

FORMAT FOR FILING 2ND APPEAL BEFORE WEST BENGAL INFORMATION COMMISSION

U/S 19 (3) of RTI Act, 2005

(Vide Circular No. 3008-WBIC/Admin-05/13 dated: 20/08/28



2) Complete postal address: (Attach self attested copy of one address proof document Viz. Bank Pass Book, EPIC, PAN, Driving Licence, Passport, AADHAR Card etc.)

Premananda Talukdar, S/O Lt. Sudhir Chnadra Talukdar, Rajmata Dighi West By Lane, R.R.N. Road, Old post Office para, Post Office - Cooch Behar, Police Station - Kotwali, District - Cooch Behar, Pin Code - 736101, State - West Bengal,

- - (b) e-mail id: talukdarpn@gmail.com
- (a) Date of filing of application for information under RTI Act (A self attested copy of RTI application should be attached.)

(b) Whether application fee paid : \boldsymbol{Yes}

If yes, mode of payment: Court fee stamp.

If no, self attested photocopy of relevant certificate issued by the competent authority should be attached.

5) Name of State Public Information Officer / State Assistant Public Information Officer to whom the application was made and address:

Joint Block Development Officer, Cooch Behar - II Development Block

The State Public Information Officer (SPIO) & Joint Block Development Officer. RTI Section.

Office of the Block Development Officer, Cooch Behar - II Development Block

P.O & P.S: Pundibari,

Dist: Cooch Behar,

Pin: 736165,

(a) Date of filing of application for (A self attested copy of RTI application for (b) Whether application fee pair (i) If yes (ii)

(a) Whether RTI petition is transferred to another SPIO u/s 6(3) of the RTI Act, 2005 · Yes

If yes, name & address of such authority – (please attach copy of transfer memo as above)

The Headmaster / TIC.

Madhupur Lakshmi Kanta High School (HS)

P.O.: Madhupur, P.S: Pundibari,

Dist: Cooch Behar Pin Code: 736165.

Ref: Memo No: 1994, Date: 21/09/2023

6) Gist of the information sought for:

Particulars of the Information Required:

- 1. Please supply me with details of the account of monthly stock of rice for the children and give the account along with challan and stocked grain register of the Mid day meal programme from 01.01.2007 to till date of the Madhupur Lakshmi Kanta High School (H.S) situated at Post Office Madhupur, Police Station Pundibari, Dist Cooch Behar, Pin code 736165 thereof.
- 2. Please supply me the details of the account of monthly coocked rice for the children and give the account along with the coocked grain register of the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
- 3. Please supply me with details of monthly expenditure bills for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
- Please supply me with details of all the government grants with utensils / dishes for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
- 5. Please supply me with details of the 'Cash book' for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
- 6. Please supply me with details of all audit report for the Mid day meal programme of each year from 01.01.2007 to till date of the said School thereof.
- 7. Please supply me with details of bank pass book and bank statement for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.

7) Have you received any response / information? (If so, attach a self-attested copy of the same.):

I received a reply letter where official Memo No: Ref: Memo No: 1994, Date: 21/09/2023 was mentioned from the Joint BDO of Cooch Behar—II Development Block. I also received a reply letter from the Headmaster where Official Memo number was not mentioned, but wrote the date 18/10/2023. I received an another reply letter where Official Memo No: 2477(Z), Date: 29/11/2023 was mentioned from the BDO of Cooch Behar—II Development Block. All the reply letters that I received contained no information. I am not satisfied of not getting the information.

Ref: Memo No: 1994, Date: 21 / 09 / 2023 Memo No: Nil Date: 18/10/2023 Memo No: 2477(z), Date: 29 / 11 / 2023

8) Date of filing 1st appeal: (A self attested copy of 1st appeal along with proof of submission of the same should be attached).

Date: 6th November, 2023.

Pin Code: 736165.

9) Authority to whom the first appeal was made with address:

The First Appellate Authority & Block Development Officer,
Cooch Behar – II Development Block
The First Appellate Authority & Block Development Officer.
Office of the Block Development Officer, Cooch Behar – II Development Block
P.O. & P.S: Pundibari,
Dist: Cooch Behar

10) Decision of the 1st Appellate Authority, if any, including number and date of the order: (A self-attested photocopy of the order of the 1st Appellate Authority should be attached).

I received an order sheet without any information from the 1st Appellate Authority and Block Development Officer regarding my First Appeal dated 6 th November, 2023.

