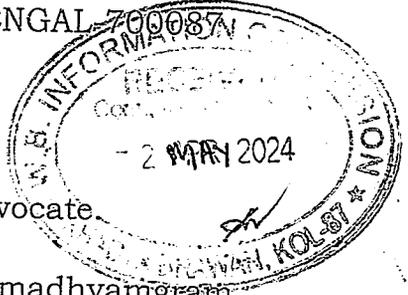


100444(A)
03/05/2024

BEFORE THE HON'BLE WEST BENGAL INFORMATION COMMISSION
KHADYA BHAWAN COMPLEX, 11A, MIRZA GHALIB STREET,
JANBAZAR, TALTALA, KOLKATA, WEST BENGAL - 700087



1. **Name of the Appellant:** Deeptangshu Kar, Advocate.
2. **Complete Postal Address:** East Bankimpally, madhyamgram, Kolkata - 700129.
3. (a) **Contract No:** 8240670904
(b) **e-mail id:** kardeeptangshu@gmail.com
4. (a) **Date of filling of application for information under RTI Act:** 11.12.2023.
(b) **Whether application fee paid:** YES
(i) **Mode of payment:** Rs.10 Court fee.
5. **Name of State Public Information Officer with Address:** i. SAPIO – Additional Superintendent of Excise (Law), West Bengal Deputy Commissioner, Excise Directorate, 3rd Floor, 32,, B.B. Ganguly Street, Kolkata – 700012; ii. SPIO – Superintendent of Excise (Law), West Bengal Joint Commissioner of Excise, Excise Directorate, 3rd Floor, 32,, B.B. Ganguly Street, Kolkata – 700012.
(a) **Whether RTI petition is Transferred to another SPIO u/s 6(3) of the RTI Act, 2005:** YES, to SPIO – Office of the Superintendent of Excise, Barrackpore Excise District, North 24 Parganas, Pin Code- 700120.
6. **Gist of the information sought for:** The present applicant made the application under RTI ACT, 2005 dated 11.12.2023 *inter alia* regarding the ownership of Sodepur F.L. off Shop. (A copy of the said application dated 11.12.2023 is annexed hereto and marked as "A-1".)
7. **Have you received any response/information:** Yes. (A copy of the response dated 09.01.2024 is annexed herewith and marked collectively as "A-2".)
8. **Date of filing 1st Appeal:** 25.01.2024. (A copy of the 1st Appeal dated 25.01.2024 is annexed hereto and marked as "A-3")

A
02/5/24

9. **Authority to whom the first appeal was made with address:** The 1st Appellate Authority, SPIO – Office of the Superintendent of Excise, Barrackpore Excise District, North 24 Parganas, Pin Code- 700120.
10. **Decision of the 1st Appellate Authority, if any, including the number and date of the order:** Decision dated 06.02.2024 provided by the 1st Appellate Authority, SPIO – Office of the Superintendent of Excise, Barrackpore Excise District, North 24 Parganas, Pin Code- 700120.
11. **Grounds for 2nd appeal and relief sought:** The present applicant made the application under RTI ACT, 2005 dated 11.12.2023 *inter-alia* regarding the ownership of Sodepur F.L. off Shop. But the information dated 09.01.2024 was insufficient and non-satisfactory. The applicant herein on 25.01.2024 filed a First Appeal under Section 19(1) of the Right to Information Act, 2005. It is stated that the 1st Appellate Authority under Section 19(1) of RTI Act, 2005 vide a letter dated 06.02.2024 provided a reply, but the same was also insufficient and non-satisfactory as though it provided the information of transformation to liquor shop, it did not provide the information as to why specifically Mr. Asit Kr. Ghoshal was given the ownership of Sodepur F.L. Off Shop despite the fact being that there were 7 more existing legal heirs to Late Sudhir Kumar Ghoshal being Pushpa Rani Ghoshal, Ashim Kumar Ghoshal, Aparna Ghoshal, Anima Chatterjee, Dipali Mukherjee, Ashok Kumar Ghoshal and Shyamali Ghoshal.
12. The 2nd Appeal is well within the stipulated time prescribed under section 19(3) of the Right to information Act, 2005.

I, Deeptangshu Kar, son of Shri Apurba Kar, aged about 24 years, being an Indian citizen do hereby solemnly affirm that the statements made herein are true to my knowledge based on records and the rest are my submission to the Hon'ble West Bengal Information Commission.

