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PUBLIC INFORMATION OFFICER

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DRAWEE BRANCH 225697

ISSUING BRANCH

AUTHORISED SIGNATORIES

Handwritten signatures
A0264
B9043

Please sign above

⑈ 225697⑈ 000240000⑈ 999998⑈ 16

The Right to Information Act 2005
Application for obtaining information

From

Somnath Barori
C/O Mrs. Sudipta Baruri or Ranju
Village:- Krishnanagar
P Anadinagar,
P.O. Krishnanagar, P.S. Kotwali,
Dt. Nadia
Pincode: 741101
Email ID:- somnathbarori@gmail.com

To

The Public Information Officer
O/o District Magistrate
Collectorate Building
Krishnagar
Nadia, West Bengal
Pin-741101

SUB : The status of My Christian Marriage Registrar or Licensed Minister License and OBC Application for Barui and Deuri or Deori

Dear Public Information Officer:

Under the Right to Information Act 2005,Section 6, I need some information. The details of the information are as follows

1. Details of the applicant

Name: Somnath Barori
Email: somnathbarori@gmail.com
Address: C/O Mrs. Sudipta Baruri or Ranju Village:- Krishnanagar P Anadinagar,

P.O. Krishnanagar, P.S. Kotwali, Dt. Nadia Pincode: 741101 Email ID:-
somnathbarori@gmail.com
Phone: 8017660980

2. Period to which the information relates: Latest

3. Details of Information

Please provide the following information under section 2(f) and 2(j) of the RTI act:

- 1) The status of My Christian Marriage Registrar or Licensed Minister License under Section 7 or 6 and 9 as I am an Ordain Person or Christian Priest.
- 2) The rules and procedures to get Purohit Bhata under Govt. of West Bengal for the Christian Priests of Nadia District.
- 3) The status of My OBC Certificate.
- 4) The rules and process to get the Non Creamy Layer Certificate for these Christian Barui and Deuri or Deori Surname.

4. Application fee details

Encl. Application Fee of Rs 10/- By Demand Draft. - 225697

5. Below Items are for your kind information and consideration

- a. As per section 6(3) of the RTI Act 2005, In case, the requested information is held by another public authority, I request the PIO to transfer the application or part of it within FIVE days and immediately inform me about such transfer.
- b. As per section 7(3) of the RTI Act 2005, In case, there are further fee required to provide the requested information, I request the PIO to inform me of the additional fee amount along with the calculations made to arrive at the amount.
- c. As per section 7(8)(iii) and 7(3)(ii) of the RTI Act 2005, I request the PIO to inform me of the particulars of First Appellate Authority.

6. Declaration

I declare that I am a citizen of India.

Yours faithfully,



Monday, February 12th 2024

Speed 15

Government of West Bengal
Office of the Block Development Officer
Krishnagar-I Dev. Block, Nadia

Memo No. 2329 /Kgr-I

Date: 23.08.23

To
The District Magistrate
Nadia

Sub: Information w.r.t online RTI of Mr. Somnath Barri

Sir,
With reference to the subject mentioned above the undersigned would like to inform him about an application for caste certificate of Somnath Barori, bearing application number- OBCWB10042021/42141.

This is to inform that the application has been recommended for acceptance.

This is for you information.


Block Development Officer
Krishnagar-I Dev. Block, Nadia

Memo No. 2329/LL /Kgr-I

Date: 23.08.23

Copy forwarded to Mr. Somnath Barori for information


Block Development Officer
Krishnagar-I Dev. Block, Nadia



Government of West Bengal
Application for SC/ST/OBC Certificate
Acknowledgement Slip



Application No. : **OBCWB10042023/12350**

Date : **2023-10-05**

Name : **SOMNATH BARORI**

Father's Name : **LATE SWAPAN BARORI**

Address : **KRISHNANAGAR P ANADINAGAR, PO: KRISHNANAGAR, PS: KOTWALI, NADIA, WEST BENGAL, PIN: 741101**

Applied for : **OBC-B**

Community: **BARUJIBI**

N.B. i. Please use Application No. for further reference.

- ii. Applicant is to appear for hearing at the concerned B.D.O./S.D.O. office on 2nd or 4th Wednesday of any month within next 60 days between 12 noon and 3 PM after online submission.
- iii. Applicant is to submit the computer-generated filled in application form (duly signed) alongwith copies of all documents in support of his claim.
- iv. Online application will be automatically rejected if the applicant does not appear for hearing within 60 days from the date of online submission of the application.
- v. Please bring two recent passport size colour photographs one attested and attached with the application and another unattested.
- vi. Please bring original documents for verification at the time of hearing.