Ref. Memo No: 2477(z), Date: 29 / 11 / 2023

11) Grounds for 2nd appeal and the relief sought (specify):

Ground of Second Appeal: I did not get information from the Headmaster till date. The Headmaster has voluntarily avoided / refused providing information on the pretext of section 8(1) (j) of the RTI Act 2005. But the RTI Act 2005 promotes transparency and accountability in the working of every public authority. I sought the information in accordance with spirit of transparency and accountability enshrined in the RTI Act 2005. This information which I already sought is the institutional information, which preserved in the Office of the said Headmaster of Madhupur Lakshmi Kanta High School (H.S). I received an order sheet without any information from the 1st Appellate Authority and Block Development Officer regarding my First Appeal dated 6 th November, 2023, Ref. Memo No: 2477(z), Date: 29 / 11 / 2023. So I am deprived of not getting the information from the Headmaster / TIC in respect of order of Block Development Officer, on which my Second Appeal has been made.

In that case please supply me with details of mentioned all information taking from the Headmaster / the Teacher-In-Charge / the Senior most teacher / the Block Development Officer / the Joint Block Development Officer under section 6(1) of the RTI Act 2005.

Particulars of the Information Required:

- 1. Please supply me with details of the account of monthly stock of rice for the children and give the account along with challan and stocked grain register of the Mid day meal programme from 01.01.2007 to till date of the Madhupur Lakshmi Kanta High School (H.S) situated at Post Office Madhupur, Police Station Pundibari, Dist Cooch Behar, Pin code 736165 thereof.
- Please supply me the details of the account of monthly coocked rice for the children and give the account along with the coocked grain register of the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
- 3. Please supply me with details of monthly expenditure bills for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
- 4. Please supply me with details of all the government grants with utensils / dishes for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
- 5. Please supply me with details of the 'Cash book' for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
- 6. Please supply me with details of all audit report for the Mid day meal programme of each year from 01.01.2007 to till date of the said School thereof.

- 7. Please supply me with details of bank pass book and bank statement for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
 - 12. If 2nd appeal is filed after 90 days from the date on which the decision of the 1st Appellate Authority was received or after 135 days from the date of filing of the 1st appeal, explain the reasons for the delay along with supporting documents. N/A

I Premananda Talukdar son of Late Sudhir Chandra Talukdar aged 47 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 submissions 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: Cooch Behar

Date: 06.01.2024

Signature of the appellant

Sd-

(Name of the appellant) Premananda Talukdar

List of documents to be enclosed:

- a) Self attested copy of address proof document.
- b) Self attested copy of RTI application;
- c) Self attested photocopy of proof of RTI fee payment or of BPL status;
- d) Self attested copy of 1st appeal;
- e) Self attested copy of all communications / replies received from the public authorities in connection with the instant RTI application;
- f) 2nd appeal in the format as above.
- g) Any other documents in support of the 2nd appeal.

NOTE:

- 1) 2^{nd} appeal is liable to be rejected if submitted without proper documents.
- 2) Separate 2nd appeal has to be filed in respect of each RTI application.

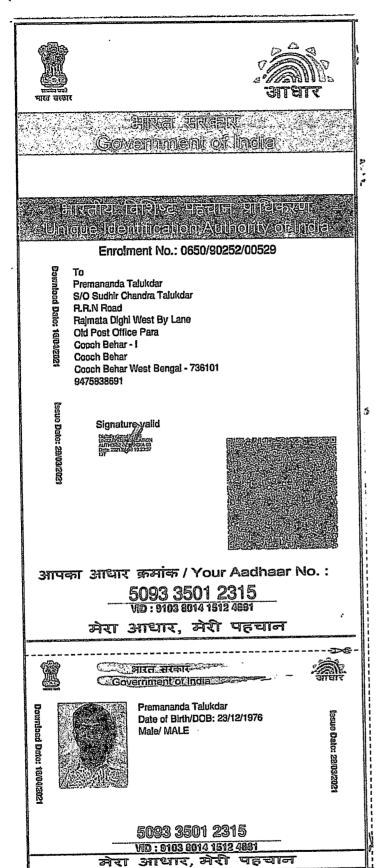
Place: Cooch Behar

Date: 06.01.2024

Signature of the appellant

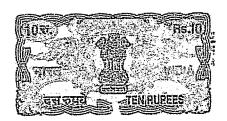
(Name of the appellant)
Premananda Talukdar

Premananda Talukdaz



APPLICATION UNDER RIGHT TO INFORMATION ACT, 2005

To
The State Public Information Officer (SPIO)
RTI Section (BDO Office)
Office of the Block Development Officer
Cooch Behar-II
P.O. & P.S. – Pundibari
District - Cooch Behar
Pin Code – 736165



Sub: Request to furnish information under Right to Information Act, 2005.

