with

the JDA and the appellant. On the assurance of the PIO/Tehsildar, Bahu, Jammu, that he will get the matter resolved in consultation with the JDA, it is directed that while doing the needful, the requisite information as sought for by the applicant vide application dated 07.12.2016 may be provided in full from the available record within a period of 15 days from the date of receipt of this order.

The 2nd appeal is accordingly, disposed of with the above directions.

Sd/-
(Khurshid A. Ganai) *IAS Retd.*
Chief Information Commissioner
J&K State Information Commission

No: SIC/J/A/48/2017

Dated: .11.2017

Copy to:

1. Registrar, J&KSIC for information and necessary action.
2. FAA/Sub Divisional Magistrate (SDM), Jammu (South), for information and necessary action.
3. PIO/Tehsildar, Bahu, Jammu for information and necessary action.
4. Private Secretary to CIC for information of the HCIC.
5. Appellant/Sh. Balwant Singh, S/o. Sh. Thakur Singh, R/o. 276/13, Nanak Nagar, Jammu for information and necessary action.
6. Office file.

(Rita Koul)
Deputy Registrar
J&K State Information Commission