This is a computer generated receipt. No official seal/signature is required.

Software developed by NIC-WBSC,Kolkata

Applicant Basic Info

APPLICANT'S BASIC INFORMATION

AIN	0107132310000048
Name of the Applicant	Mr. Somnath Barori
Date of Application	05/04/2023
Date of Birth	18/01/1988
Age	35
Gender	Male
Mobile No	8017660980
E-mail	somnathbarori@gmail.com
Aadhaar Card No	*****6704

PRESENT ADDRESS OF APPLICANT(AT TIME OF ISSUANCE)

Country	India
State	West Bengal
District	Nadia
Sub-division	Krishna Nagar Sadar
Rural or Urban	Rural
Block/Municipality/Municipal Corporation	Block
Block/Municipality/Municipal Corporation Name	Krishnanagar-I
Village or Ward	Krishnanagar P Anadinagar
Police Station	Kotwali
Post Office	Krishnanagar
Address Line 1	Krishnanagar
Address Line 2	Krishnanagar
Pin Code	741101

Application Details

OTHER DETAILS

Below Poverty Line	Yes
Particulars of Information	What is the Status of My Application for Being Chirstian Marriage Registrar or Licensed Minister under Govt of West Bengal
Department	Other Department
Officer type	Law
Officer designation	District Magistrate Nadia

Supporting Document

SUPPORTING DOCUMENT TYPE

SUPPORTING DOCUMENT NAME

[VIEW DOCUMENT](#)

Any other relevant document.

Any other relevant document



Required for BPL Candidates

BPL identity proof



Payment Details

PAYMODE MODE : ONLINE

AIN	0107132310000048
Name	Mr. Somnath Barori
Challan Amount (Rs)	10
Bank Transaction Status	Successful
Time of Transaction	12/05/2023 19:37:55
Transaction ID	0852023012465839
Reference Number/GRN	192023240051361698
Address of Applicant	Krishnanagar , Krishnanagar , Krishnanagar P Anadinagar , Krishnanagar , Kotwali 741101
Payment gateway	GRIPS

PAYMODE MODE : ONLINE

AIN	0107132310000048
Name	Mr. Somnath Barori
Challan Amount (Rs)	10
Bank Transaction Status	Failed
Time of Transaction	12/05/2023 19:36:10
Transaction ID	0852023012465660
Reference Number/GRN	192023240051323588
Address of Applicant	Krishnanagar , Krishnanagar , Krishnanagar P Anadinagar , Krishnanagar , Kotwali 741101
Payment gateway	GRIPS

PAYMODE MODE : ONLINE

AIN	0107132310000048
Name	Mr. Somnath Barori
Challan Amount (Rs)	10
Bank Transaction Status	Failed
Time of Transaction	12/05/2023 18:56:43
Transaction ID	0852023012465621
Reference Number/GRN	192023240051314348
Address of Applicant	Krishnanagar , Krishnanagar , Krishnanagar P Anadinagar , Krishnanagar , Kotwali 741101
Payment gateway	GRIPS

PAYMODE MODE : ONLINE

AIN	0107132310000048
Name	Mr. Somnath Barori
Challan Amount (Rs)	10
Bank Transaction Status	Failed
Time of Transaction	NA
Transaction ID	0852023012465612
Reference Number/GRN	192023240051312975
Address of Applicant	Krishnanagar , Krishnanagar , Krishnanagar P Anadinagar , Krishnanagar , Kotwali 741101
Payment gateway	GRIPS

PAYMODE MODE : ONLINE

AIN	0107132310000048
Name	Mr. Somnath Barori
Challan Amount (Rs)	10
Bank Transaction Status	Pending
Time of Transaction	NA
Transaction ID	0852023012465601
Reference Number/GRN	192023240051310355
Address of Applicant	Krishnanagar , Krishnanagar , Krishnanagar P Anadinagar , Krishnanagar , Kotwali 741101
Payment gateway	GRIPS