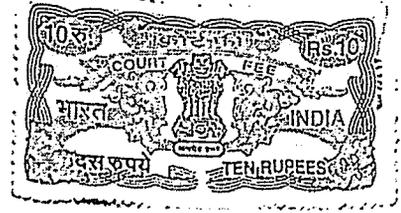
I also declare that this matter is not previously filed with this Commission nor is pending with any Court or Tribunal or Authority.

Place: Kolkata

Date: 09/04/2024


signature of the applicant

Copy to: Excise Directorate Government Of West Bengal, 32 Bepin Behari Ganguly Street, Bow Bazaar, Kolkata, West Bengal 700012.



Application under RTI act 2005

Date: 11.12.2023

To

1. S.A.P.I.O. - Addl. Superintendent of Excise (Law),
West Bengal & Deputy Commissioner of Exc.
Excise Directorate,
3rd Floor, 32, B.B.Ganguly Street,
Kolkata - 12
2. S.P.I.O. - Superintendent of Excise (Law),
West Bengal & Jt. Commissioner of Excise,
Excise Directorate,
3rd Floor, 32, B.B. Ganguly Street,
Kolkata - 12

Subject: Request for Information under Section 6(1) of Right to Information Act 2005.

Dear Sir,

I, Sri Deeptangshu Kar, Son of Sri Apurba Kar, resident of East Bankimpally, Madhyamgram, District - North 24 Parganas, Mobile number: 8240670904, Email ID: kardeeptangshu@gmail.com, hereby state that I am an advocate practicing before the Hon'ble Calcutta High Court and a public-spirited citizen of this country.

This application is pertaining to Sodepur F.L. off Shop situated at 25, BT Road, Sodepur, Pin code- 700110. As a concerned citizen of this country, I

4

have some queries pertaining to the ownership and related ancillary issues regarding the same. This has led me to exercise my fundamental right to information under articles 19 and 21 of the Constitution of India 1950 read with Section 6(1) of Right to Information Act 2005.

I wish to seek information as under

1. Who is the current owner of Sodepur F.L. off Shop situated at 25, BT Road, Sodepur, Pin code- 700110?
2. Whether the current owner possesses the requisite license for running Sodepur F.L. off Shop situated at 25, BT Road, Sodepur, Pin code- 700110? If yes, then kindly furnish the details of the said License?
3. What is the background history of ownership pertaining to Sodepur F.L. off Shop situated at 25, BT Road, Sodepur, Pin code- 700110? Who was the previous owner of the said shop/shoproom?
4. How does the present owner become owner of Sodepur F.L. off Shop situated at 25, BT Road, Sodepur, Pin code- 700110? From whom he/she derived its title?
5. Whether the said shoproom was previously used as a shop selling Opium? If yes, how the said shop was transformed into a Liquor shop?
6. In whose name the Trade License of the said shop was issued?

I hereby inform that following formalities have been completed by me:

1. That I have duly attached the requisite Government RTI fees of Rs. 10/- for the purpose of filing this RTI application.
2. I am ready to deposit the requisite sum of money for the charges of obtaining the required documents.
3. That I do not belong to Category of below Poverty Line (BPL)
4. That I am 'Citizen' of India and I am asking the information as 'Citizen'.

5. I assure that I shall not allow/cause to use/ pass/share/display/ or circulate the information received in any case and under any circumstances, with any person or in any manner which would be detrimental to the Unity and Sovereignty or against the Interest of India.

Ajptangshukase
Advocate



ANNEXURE-B

6

Date: 25.01.2024

To
The Appellate Authority
Under the Right to Information Act 2005,
In the office of The State Public Information Officer (SPIO),
Office of the Superintendent of Excise
Barrackpore Excise District, North 24 Parganas, pin code - 700120

Sub: First Appeal under Section 19(1) of the Right to Information Act, 2005.

Sir,

This is to inform you that, I, Mr. Deeptangshu Kar had made an application exercising my fundamental right to information, before The SPIO, The Excise Directorate, West Bengal on 11.12.2023 (The photocopy of the application dated 11.12.2023 is annexed hereto as "Annexure-A"). The said application was received by the concerned authority and vide a letter dated 13.12.2023, the said authority forwarded the said application to The State Public Information Officer (SPIO), Office of the Superintendent of Excise, Barrackpore Excise District, North 24 Parganas as the information sought were pertaining to the jurisdiction of Barrackpore Excise District (The photocopy of the said letter dated 13.12.2023 is annexed hereto as "Annexure-B"). Thereafter, vide a memo dated 09.01.2024, The State Public Information Officer (SPIO), Office of the Superintendent of Excise, Barrackpore Excise District, North 24 Parganas provided reply to each of the queries raised on behalf of myself in the said application dated 11.12.2023 (The photocopy of the said memo dated 09.01.2024 is annexed hereto as "Annexure-C"). With regard to question no.5 raised in the said application being "Whether the said shop room was previously used as a shop selling Opium? If yes, how the said shop was transformed into a Liquor shop", the answer that came was as follows: "Yes. As per govt. approval". I am to state that I am not at all satisfied with the said answer as the same was extremely brief, without disclosing any material information/fact that was actually enquired for.

