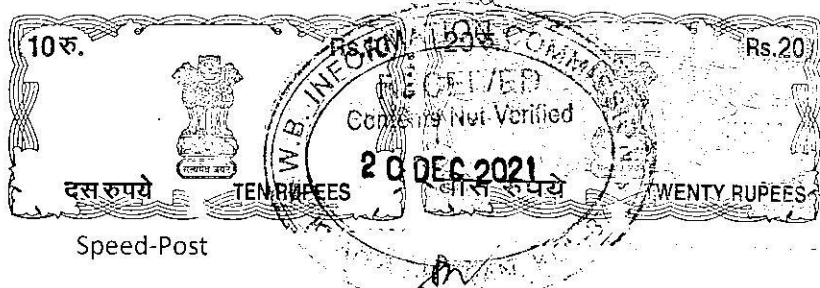


4112/CA)
20/12/2021



Ref: DH/RTI-7/FAA-7/SA-2

Speed-Post

Before the Learned Second Appellate Authority, under The Right to Information Act 2005

State Information Commission, 11A Mirza Ghalib Street, Khadya Bhaban, Kolkata 700 087

Phone No: (033) 2252 0509 .

Date: 16.12.2021 (Thursday)

In the matter of :

Appeal under Sec 19(3) of RTI Act 2005

AND

In the matter of:

A Second Appeal arising for not adjudicating the First Appeal dated 27.10.2021, received on 08.11.2021 by the Learned First Appellate Authority.

AND

In the matter of non-communicating the decision made by the Ld. First Appellate Authority with regard to the Appeal dated 27.10.2021, received on 08.11.2021, in connection with non-supply of information sought u/s 6 of RTI Act 2005 in writing dated 11.09.2021 U/S of the RTI Act 2005

AND

In the matter of :

Sri Dipak Halder,

Residing at flat no: 101; 1st Floor of Premises No: 23 Kali Temple Road, Shree Krishna Apartment, Besides Shri Hari Mistanna Bhandar, P.O & P.S. Kalighat, under K.M.C. Ward No: 083, Kolkata 700 026,

.....Appellant

Learned 1st Appellate Authority under RTI Act 2005,

West Bengal Industrial Development Corporation Limited (WBIDC Ltd),

(A Government of West Bengal Undertaking)

Besides "WESTSIDE" & "PANTALOONS" showrooms, 'PROTITI',

23. Camac Street, Kolkata 700 017, Ph no: (033) 2255 3700 to 705

.....Respondent

A (1/1/21)
W

P 20/7

Being Aggrieved and highly dissatisfied for not adjudicating and passing a decision by the Learned First Appellate Authority under RTI Act 2005 WBIDC, the Appellant begs to file the instant appeal on the following grounds:-

G R O U N D S

- I The Ld. First Appellate Authority despite receiving on 08.11.2021, the First Appeal date 27.10.2021 did not hear and adjudicate the same and thus erred and exercised of its jurisdiction.
- II For that the First Appellate Authority did not issue any notice of hearing either physical or virtual of the Appeal and fell into jurisdictional error.
- III For that the non-supply of information by the SPIO was bad in law and ought to have been interfered by the First Appellate Authority.
- IV For that there are substantial questions of law involved in the instant Second Appeal.
- V For that the Ld. 1st Appellate Authority erred and misdirected itself in not hearing and making a decision on the 1st Appeal dated 27.10.2021 and hence liable to be interfered in this 2nd Appeal.
- VI For that the information sought as evident from the application u/s 6 of the RTI Act 2005 Are not the same or similar or slightly altered information as sought under RTI Act 2005.
- VII. For that the information sought was regarding the supply of the photocopy of the calculation sheet prepared by WBIDC Ltd that states the outstanding penal interest to be payable by Haldar Nettings Pvt. Ltd to WBIDC Ltd was of Rs. 5,07,099/ in terms of letter dated 09/19.02.2016 issued by WBIDC Ltd to Haldar Nettings Private Limited.
- VIII For that the information sought was regarding supply of the Photocopies of the datewise Disbursement of the Principal amount of the Term Loan to Haldar Nettings Pvt. Ltd, by WBIDC Ltd by declaring the Cheque, & bank Draft Numbers as well as the RTGS details, because in the letter dated 09/19.02.2016, WBIDC Ltd stated that a total amount of Rs.12,125,000/ was due from Haldar Nettings Pvt. Ltd.
- IX For that information sought was regarding the supply of the photocopy of the calculation sheet through which WBIDC Ltd had arrived at a figure of Rs. 20,276,261/ as the total amount of the outstanding due from Haldar Nettings Pvt. Ltd as Principal as well as interest on the Term Loan.
- X For that Information sought for supply of the photocopy of the calculation sheet of the interest