PAYMODE MODE : ONLINE

AIN	0107132310000048
Name	Mr. Somnath Barori
Challan Amount (Rs)	10
Bank Transaction Status	Pending
Time of Transaction	NA
Transaction ID	0852023012465366
Reference Number/GRN	192023240051241321
Address of Applicant	Krishnanagar , Krishnanagar , Krishnanagar P Anadinagar , Krishnanagar , Kotwali 741101
Payment gateway	GRIPS

Actions Taken

ACTOR NAME	DESIGNATION	ACTION TYPE	ACTION DATE	COMMENT
SARWAT ABBAS	SPIO	Match Concern Department	12/05/2023	Match Concern Department
SARWAT ABBAS	SPIO	Accept Application for Further Processing	12/05/2023	Accept Application for Further Processing

SARWAT ABBAS	SPIO	Sending the hard copy to Concerned Department	12/05/2023	Sending the hard copy to Concerned Department
SARWAT ABBAS	SPIO	Updating the Status	12/05/2023	Updating the Status
SARWAT ABBAS	SPIO	Accept the Application for Payment	12/05/2023	Application Accepted for Payment
SARWAT ABBAS	SPIO	Approve	15/05/2023	Application Approved

Your Application Has Already Been Approved, But Not Yet Signed.

Applicant Basic Info

APPLICANT'S BASIC INFORMATION

AIN	0107132310000057
Name of the Applicant	Mr. Somnath Barori
Date of Application	05/19/2023
Date of Birth	18/01/1988
Age	35
Gender	Male
Mobile No	8017660980
E-mail	somnathbarori@gmail.com
Aadhaar Card No	*****6704

PRESENT ADDRESS OF APPLICANT(AT TIME OF ISSUANCE)

Country	India
State	West Bengal
District	Nadia
Sub-division	Krishna Nagar Sadar
Rural or Urban	Rural
Block/Municipality/Municipal Corporation	Block
Block/Municipality/Municipal Corporation Name	Krishnanagar-I
Village or Ward	Krishnanagar P Anadinagar
Police Station	Kotwali
Post Office	Krishnanagar
Address Line 1	Krishnanagar
Address Line 2	Krishnanagar
Pin Code	741101

Application Details

OTHER DETAILS

Below Poverty Line	Yes
Particulars of Information	This the 1st Appellate for Redressal of RTI Quaries and RTI Status Tracking AIN 0107132310000048 1) Can I get the Approved Paper 2) What Make Delay to Sign approved certificate by the Concerned Authority 3) Whose Sign is needed and What is the Concerned Officer Name and Designation 4) What Day and What Time the Concerned Officer Will sign 5) Can I get the Approved and signed certificate at Miy email ID along with offline Mode 6) What Days commonly needed to issue the Certificate
Department	Other Department
Officer type	Law
Officer designation	District Magistrate Nadia

Supporting Document

SUPPORTING DOCUMENT TYPE	SUPPORTING DOCUMENT NAME	VIEW DOCUMENT
Any other relevant document.	Any other relevant document	
Required for BPL Candidates	BPL identity proof	

Payment Details

PAYMODE MODE : ONLINE

AIN	0107132310000057
Name	Mr. Somnath Barori
Challan Amount (Rs)	10
Bank Transaction Status	Successful
Time of Transaction	22/05/2023 14:37:52
Transaction ID	0852023012500406
Reference Number/GRN	192023240064464928
Address of Applicant	Krishnanagar , Krishnanagar , Krishnanagar P Anadinagar , Krishnanagar , Kotwali 741101
Payment gateway	GRIPS

Actions Taken

ACTOR NAME	DESIGNATION	ACTION TYPE	ACTION DATE	COMMENT
SARWAT ABBAS	SPIO	Match Concern Department	22/05/2023	Match Concern Department
SARWAT ABBAS	SPIO	Accept Application for Further Processing	22/05/2023	Accept Application for Further Processing
SARWAT ABBAS	SPIO	Sending the hard copy to Concerned Department	22/05/2023	Sending the hard copy to Concerned Department
SARWAT ABBAS	SPIO	Updating the Status	22/05/2023	Updating the Status
SARWAT ABBAS	SPIO	Accept the Application for Payment	22/05/2023	Application Accepted for Payment
SARWAT ABBAS	SPIO	Approve	24/05/2023	Application Approved

Your Application Has Already Been Approved, But Not Yet Signed.