Hence, I am preferring this First Appeal before you, being highly dissatisfied by the of the concerned office

Thanking you

Yours truly

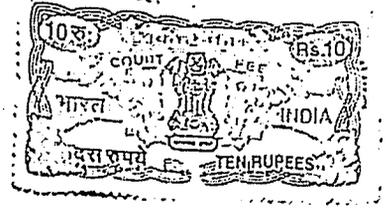
Deeptangshu Kar

Deeptangshu Kar
Advocate,
High Court Calcutta

Annexure - "A"

7

Application under RTI act 2005



To

Date: 11.12.2023

1. S.A.P.I.O. - Addl. Superintendent of Excise (Law),
West Bengal & Deputy Commissioner of Exc.
Excise Directorate,
3rd Floor, 32, B.B.Ganguly Street,
Kolkata - 12
2. S.P.I.O. - Superintendent of Excise (Law),
West Bengal & Jt. Commissioner of Excise,
Excise Directorate,
3rd Floor, 32, B.B. Ganguly Street,
Kolkata - 12

Subject: Request for Information under Section 6(1) of Right to Information Act 2005.

Dear Sir,

I, Sri Deeptangshu Kar, Son of Sri Apurba Kar, resident of East Bankimpally, Madhyamgram, District - North 24 Parganas, Mobile number: 8240670904, Email ID: kardeeptangshu@gmail.com, hereby state that I am an advocate practicing before the Hon'ble Calcutta High Court and a public-spirited citizen of this country.

This application is pertaining to Sodepur F.L. off Shop situated at 25, BT Road, Sodepur, Pin code- 700110. As a concerned citizen of this country, I

8

have some queries pertaining to the ownership and related ancillary issues regarding the same. This has led me to exercise my fundamental right to information under articles 19 and 21 of the Constitution of India 1950 read with Section 6(1) of Right to Information Act 2005.

I wish to seek information as under

1. Who is the current owner of Sodepur F.L. off Shop situated at 25, BT Road, Sodepur, Pin code- 700110?
2. Whether the current owner possesses the requisite license for running Sodepur F.L. off Shop situated at 25, BT Road, Sodepur, Pin code- 700110? If yes, then kindly furnish the details of the said License?
3. What is the background history of ownership pertaining to Sodepur F.L. off Shop situated at 25, BT Road, Sodepur, Pin code- 700110? Who was the previous owner of the said shop/shoproom?
4. How does the present owner become owner of Sodepur F.L. off Shop situated at 25, BT Road, Sodepur, Pin code- 700110? From whom he/she derived its title?
5. Whether the said shoproom was previously used as a shop selling Opium? If yes, how the said shop was transformed into a Liquor shop?
6. In whose name the Trade License of the said shop was issued?

I hereby inform that following formalities have been completed by me:

1. That I have duly attached the requisite Government RTI fees of Rs. 10/- for the purpose of filing this RTI application.
2. I am ready to deposit the requisite sum of money for the charges of obtaining the required documents.
3. That I do not belong to Category of below Poverty Line (BPL)
4. That I am 'Citizen' of India and I am asking the information as 'Citizen'.

9

5. I assure that I shall not allow/cause to use/ pass/share/display/ or circulate the information received in any case and under any circumstances, with any person or in any manner which would be detrimental to the Unity and Sovereignty or against the Interest of India.

Dr. Prakash K. K.
Advocate

Annexure - "B"



Government of West Bengal
Excise Directorate
HR (Law) Section
32, B.B. Ganguly Street
Kolkata-700012

12

Phone: 033-22363758

e-mail: sselaw.wb@gmail.com

Dated:

Memo No.

From: The State Public Information Officer
Excise Directorate, West Bengal

To : The State Public Information Officer,
Barrackpore Excise District.

Sub: Information sought under the RTI Act 2005 by one Sri Deeptangshu Kar.

Sir.

