

# Jammu Municipal Corporation

Town Hall Jammu-180001

Phone No : 0191-2520448, 2520428

**Subject:**

**Appellant:**

**Respondent:**

1st Appeal under J&K RTI Act 2009.  
Sh. Kovid Khosla (Adv). (Not Present).  
PIO, Municipal Corporation, Jammu

## ORDER

Whereas, Sh. Kovid Khosla Advocate R/O. Opp. Eicher Show room, Sidhra Jammu filed 1<sup>st</sup> Appeal before the undersigned which was received in this office on 09.03.2017.

Whereas appellant has intimated in the appeal that information with regard to paras A,B,C,D & G was provided by the Sr. Town Planner but no information with regard to paras E & F of the RTI application dated 28.12.2016 was provided to him.

Whereas, after notice to the parties in appeal, the matter was taken up for hearing on 12.04.2017.

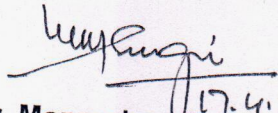
Whereas appellant choosen not to attend on the date of hearing while the concerned officer of JMC were present.

Whereas, information sought in Para E & F is regarding notices issued to the said school (Oriental Academy Afghana Mohalla Kachi Chawani Jammu) for raising illegal building in residential area and converting the residential house into the school together with issuance of demolition notice.

Whereas records were examined and it was reported by the concerned Khilafwarzi Wing that building is old and as per the Jammu & Kashmir Civic Laws (Special Provisions) Act 2014, under section 4 it is provided as under:-

*"No action to be taken pending formulation of policy-(1) Notwithstanding anything contained to the contrary in any law, rule, judgment, bye-law or order for the time being in force or any judgment, decree or order of any court or tribunal, no building or structure shall be demolished or sealed, and no penalty shall be imposed in respect of such building or structure, on the ground of such building or structure having been constructed or erected in violation of master plan pending finalization of the policy under section 3".*

Since no policy has been formulated till date and records related to information as sought in para E & F by the information seeker, could not be made available as the same is not available with the JMC records as on date. In view of the above stated terns, the appeal is accordingly disposed of.

  
(Dr. Manmohan Singh) KAS  
Commissioner,  
First Appellate Authority,  
Municipal Corporation,  
Jammu

No. MJ/Estt/288-91

Dated:- 17/4/17

Copy to the:-

01. Public Information officer, for information
02. Asstt. Commissioner (R) JMC to take up the matter with Director School Education Jammu for initiating necessary action in terms of the relevant provision of law, as no NOC has been issued by the JMC for running the said school.
03. Website Incharge for uploading the order.
04. Sh. Kovid Khosla R/O. Opp. Eicher Showroom, Sidhra, Jammu.



4.

# Jammu Municipal Corporation

Town Hall Jammu-180001

Phone No : 0191-2520448, 2520428

**Subject:** 1st Appeal under J&K RTI Act 2009.  
**Appellant:** Sh. Amarjit Singh (Present).  
**Respondent:-** PIO, Municipal Corporation, Jammu

## ORDER

Whereas, Sh. Amarjit Singh R/o. Baba Deep Nagar, Kunjwani, Jammu, filed 1<sup>st</sup> Appeal before the undersigned which was received in this office on 29.03.2017, alleging that PIO concerned has not responded the request of the appellant / information seeker within the prescribed time of 30 days.

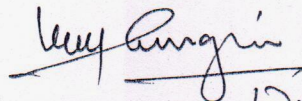
Whereas, after notice to the parties in appeal, the matter was taken up for hearing on 12.04.2017.

Whereas besides concerned officers of JMC, appellant was also present and heard personally.

Whereas, the records were examined, and as per the report of PIO, the information sought by the applicant has already been provided vide letter No. JMC/RTI/2046 dated 29.03.2017. However appellant submitted that he requires all the relevant records pertaining to revenue.

Accordingly after hearing the parties, appeal under RTI Act is disposed of with the directions to the Asstt. Commissioner (R) / Naib Tehsildar (R) JMC to provide the available relevant revenue records with the JMC to the appellant by or before 21.04.2017 through registered post.,

The appeal is accordingly disposed of.

  
17.4.17

(Dr. Manmohan Singh) KAS  
Commissioner,  
First Appellate Authority,  
Municipal Corporation,  
Jammu

No. MJ/Estt/ 292-94.  
Dated:- 17/4/17  
Copy to the:-

01. Asstt. Commissioner (R) / Naib Tehsildar for appropriate action accordingly.
02. Sh. Amarjit Singh R/o. Baba Deep Nagar, Kunjwani, Jammu.
03. Website Incharge for uploading the order.



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**Jammu Municipal Corporation**  
**Town Hall Jammu-180001**

Phone No : 0191-2520448, 2520428

**Subject:** 1st Appeal under J&K RTI Act 2009.  
**Appellant:** Sh. Kovid Khosla (Adv). (Not Present).  
**Respondent:** PIO, Municipal Corporation, Jammu

**ORDER**

Whereas, Sh. Kovid Khosla Advocate R/O. Opp. Eicher Show room, Sidhra Jammu filed 1<sup>st</sup> Appeal before the undersigned which was received in this office on 09.03.2017.

Whereas, after notice to the parties in appeal, the matter was taken up for hearing on 12.04.2017.

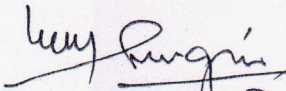
Whereas appellant chosen not to attend on the date of hearing while the concerned officer of JMC were present.

Whereas, the records were examined, and as per the report of PIO, the available information sought by the appellant has already been provided vide No. JMC/S/RTI/1911 dated 28.02.2017.

Whereas records further indicate that after coming into the notice that mobile tower installed on the roof top of Oriental Academy Afghan Mohalla Kachi Chawani, Jammu has not been permitted by the Jammu Municipal Corporation, and consequently instructions for sealing of said mobile tower has been directed by JMC immediately.

Accordingly after hearing the matter, 1<sup>st</sup> appeal under RTI Act is disposed of with the directions to Chief Enforcement Officer (CEO) to ensure that the tower is sealed and is not allowed to operate. The information pertaining to sealing of tower and pending information, if any, be made available to the appellant by or before 18.04.2017 through registered post.

The appeal is accordingly disposed of.

  
17.4.17  
**(Dr. Manmohan Singh) KAS**  
Commissioner,  
First Appellate Authority,  
Municipal Corporation,  
Jammu

No. MJ/Estt/ 284-87  
Dated:- 17/4/17  
Copy to the:-

01. Secretary JMC to ensure that mobile tower has been sealed and steps be taken for removal of said tower immediately from the school premises.
02. Chief Enforcement Officer (CEO), JMC for immediate necessary action.
03. Sh. Kovid Khosla R/O. Opp. Eicher Show room, Sidhra, Jammu.
04. Website Incharge for uploading the order.