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that was charged by WBIDC Ltd on Haldar Nettings Pvt. Ltd that helped them to arrive at a total figure of Rs. 20,276,261/.

- XI For that information sought was regarding the supply of the photocopy of the letter by WBIDC Ltd to Haldar Nettings Pvt. Ltd that was in reply to the letter dated 02.03.2016 by Haldar Nettings Pvt. Ltd to WBIDC Ltd.
- XII For that the nonsupply of information by the SPIO on the ground that information sought are same or similar or slightly altered was bad in law and ought to have been interfered by the First Appellate Authority.
- XIII For that the non Adjudication of the First Appeal is illegal, bad in law and liable to be inferred in this Second Appeal.

RELIEF CLAIMED

- A. Pass an order admitting the Appeal.
- B. The First Appeal may be treated disposed.
- C. The SPIO may be directed to furnish the information as Requested u/s 6 of RTI act 2005 by letter dated 11.09.2021.
- D. The costs that may be imposed and to be paid to the Appellant.
- E. Any other relief or reliefs as this Learned Second Appellate Authority may seem fit and proper.

VERIFICATION

I, Dipak Halder, aged about 68 years staying at Flat no 101, 1st floor of Shri Krishna Apartment, 23 Kali Temple Road, Kolkata 700026, by profession retired public sector employee, by faith Hindu, do hereby verify, :-

- i) I am petitioner/Appellant and I verify this Second Appeal and I am fully aware of the facts and circumstances of this second Appeal, and competent to verify this application.
- ii) The Statements made are true to my knowledge and are derived from the documents and the rest are my respectful submissions before the Second Appellate Authority. I sign this verification on the 15.12.2021

Encl: 1a) Photocopy of the Application dated 11.09.2021

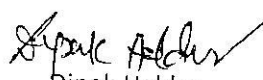
Under Section 6 of RTI Act 2005 duly received by you

b) Photocopy of the Speed Post receipt no: EW172230902IN

2) Photocopy of the First Appeal Dated 27.10.2021 by the Appellant ,

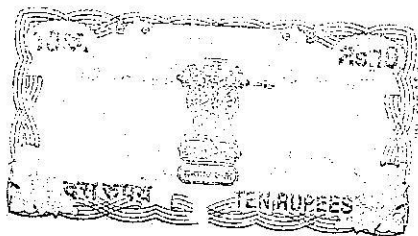
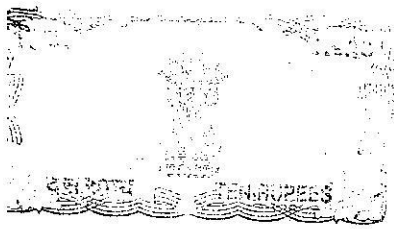
Before the First Appellate Authority and the Speed-post Receipt EW172232143IN along with the Track Record showing delivery of the Appeal.

The GROUNDS above are
Reasonable, legal and valid


Dipak Halder

Court Fee Stamp of Rs.30/(Rupees Thirty) is Enclosed.