Enclosed herewith please find copy of application dated 11.12.2023 sent u/s 6(1) of the RTI Act, 2005 by one Sri Deeptangshu Kar having address at East Bankimpally, Madhyamgram, Dist: North 24 Parganas as received by this office on 13.12.2023. Since the matters entails information related to an establishment pertaining to your district, hence You are requested to reply directly to the applicant with an intimation of reply to the undersigned.

Yours sincerely

Encl: As stated

Sd/-
State Public Information Officer
Excise Directorate, West Bengal.

Dated: 13.12.2023

Memo No. 1532/1E

Copy forwarded to: -

Sri Deeptangshu Kar having address at East Bankimpally, Madhyamgram, Dist: North
24 Parganas.


13/12/2023
State Public Information Officer
Excise Directorate, West Bengal.



Annexure - "C"

Government of West Bengal
Office of the Superintendent of Excise,
Barrackpore Excise District, North 24 Parganas,
2nd Floor, Administrative Buildings, Barrackpore, Kolkata-700120

Memo. No. 414/BKPZ/1M-66/12-13/E

Dated :09.01.2024

From : The State Public Information Officer,
Office of the Superintendent of Excise
Barrackpore Excise District, North 24 Parganas

To : Sri Deeptangshu Kar
East Bankimpally, Madhyamgarm
Dist- North 24 Parganas.

Sub : Information under Right to Information Act, 2005.

Ref : Excise Directorate memo no.-1532E, dated-13.12.2023

Gentleman,

In pursuance of the above noted reference of the letter this is to inform you that pointwise reply/information as sought for in your letter from serial no.1 to 6 are appended below.

1. Nilanjana Ghosal.
2. Yes.
3. FL "OFF" shop license at 25, B.T. Road.
She got the license after the death of her father.
Late Asit Kumar Ghosal.
4. By regular settlement after death of previous owner.
From her father Late Asit Kumar Ghosal.
5. Yes.
As per govt. approval.
6. In the name of Late Asit Kumar Ghosal.

This is to further inform that if he is not satisfied with this information, he may prefer an appeal before following Appellate Authority within 30 (thirty) days from the date of receipt of this letter.

Appellate Authority:-
A.D.M. (G) & Collector, North 24 Parganas,
Office of the District Magistrate & Collector,
North 24 Parganas

Memo No. 414/1/BKPZ/1M-66/12-13/E
Copy forwarded for information vide memo no.-1532E,
dt-13.12.2023 to
The State Public Information Officer
Excise Directorate, West Bengal

Yours faithfully

Qud
9/1/24
State Public Information Officer
Office of the Superintendent of Excise
Barrackpore Excise District, North 24 Parganas
Dated:09.01.2024
Addl. Superintendent of Excise
Barrackpore Excise District
North 24 Parganas, Govt. of W.
D.D.O. Code - NPC-EXD-00*

Qud
9/1/24
State Public Information Officer
Office of the Superintendent of Excise
Barrackpore Excise District, North 24 Parganas
Addl. Superintendent of Excise
Barrackpore Excise District
North 24 Parganas, Govt. of W.B
D.D.O. Code - NPC-EXD-00*

Government of West Bengal
Office of the Superintendent of Excise
Barackpore Excise District, North 24 Parganas
2nd floor, Administrative Building, Barabagicha, Kolkata-700014

12

Memo No. 444/RK/P/AM/66/2-17/15

Date: 10/07/15

From: The State Public Information Officer,
Office of the Superintendent of Excise,
Barabagicha, 2nd floor, Administrative Building, Barabagicha, Kolkata-700014

To: Smt. Dimple Chakrabarti,
East Bankinipally, Madhyamgram,
Dist. North 24 Parganas

Subject: Information under Right to Information Act, 2005

Reference: In pursuance of the above noted reference of the letter no. 153/AM/15 dated 07.07.15, a reply/information as sought for in your letter for serial no. 5 is appended below.

As per govt. approval in pursuance of the order from Superintendent of Excise, North 24 Parganas vide Memo no. 444/RK/P/AM/66/2-17/15 dated 11.07.2007 (copy attached) the Sodepur station at 25-B, Bhab Road, Sodepur, PIN-700110 had been transferred into the jurisdiction of the

This is to further inform you that if you are not satisfied with this information, you may prefer an appeal before following Appellate Authority within 30 (Thirty) days from the date of receipt of this letter.