Speed Post

To,
The Public Information Offices
O/o District Magistrate
Collectorate Building, Krishnagar
Nadia, West Bengal, Pincode - 741101

From:-

Somnath Basu
C/o Mrs. Sudipta Basu 03 Ranju
Village:- Krishnagar P Nadinagar, P.O. Krishnagar,
P.S. Kotwali, Dt. Nadia
Pincode:- 741101
Phone no.:- 8017660980

भारतीय डाक



India Post

ED618299272IN IVR:6968618299272

SP MARKET ROAD BNPL SP HUB (110001)

Counter No:1,14/02/2024,11:07

To:PIO, OH

PIN:741101, Krishnanagar HO

From:SOHANTH BASROI, PS KLATI

Wt:60gms

Amt:70.80(Cash)Tax:10.80

<Track on www.indiapost.gov.in>

<Dial 18002666868> <Wear Masks, Stay Safe>

The Right to Information Act 2005
Application for obtaining information

From

Somnath Barori
C/O Mrs. Sudipta Baruri or Ranju
Village:- Krishnanagar
P Anadinagar,
P.O. Krishnanagar, P.S. Kotwali,
Dt. Nadia
Pincode: 741101
Email ID:- somnathbarori@gmail.com

To

The Public Information Officer
O/o District Magistrate
Collectorate Building
Krishnagar
Nadia, West Bengal
Pin-741101

**SUB : The status of My Christian Marriage Registrar or Licensed Minister
License and OBC Application for Barui and Deuri or Deori**

Dear Public Information Officer:

Under the Right to Information Act 2005,Section 6, I need some information. The details of the information are as follows

1. Details of the applicant

Name: Somnath Barori
Email: somnathbarori@gmail.com
Address: C/O Mrs. Sudipta Baruri or Ranju Village:- Krishnanagar P Anadinagar,

P.O. Krishnanagar, P.S. Kotwali, Dt. Nadia Pincode: 741101 Email ID:-
somnathbarori@gmail.com
Phone: 8017660980

2. Period to which the information relates: Latest

3. Details of Information

Please provide the following information under section 2(f) and 2(j) of the RTI act:

- 1) The status of My Christian Marriage Registrar or Licensed Minister License under Section 7 or 6 and 9 as I am an Ordain Person or Christian Priest.
- 2) The rules and procedures to get Purohit Bhata under Govt. of West Bengal for the Christian Priests of Nadia District.
- 3) The status of My OBC Certificate.
- 4) The rules and process to get the Non Creamy Layer Certificate for these Christian Barui and Deuri or Deori Surname.

4. Application fee details

Encl. Application Fee of Rs 10/- By Court Fee Stamp

5. Below Items are for your kind information and consideration

- a. As per section 6(3) of the RTI Act 2005, In case, the requested information is held by another public authority, I request the PIO to transfer the application or part of it within FIVE days and immediately inform me about such transfer.
- b. As per section 7(3) of the RTI Act 2005, In case, there are further fee required to provide the requested information, I request the PIO to inform me of the additional fee amount along with the calculations made to arrive at the amount.
- c. As per section 7(8)(iii) and 7(3)(ii) of the RTI Act 2005, I request the PIO to inform me of the particulars of First Appellate Authority.

6. Declaration

I declare that I am a citizen of India.

Yours faithfully,

Somnath

Monday, February 12th 2024



Government of West Bengal
Office of the Sub-Divisional Officer
Sadar, Krishnagar, Nadia

E-mail sdo_sadar_nadia@gmail.com, Ph : - 03472-291997.

Memo No.: 263/s

Date: 12.03.2024

From : State Public Information Officer,
Sadar Sub-Division, Krishnagar, Nadia.

To ✓ Somnath Barori
C/O: Mrs Sudipta Baruri or Ranju
Village :- Krishnanagar P Anadinagar,
P.O:- Krishnanagar, P.S:- Kotwali,
Dist : Nadia
PIN : 741101

Sub: His one R.T.I. Application dated 12.02.2024 regarding OBC Application for Barui and Deuri or Deori

With reference to your RTI application mentioned as above, you are to inform that

- 1) Not related to this office
- 2) Not related to this office
- 3) Status of your OBC certificate can't be stated as you haven't mentioned any certificate no. in your RTI application.
- 4) After issuing an OBC certificate, NCL certificate is issued to the certificate holder concerned, considering income status.

Law 12/3/24
State Public Information Officer,
Sadar Sub-Division, Krishnagar, Nadia.