Rs 30/7



Speed - Post

Dipak Halder

PHOTO COPY

To,

Before the Learned First Appellate Authority & Executive Director under The Right To Information Act 2005,
West Bengal Industrial Development Corporation Limited (WBIDC Ltd), (A Government of West Bengal Undertaking),
Besides 'PANTALOONS' & 'WESTSIDE' Showrooms, 'PROTITI', 23, Camac Street, Kolkata 700 017,
Phone nos: (033) 2255 3700 to 705,

Date: 27.10.2021 (Wednesday)

In the matter of :

Appeal Under Sec 19 of RTI Act 2005

AND

In the matter of :

A first Appeal arising out of non supply of information as made in writing
dated 11.09.2021 received at Your end on 20.09.2021 U/S 6 of RTI Act
2005 by State Public Information Officer

AND

In the matter of :

Sri Dipak Halder,
Residing at Shree Krishna Apartment, Flat no:101, 1st Floor, Premises No:
23, Kali Temple Road; Near Kalighat Temple, P.O. & P.S.: Kalighat, Beside
Shri Hari Mistanna Bhandar, Kolkata 700 026,

.....Appellant

AND

State Public information Officer under RTI Act 2005,
West Bengal Industrial Development Corporation Limited,
(A Government of West Bengal Undertaking)
'PROTITI', 23 Camac Street, Kolkata 700017
Besides 'PANTALOONS' & 'WESTSIDE' showrooms.

.....Respondent :

Aggrieved and highly dissatisfied with the deliberate non supply of information, by SPIO on an application
11.09.2021 u/s 6 of the RTI Act 2005 the Appellant file this appeal on the following amongst others:

0340/7

PHOTOCOPY

G R O U N D S

- I For that the SPIO, by reply no: RTI/SPIO/315/2021/874 dated 08.10.2021 did not furnish information with regard to Query no: i), ii), iii), iv) & v) of the applications dated 11.09.2021 u/s 6 of the RTI Act 2005 and as such fell into error and liable to be interfered in this Appeal.
- II For that the SPIO, by reply no: RTI/SPIO/315/2021/874 dated 08.10.2021 to an application dated 11.09.2021, u/s 6 of the RTI Act 2005 refused to supply information on an Erroneous and invalid and absurd reasoning that the queries are outside the purview of the RTI Act 2005
- III For that the SPIO by refusing to furnish information on a wishful thinking that queries are outside the purview of RTI Act 2005.
- IV For that the SPIO by stating that the queries are outside the purview of RTI Act 2005 without stating the provisions of law amounts to not discharging a statutory obligation, without lawful reason and as such liable to be interfered in this Appeal.
- V For that the SPIO erred in stating query are outside the purview of RTI Act 2005 since there is no laid down guidelines either by the statute or court of law or the relevant Second Appellate Authority relating matters coming under the purview of RTI Act 2005.
- VI For that the reply to the application dated 11.09.2021 u/s 6 of RTI Act 2005 relating to queries no: I to V amounts to refusal to furnish information and thus liable to be interfered in this Appeal.

Encl: Photocopy of the application dated 11.09.2021
u/s 6 of RTI Act 2005 duly received on 20.09.2021

Court Fee stamp of Rs. 20/ is affixed

The GROUNDS above are

Legal and valid

Dipak Halder

Dipak Halder

EW172232143IN IVR:6987172232143

SP KEORATALA SO <700026>

Counter No:3,02/11/2021,11:36

To:FAA WBIDL,23 CAMAC STREET

PIN:700017, Circus Avenue SO

From:DIPAK HALDA,23 KALI TEMPLE R

Wt:20gms

Amt:17.70(Cash)Tax:2.70

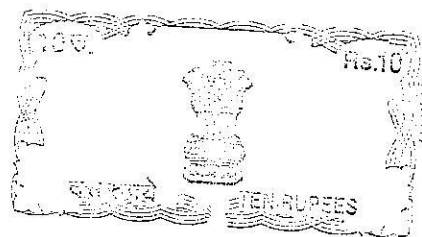
<Track on www.indiapost.gov.in>

<Dial 1800666666> <Wear Masks, Stay Safe>

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PHOTOCOPY

Speed- post



PHOTOCOPY

To,

State Public Information Officer,

WBIDC Ltd, "PROTITI", 23.Camac street, Kolkata-700017,

Subject: Application under Sec 6 RTI Act 2005.