Sir,

I, Premananda Talukdar, S/O Lt. Sudhir Chandra Talukdar, am a citizen of India and residing at Rajmata Dighi West By Lane, R.R.N. Road, Old Post Office Para, Post Office – Cooch Behar, Police Station – Kotwali, District - Cooch Behar, Pin Code – 736101, State – West Bengal, India hereby request you to supply me with the following information from the Headmaster / the Teacher-In-Charge / the Senior most teacher of Madhupur Lakshmi Kanta High School (H.S) situated at Post Office - Madhupur, Police Station - Pundibari, Dist - Cooch Behar, Pin code - 736165 under section 6(1) of the Right to Information Act, 2005.

Particulars of the Information Required:

- Please supply me with details of the account of monthly stock of rice for the children and give the account along with challan and stocked grain register of the Mid day meal programme from 01.01.2007 to till date of the Madhupur Lakshmi Kanta High School (H.S) situated at Post Office - Madhupur, Police Station - Pundibari, Dist -Cooch Behar, Pin code - 736165 thereof.
- 2. Please supply me the details of the account of monthly coocked rice for the children and give the account along with the coocked grain register of the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
- 3. Please supply me with details of monthly expenditure bills for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
- 4. Please supply me with details of all the government grants with utensils / dishes for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.

- 5. Please supply me with details of the 'Cash book' for the Mid day meal programme from 01.01,2007 to till date of the said School thereof.
- 6. Please supply me with details of all audit report for the Mid day meal programme of each year from 01.01.2007 to till date of the said School thereof.
- 7. Please supply me with details of bank pass book and bank statement for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.

I hereby inform you that -

- a. I am a citizen of India and I am asking this information as a citizen.
- b. That I have affixed the requisite fees of Rs. 10 by the way of court fees stamp.
- c. I am willing to pay requisite fees to obtain the information.
- d. I assure that I shall not allow / cause to be 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.

Yours faithfully,

Dated, Cooch Behar, 13th September 2023

Premaranda Talukdar

Signature (PREMANANDA TALUKDAR) Appellant

The State public Information officer (SP10)
Office of the Block Development Officer
RTI Section (BDO Office)
Cooch Behar - II
P.O + P.S - Pundibari
District - Cooch Behar
Pin Code - 736 165

From
Premananda Talukdaz

S/O- Late. Sudhir Chandra Talukdar
Rajmata Dighi West By Lane
R.R.N. Road, Old Post office para
P.O- Cooch Behaz, p.s- Kotwali
District - Cooch Behar
Pin Code - 736101

EW3584000981N

EW356400078IN IVR:698735840009 3F CLOCH BEHAR HO <736101) Counter No:2,13/09/2023,15:55 To:THE SF10,EDO PIN:736165, Pundibari SO From:FREMANANDA TALUKDER,-Wt:14gms Amt:41.30(Cash)Tax:6.30 (Track on www.indiapost.gov.in)

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- * Indicates a required field.
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EW358400098IN

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Booked At	Booked On	Destination Pincode		Article Type		Delivery Confirmed On
Cooch Behar HO	13/09/2023 15:51:28	736165	41.30	Inland Speed Post	Pundibari SO	19/09/2023 17:34:37

Event Details For: EW358400098IN

Current Status: Item Delivered(Addressee)

Date	Time	Office	Event
19/09/2023	17:34:37	Pundibari SO	Item Delivered(Addressee)
19/09/2023	12:35:45	Pundibari SO	Out for Delivery
16/09/2023	11:15:37	Pundibari SO	Item Received
14/09/2023	20:14:58	Siiguri Ma TMO	Item Dispatched
14/09/2023	19:55:56	Siiguri Ma TMO	Item Received
13/09/2023	17:08:57	Cooch Behar HO	Item Dispatched
13/09/2023	16:14:13	Cooch Behar HO	Item Bagged
13/09/2023	15:51:28	Cooch Behar HO	Item Booked

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GOVERNMENT OF WEST BENGAL

OFFICE OF THE BLOCK DEVELOPMENT OFFICER, COOCH BEHAR-II

P.O. Pundibari, Dist. Cooch Behar, PIN - 736165, West Bengal Phone: (03582) 270890 Fax: (03582) 270221 email: middaymealcob2@gmail.com

Memo No. :

Date

From: The State Public Information Officer (SPIO) &

Joint Block Development Officer

Office of The Block Development Officer

Cooch Behar-II Development Block

Pundibari, Cooch Behar

The Head Master / TIC T_{Ω}

Madhupur Lakshmi Kanta High School (H.S)

Madhupur, Cooch Behar

Subject: Forwarding of Petition received from Premananda Talukdar seeking information under Right to Information Act, 2005.

Enclosed please find the petition under Right to Information Act, 2005 submitted by Premananda Talukdar, S/o Late Sudhir Chandra Talukdar which is self explicit.