GS

The Right to Information Act, 2005

First Appeal for State Government

I.D No _____ Date: _____ [For office use]

To,

The First Appellate Authority under RTI Act

O/o District Magistrate
Collectorate Building
Krishnagar
Nadia, West Bengal
Pin-741101

Sir,

As I am aggrieved by decision of State Public Information Officer, I hereby file this appeal for your kind decision.

1. Details of appellant

1.1 Full Name: Somnath Barori

1.2 Full Address:

C/O Mrs. Sudipta Baruri or Ranju
Village:- Krishnanagar
P Anadinagar,
P.O. Krishnanagar, P.S. Kotwali,
Dt. Nadia
Pincode: 741101
Email ID:- somnathbarori@gmail.com

1.3 Phone/Cell No: 8017660980

1.4 Email ID: somnathbarori@gmail.com

2. Details of State Public Information Officer (SPIO)

2.1 Name/Designation: Public Information Officer

2.2 Full Address:

SPIO,
Sadar Sub-Division,
Krishnagar,
Nadia

3. Details of RTI application to SPIO

Date of Application: Wednesday, February 14th 2024

Mailed on : 14/02/2024 by Registered Post No.: ED618299272IN

Date of receipt by SPIO: 19/02/2024

4. Particulars of payment of filing fee:

Paid Rs.10/- by bank draft/pay slip/IPO No: By Court Fee Stamp

5. Details of information sought:

Please provide the following information under section 2(f) and 2(j) of the RTI act:

1) The status of My Christian Marriage Registrar or Licensed Minister License under Section 7 or 6 and 9 as I am an Ordain Person or Christian Priest.

2) The rules and procedures to get Purohit Bhata under Govt. of West Bengal for the Christian Priests of Nadia District.

3) The status of My OBC Certificate.

4) The rules and process to get the Non Creamy Layer Certificate for these Christian Barui and Deuri or Deori Surname.

6. Particulars of Decision of SPIO:

The PIO has replied for point number 1 and 2 as Not related to this Office.

For point Number 3- Status of the OBC certificate can't be stated as you have not mentioned any Certificate number in your RTI application.

7. Brief facts of the case:

The status of My Christian Marriage Registrar or Licensed Minister License under Section 7 or 6 and 9 as I am an Ordain Person or Christian Priest.

The copy of the RTI application has been attached herewith as Annexure 1.

8. Reasons/grounds for this appeal:

1. As the response from the PIO regarding the information as requested in the RTI application is unsatisfactory and amounts to denial of information, an appeal is preferred against the order of the concerned Public Information Officer under the section 19(1) of the Right to Information Act, 2005.

2. It is clear from the response of the PIO that it is indeed the relevant and concerned public authority which is best equipped to deal and answer the queries of the RTI Applicant.

3. The PIO has replied for point number 1 and 2 as Not related to this Office.

For point Number 3- Status of the OBC certificate can't be stated as you have not mentioned any Certificate number in your RTI application.

4. Under the RTI Act, 2005, a PIO is obliged to provide access to information to a

citizen unless as stipulated by Section 7(1), furnishing of such information is covered by one of the exemptions provided under Section 8 or Section 9 of the RTI Act. The PIO has failed to discharge its duties and obligations by refusing to provide the information and failing to state the reasons for doing so under the law.

5. The PIO has just replied that the Information is not available in this office. Merely replying that the information is not available will not absolve the PIO of its responsibility to ensure that the desired information forming part of public records ought to be provided to the applicant. If the PIO is not the concerned authority to reply to the RTI application, he/ she should have transferred the same to the appropriate PIO/ Public Authority within 5 days as prescribed under Section 6(3) of the RTI Act. By not doing so, the PIO has failed to discharge his/ her duties and obligations under the law.

6. As per section section 6(3) of the RTI act, the PIO should have transferred the RTI application to Where an application is made to a public authority requesting for an information,—

(i) which is held by another public authority; or

(ii) the subject matter of which is more closely connected with the functions of another public authority, the public authority, to which such application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer:

Provided that the transfer of an application pursuant to this subsection shall be made as soon as practicable but in no case later than five days from the date of receipt of the application.

7. Once the applicant makes an application, it is the duty of the concerned authority to make all efforts to facilitate the provision of information requested which includes transferring the application u/s 6(3) to the concerned department. The act of the PIO to respond that the information is not available with the department highlights the casual approach being adopted while dealing with the application.