Dear Sir,

Date: 11.09.2021 (Saturday)

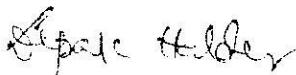
I am a senior citizen of India and I am desirous to obtain the below noted information Under Sec 6 of RTI Act 2005, which are stated below :-

- i) Please supply me a photocopy of the calculation or Computation sheet prepared by WBIDC Ltd, that states outstanding penal interest to be payable by Haldar Nettings Pvt. Ltd (HNPL) to WBIDC Ltd, was of Rupees 507,099/and Twenty Six Paise, in terms of the letter no: F/2009(5)/II/2881 dated 09/19.02.2016 issued by WBIDC Ltd to HNPL.
- ii) WBIDC Ltd by letter dated 09/19.02.2016, addressed to HNPL stated that the total principal amount of the outstanding Term Loan to be Rupees 12,125,000.00/(Rupees One Crore and Twenty one lakhs and Twenty- five thousand only). Please supply me the photocopies of the datewise disbursement of the Term Loan Amount, giving the Cheque and bank draft no:s and RTGS transaction details.
- iii) Please supply the photocopies of the calculation sheet through which WBIDC Ltd had arrived at a figure of a total of Rs.20,276,261/.85paise (Rupees Two Crore two lakhs seventy-six thousand two hundred and sixty and sixty one paise only.) that is evident from letter no: F/2009(5)/II/2881, dated 09/19.02.2016 addressed to HNPL. They claimed it to be the total outstanding amount of the Term Loan payable by HNPL to WBIDC Ltd
- iv) Please supply the photocopies of the calculation sheet of the interest charged to HNPL by WBIDC LTD that helped them to arrive at the final figure of RS.20,276,261.85/ as total amount due from HNPL.
- v) Please supply the photocopy of the letter by WBIDC Ltd to HNPL that was in reply to the letter dated 02.03.2016 by HNPL to WBIDC Ltd.

The above information are not exempted under Sec 8 of RTI Act 2005, and are also not a third party information as understood under Sec 11 of RTI Act 2005.

Court Fee stamp of Rs.10/ is affixed.

Yours Truly


Dipak Halder,

Residing at 1st Floor in Flat No: 101, of Premises no: 23, Kali Temple Road, Shree Krishna Apartment
Besides Shree Hari Mistanna Bhandar, Near Kalighat Temple, P.O & P.S.: Kalighat, Kolkata 700 002



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Sign In

Register



A



हिन्दी



You are here Home>> Track Consignment



Track Consignment

Quick help

* Indicates a required field.

* Consignment Number

EW172232143IN

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Keoratala SO	02/11/2021 11:36:20	700016	17.70	Inland Speed Post	Circus Avenue SO	08/11/2021 15:14:24

Event Details For : EW172232143IN

Current Status : Item Delivery Confirmed

Date	Time	Office	Event
08/11/2021	15:14:24	Park Street HO	Item Delivery Confirmed
08/11/2021	13:52:46	Park Street HO (Beat Number:6)	ITEM DELIVERED Item Delivered [To: WBIDCL (Addressee)]
08/11/2021	10:59:29	Park Street HO	Out for Delivery
05/11/2021	16:25:34	Park Street HO	Item Onhold DOOR LOCKED
05/11/2021	10:40:15	Park Street HO	Out for Delivery
05/11/2021	08:49:15	Park Street HO	Item Received
05/11/2021	08:38:48	Park Street HO	Item Received
04/11/2021	06:46:00	Kolkata RMS Mails TMO	Item Dispatched
04/11/2021	03:27:33	Kolkata RMS Mails TMO	Item Received
04/11/2021	01:14:37	KOL AP TMO	Item Dispatched
04/11/2021	00:36:17	KOL AP TMO	Item Received
04/11/2021	00:21:21	Kolkata NSH	Item Dispatched
03/11/2021	21:39:18	Kolkata NSH	Item Bagged
03/11/2021	19:51:20	Kolkata NSH	Item Received
03/11/2021	19:24:10	Kolkata NSH	Item Received
03/11/2021	12:12:23	Circus Avenue SO	Item Dispatched
03/11/2021	11:46:04	Circus Avenue SO	Item Bagged
03/11/2021	10:40:36	Circus Avenue SO	Item Redirected to Park Street HO INSUFFICIENT ADDRESS
03/11/2021	08:15:01	Circus Avenue SO	Item Received
03/11/2021	06:18:23	Kolkata RMS Mails TMO	Item Dispatched

Pg 7 of 7