Appellate Authority:
A.D.M. (C) & Collector, North 24 Parganas
Office of the District Magistrate & Collector
North 24 Parganas

Yours faithfully,
[Signature]
State Public Information Officer,
Office of the Superintendent of Excise,
Barackpore Excise District, North 24 Parganas

10/07/15
[Signature]
Barabagicha,
North 24 Parganas

Government of West Bengal
Office of the District Magistrate & Collector
North 24 Parganas
(Excise Department)

ORDER

13

In terms of the provisions of Order No. 1076-Exc dated 18/12/2002 read with no. 10-B dated 03/01/2003 of the Excise Department, Government of West Bengal, the District Magistrate & Collector, North 24 Parganas, has been pleased to grant 8 (eight) SP UP Rum & Beer Licenses in pursuance of the order of Hon'ble Supreme Court vide Civil Appeal No. 3195 of 2002 (State of West Bengal and another vs Madan Mohan Ghosh and others) with immediate effect.

No.	Name of the locality, with P.O. where the P. O. Shop license is granted	Name of the person(s) to whom the P. O. Shop license has been granted by the Collector, North 24 Parganas
1.	P.O. Aswini Nagar, Barisal, P.O. Lane, P.S. Rajarhat, Kolkata-700 059	Sri Madan Mohan Ghosh
2.	9, West Ghosh Para Road, P.O. Shyaninagar, P.S. Jagatdal	Sri Bijon Kr. Patra
3.	104, Dum Dum Road, Kolkata-30, P.O. Ghugudan, P.S. Dum Dum	Sri Suresh Day
4.	6, B.T. Road, P.O. Panthail, P.S. Kumardah	Sri Abir Kr. Choudhary
5.	Ghosh Para, P.S. Nalbahall	Sri Sumit Kr. Saha
6.	Mulchyangram, Bardah and, P.S. Barnagar	Sri Nupur Chandra Ghosh
7.	Bardah, P.S. Bardah	Sri Joydev Saha
8.	Barrackpore Station Road, P.S. Tilgalli	Smt. Manjilka Dutta (Day) & Sri Sucheta Dutta


 Superintendent of Excise,
 North 24 Parganas.

Memo. No. 15/8 (27)/Exc

Dated: 13.1.03

Copy forwarded for information and necessary action to:

- 1) The Excise Commissioner, West Bengal.

Card overleaf



Government of West Bengal
Office of the Superintendent of Excise,

Barrackpore Excise District, North 24 Parganas,
2nd floor, Administrative Buildings, Barrackpore, Kolkata-700120

Memo No: 414/BKPZ/IM-66/12-13/E

Dated: 09/01/2024

From: The State Public Information Officer,
Office of the Superintendent of Excise,
Barrackpore Excise District, North 24 Parganas

To: Sri Deeptangshu Kar
East Bankimpally, Madhyamgarm
Dist- North 24 Parganas.

Sub: Information under Right to Information Act, 2005.

Ref: Excise Directorate memo no.-1532E, dated-13.12.2023

Gentleman.

In pursuance of the above noted reference of the letter this is to inform you that pointwise reply/information as sought for in your letter from serial no.1 to 6 are appended below.

1. Nilanjana Ghosal.
2. Yes.
FL "OFF" shop license at 25, B.T. Road.
3. She got the license after the death of her father.
Late Asit Kumar Ghosal.
4. By regular settlement after death of previous owner.
From her father Late Asit Kumar Ghosal.
5. Yes.
As per govt. approval.
6. In the name of Late Asit Kumar Ghosal.

This is to further inform that if he is not satisfied with this information he may prefer an appeal before following Appellate Authority within 30 (thirty) days from the date of receipt of this letter.

Appellate Authority:-

A.D.M. (G) & Collector, North 24 Parganas,
Office of the District Magistrate & Collector,
North 24 Parganas

Memo No. 414/1/BKPZ/IM-66/12-13/E

Copy forwarded for information vide memo no.-1532E,
dt-13.12.2023 to

The State Public Information Officer
Excise Directorate, West Bengal

Yours faithfully

State Public Information Officer
Office of the Superintendent of Excise

Barrackpore Excise District, North 24 Parganas

Dated: 09.01.2024
Add. Superintendent of Excise
Barrackpore Excise District
North 24 Parganas, Govt. of W.B.
D.D.O. Code - NPC-EXD-00'

State Public Information Officer

Office of the Superintendent of Excise

Barrackpore Excise District, North 24 Parganas

Add. Superintendent of Excise
Barrackpore Excise District
North 24 Parganas, Govt. of W.B.
D.D.O. Code - NPC-EXD-00'