8. The meaning of information under Section 2(f) of RTI Act clearly states that it includes any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form. The information requested for by the applicant clearly falls under the category of

Section 2(f) of RTI Act. Thus according to the meaning provided under the RTI Act, it is obligatory upon the PIO to disclose the entire set of information requested for by the applicant.

9. The PIO has failed to discharge its duties and obligations and has adopted an arbitrary and lackadaisical approach towards dealing with the concerned RTI application. The PIO has also further failed to inform the applicant as to why this information has not been disclosed to the applicant and its reasons thereof. Section 4(1) (d) of the RTI Act clearly lays down that every public authority shall have to disclose the reasons for its decisions to the affected persons.

This First Appeal is attached with a condonation of delay in filing the First Appeal within the stipulated time period of 30 days under section 19(1) of the RTI act.

9 Any other information in support of appeal:

No

10 Prayer/relief sought for:

Kindly direct the PIO concerned to provide the requested information to the undersigned at the earliest or provide legal reasons for denial of information if it intends to reject the application.

11. Personal Presence at hearing: NO

12. Enclosures:

Photocopies of original RTI application with its enclosures, postal proof of mailing

13. Declaration:

I hereby state that the information and particulars given above are true to the best of my knowledge and belief. I also declare that this matter is not previously filed with any information commission nor is pending with any Court or tribunal or authority.

Signature of appellant

Somnath

Tuesday, April 16th 2024

To,

West Bengal Information Commission
11 A, Mirza Galib Street,
Khadya Bhaban,
Kolkata-700 087

Subject: Second Appeal under Section 19(3) of Right to Information Act, 2005

Date: 11/06/2024

Name and Address of the appellant:

Somnath Barori
C/O Mrs. Sudipta Baruri or Ranju
Village:- Krishnanagar
P Anadinagar,
P.O. Krishnanagar, P.S. Kotwali,
Dt. Nadia
Pincode: 741101
Email ID:- somnathbarori@gmail.com

Name and Address of the CPIO:

SPIO,
Sadar Sub-Division,
Krishnagar,
Nadia

Date of submission of RTI request: 14/02/2024

Date of RTI reply: 12th March, 2024

Name and Address of the FAA:

O/o District Magistrate
Collectorate Building
Krishnagar
Nadia, West Bengal
Pin-741101

Date of submission of FA request: 14/04/2024

Date of FA reply: No response received

Brief facts of the case:

1. The Applicant had filed a RTI Application seeking information on the following grounds:

Please provide the following information under section 2(f) and 2(j) of the RTI act:

1) The status of My Christian Marriage Registrar or Licensed Minister License under Section 7 or 6 and 9 as I am an Ordain Person or Christian Priest.

2) The rules and procedures to get Purohit Bhata under Govt. of West Bengal for the Christian Priests of Nadia District.

3) The status of My OBC Certificate.

4) The rules and process to get the Non Creamy Layer Certificate for these Christian Barui and Deuri or Deori Surname.

2. However, there was an unsatisfactory response from the concerned PIO to the RTI Application.

3. The applicant then proceeded to file a First Appeal against the unsatisfactory response of the PIO.

4. However, there was no response from the concerned First Appellate Authority to the first appeal filed by the applicant.

5. Hence a Second Appeal is being filed against the unsatisfactory response of the PIO and the no response of the FAA.

Grounds for Prayer or Relief:

1. As there is an unsatisfactory reply from the PIO and no reply by the First Appellate Authority within 30 days from the date of the First Appeal, a second appeal is being filed under section 19(3) of the Right to Information Act within the mandatory time period of 90 days. The copy of the RTI application and first appeal have been annexed herewith as Annexure 1 and Annexure 2.

2. The failure of the PIO as well as the FAA to respond to the application within the specific time frames as provided under the Act is a violation of Section 5(3), 5(4) and 5(5) which mandates that the PIO is to make all efforts to ensure that the requested information is properly furnished to the applicant.

3. The PIO has replied for point number 1 and 2 as Not related to this Office. For point Number 3- Status of the OBC certificate can't be stated as you have not mentioned any Certificate number in your RTI application.

4. The denial of information by the PIO is in violation of the provisions of the RTI Act, tantamounting to deemed refusal in terms of Section 7(1) of the RTI Act which makes the PIO liable for penal action under Section 20(1) of the RTI Act. The PIO has clearly failed to discharge its duties and obligations in the letter and spirit of the Act.

5. Under the RTI Act, 2005, a PIO is obliged to provide access to information to a citizen unless as stipulated by Section 7(1), furnishing of such information is covered by one of the exemptions provided under Section 8 or Section 9 of the RTI Act. The PIO has failed to discharge its duties and obligations by refusing to provide the information and failing to state the reasons for doing so under the law.

6. The PIO has just replied that the Information is not available in this office. Merely replying that the information is not available will not absolve the PIO of its responsibility to ensure that the desired information forming part of public records ought to be provided to the applicant. If the PIO is not the concerned authority to reply to the RTI application, he/ she should have transferred the same to the appropriate PIO/ Public Authority within 5 days as prescribed under Section 6(3) of the RTI Act. By not doing so, the PIO has failed to discharge his/ her duties and obligations under the law.

7. As per section section 6(3) of the RTI act, the PIO should have transferred the RTI application to Where an application is made to a public authority requesting

for an information,—

(i) which is held by another public authority; or
(ii) the subject matter of which is more closely connected with the functions of another public authority, the public authority, to which such application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer: Provided that the transfer of an application pursuant to this subsection shall be made as soon as practicable but in no case later than five days from the date of receipt of the application.

8. Once the applicant makes an application, it is the duty of the concerned authority to make all efforts to facilitate the provision of information requested which includes transferring the application u/s 6(3) to the concerned department. The act of the PIO to respond that the information is not available with the department highlights the casual approach being adopted while dealing with the application.

9. The information sought by the applicant in the RTI Application is very much a part of the information maintained by the concerned public authority falling under the definition of section 2(f) of the RTI Act and the PIO and FAA have no reasons whatsoever, of refusing to provide the information. In fact, their failure to even reply to the application highlights the fact that the application has been dealt with in a negligent and apathetic manner.

10. The PIO has failed to discharge its duties and obligations and has adopted an arbitrary and lackadaisical approach towards dealing with the concerned RTI application. The PIO has also further failed to inform the applicant as to why this information has not been disclosed to the applicant and its reasons thereof. Section 4(1) (d) of the RTI Act clearly lays down that every public authority shall have to disclose the reasons for its decisions to the affected persons.

11. In the present case, there has been no reply from the FAA. It is the duty and obligation of the Appellate Authority, being a higher authority in the hierarchy, to make all possible efforts and take all appropriate steps to ensure that the application is addressed in a proper manner. However, when the FAA has not even bothered to send a reply and pass an appropriate order to the First Appeal, it highlights the fact that the application/appeal has been addressed in a casual and callous manner. There has been utmost disregard of the RTI Act and dereliction of duty on part of the concerned FAA. Not replying to the first appeal means that the

FAA has no regard for the applicant and the process which results in extension of the agony of the appellant of having to wait indefinitely to have access to the information desired under the RTI Application.

12. However, there has been no response thereafter. It is evident from the conduct of the public authority that it has failed to perform its duties and obligations under the RTI Act and failed to provide a response to the RTI Application. The PIO as well as the FAA have failed to provide a reply to the applicant amounting to a no response from the authorities.

13. Various orders have been passed by the Hon'ble Central Information Commission to the effect that a no response from the PIO and the FAA calls for strict action against the concerned officer along with directions to be issued for the disclosure of the information sought at the earliest.

14. As the application of the applicant/appellant has not been handled properly and even the first appeal has not been disposed off accordingly, the concerned PIO is liable to face penal action. The applicant has suffered detriment, mental agony and harassment for not receiving timely and complete information and deserves to be compensated u/s 19(8)(b) of the RTI Act.

15. As per the judgment titled, MINISTRY OF RAILWAYS vs. GIRISH MITTAL, W.P. (C) 6088/2014 & CM Nos.14799/2014, 14800/2014 & 14801/2014, the following has been laid down:

“Plainly, Section 18 of the Act enjoins the CIC to inter alia inquire into a complaint from any person who has been refused access to any information requested under the Act. In view of the unambiguous language of the provisions of the Act, the contention that CIC lacks the jurisdiction to impose a penalty on a complaint is ex facie without merit. The plain language of Section 20(1) of the Act indicates that it is not necessary that the penalty be imposed by the CIC only while considering an appeal; penalty can also be imposed by the CIC if on inquiry made pursuant to a complaint, it is found that a CPIO has not furnished the information in time or has knowingly given incorrect or incomplete information. Therefore, in my view, the jurisdiction exercised by CIC cannot be faulted.”

Prayers or Relief Sought:

I appeal to you to kindly direct the concerned PIO to provide the correct and relevant information to the undersigned at the earliest, that is complete in all respects. I also humbly appeal to the Hon'ble Commission to levy penal/punitive action against the concerned officer for failing to provide a timely response and compensating the undersigned/appellant for the detriment caused for the reasons mentioned in the appeal above. The Hon'ble Commission may also pass any other or further orders in the interest of justice.

Verification:

I, Somnath Barori hereby state that the information and particulars given above are true to the best of my knowledge and belief. I also declare that this matter is not previously filed with this commission nor is pending with any Court or tribunal or authority

Yours sincerely

Somnath

Somnath Barori

Enclosures:

Annexure 1 - Copy of the original RTI Application.

Annexure 2 - Copy of the original First Appeal Application.

**Copy To,
The Public Information Officer
SPIO,
Sadar Sub-Division,
Krishnagar,
Nadia**

1234955

Hearing on 03-02-2026**State Chief Information Commissioner West Bengal < scic-wb@nic.in >**

Tue, 10 Feb 2026 12:31:35 PM +0530

To "sdosadarnadia"<sdo.sadar.nadia@gmail.com>,"dswnadia2015"<dsw.nadia2015@gmail.com>,"Aneesh Dasgupta"<dm-ndi@nic.in>

Cc "somnathbarori"<somnathbarori@gmail.com>

Please find the attachment, for further details visit our website

West Bengal Information Commission

4 Attachment(s)

WBIC-RTI-A-100655-1728-202...

16.7 KB

WBIC-RTI-A-602158-2729-202...

16.4 KB

WBIC-RTI-A-602159-2731-202...

16.4 KB

WBIC-RTI-A-602334-2743-202...

16.4 KB

Hearing Postponed to 10-03-2026

State Chief Information Commissioner West Bengal < scic-wb@nic.in >

Thu, 12 Feb 2026 11:43:46 AM +0530

To "sdosadarnadia"<sdo.sadar.nadia@gmail.com>,"dswnadia2015"<dsw.nadia2015@gmail.com>,"Aneesh Dasgupta"<dm-ndi@nic.in>

Cc "somnathbarori"<somnathbarori@gmail.com>

Please find the attachment, for further details visit our website

West Bengal Information Commission

4 Attachment(s)

Hearing Postponed to 10-03-2...
614.1 KB

Hearing Postponed to 10-03-2...
518.7 KB

Hearing Postponed to 10-03-2...
516.6 KB

Hearing Postponed to 10-03-2...
523.9 KB

WEST BENGAL INFORMATION COMMISSION

Khadya Bhaban

11A, Mirza Ghalib Street, Kolkata-700 087.

Ph. No. (033)2252-0509 / 2252-0501

Website : www.wbic.wb.gov.in E-mail : scic-wb@nic.in

No. 271– WBIC/RTI/A/602334/2743/2024

Date: 11.02.2026

From: Section Officer
West Bengal Information Commission

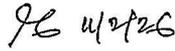
To:

SOMNATH BARORI C/o - Sudipta Baruri or Ranju, Vill - Krishnanagar, P Anadinagar, P.O. - Krishnanagar, P.S. - Kotwali, Dist. - Nadia, Pin – 741101	The SPIO, Office of the Sub-Divisional Officer, Sadar, Krishnagar, Nadia, Pin-741101	The First Appellate Authority, Office of the District Magistrate, Collectorate Building, Krishnagar, Nadia, West Bengal 741101
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Ref: This Commission's Notice No. 575-WBIC/RTI/A/602334/2743/2024 dated 03.02.2026

Sir,

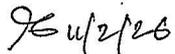
With reference to the above, the Commission has decided to re-schedule the hearing to **10.03.2026**
at **11:30 hrs.** from 02.03.2026.


Section Officer
West Bengal Information Commission

No. 271/1(1)– WBIC/RTI/A/602334/2743/2024

Date: 11.02.2026

Copy forwarded for information to the Sr. P.S. to Shri Virendra, Hon'ble State Chief
Information Commissioner, West Bengal.


Section Officer
West Bengal Information Commission

OFFICE COPY