You are requested to supply information as sought for as per RTI Act, 2005 directly to the Appellant with a copy to this end.

State Public Information Officer

Joint Block Development Officer Cooch Behar-II Development Block

Date: 21.09.2023

Enclo: As above.

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Memo No : 1994

Copy forwarded for kind information to:-

Premananda Talukdar 1. S/o Lt. Sudhir Chandra Talukdar Rajmata Dighi West By Lane Old Post Office Para Cooch Behar-736101

State Public Information Officer

Joint Block Development Officer Cooch Behar-II Development Block

For information please.

Premananda Talukdar 06,01,2024

To; Premananda Talkder

S/O Lt Sudhir Chandra Taluckdar, Rajmata Dighi West By Lane.

Old Post Office Para, Cooch Behar-736101

Reference: Your Letter bearing memo no1994/1(1) dated 21/09/2023 issued bySPOI,Pundibari,CoB.

Subject: Reply of R.T.I. application u/s 8(1)(j)of the R T I Act, 2005.

Sir,

With reference to the above caption letter in connection with the RTI application dated 20/09/23 made by one Premananda Talukdar, Son of Lt Sudhir ch Talukdar, residing at Rajmata Dhigi west bye lane, oldpost office para, pskotwali,po&dist-CoochBehar,I am to state that the informations which have been sought for could be provided as same as is barred by section8(1)(j)of the RTI Act 2005. In connection it is pertinent to mention herein thar" Section 8(1) (j)of the RTI Act,2005 encapsulates that information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of privacy of the individual. unless the CPIO or SPIO or the Appellate Authority is satisfied that the larger public interest justifies the disclosure of information should be exempted from disclosure.

Further, the information which cannot be denied to refuse to the Parliament or the State Legislative shall not be denied to any person.

So, Section 8(1)(j) of the Act allowed officials to refuse access to information if it intrudes on the privacy of individual, But permits disclosure of information if there is an overriding public interest".

As the applicant through this application under the RTA Act 2005 could not established any larger public interest in the matter& was seeking exempted information, so the same can not be disclosed &refused at this stage.

This is for your information & further necessary direction.

Thanking you,

Copy to

1)SPIO, Join Block Devi Officer

Cob II, Pundibari, Coochbehar

· Yours faithfully

Wedhupur L.R. High Johnol (RLE)

Madhupur E來們读作School(HS)

APPLICATION UNDER RIGHT TO INFORMATION ACT 2005.

To

The First Appellate Authority (FAA) & Block Development officer (BDO)

Office of the Block Development officer Cooch Behar – II Development Block

P.O & P.S – Pundibari District: Cooch Behar Pin Code: 736165



Subject: First Appeal under the RTI Act 2005 for not getting information as per RTI Act till date

Sir / Madam

I, Premananda Talukdar, S/O Lt. Sudhir Chandra Talukdar, am a citizen of India and residing at Rajmata Dighi West By Lane, R.R.N. Road, Old post office para, P.O – Cooch Behar, P.S – Kotwali, District – Cooch Behar, Pin code – 736101, State – West Bengal, India made an application under RTI Act 2005 on 13.09.2023 before the SPIO of Office of the Block Development officer, Cooch Behar – II. I received a reply letter where official memo no. 1994/1(1), dated – 21.09.2023 was mentioned from the SPIO and Joint Block Development officer, Cooch Behar-II Development Block. I received an another reply letter where Official memo number was not mentioned, bore the date – 18.10.2023 from the Headmaster of Madhupur Lakshmi Kanta High School (HS). The two reply letters that I received contained no information.

I did not get information from the Headmaster / the Teacher-In-Charge / the Senior most teacher till date. Thus I am deprived of not getting the information from the concerned authorities (HM/TIC/Senior most teacher / Joint BDO). The statutory period of getting information i.e thirty days already elapsed. I wish to seek below mentioned information again. Photocopy of the said RTI application before the SPIO, postal receipt and the two reply letters contained memo no. 1994/1(1), dated 21.09.2023 and memo no. Nil, date 18.10.2023 respectively are annexed herewith for your perusal.

Please supply me the following information which I have made before the First Appellate Authority (F.A.A.):

- 1. Please supply me with details of the account of monthly stock of rice for the children and give the account along with challan and stocked grain register of the Mid day meal programme from 01.01.2007 to till date of the Madhupur Lakshmi Kanta High School (H.S) situated at Post Office Madhupur, Police Station Pundibari, Dist Cooch Behar, Pin code 736165 thereof.
- 2. Please supply me the details of the account of monthly coocked rice for the children and give the account along with the coocked grain register of the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
- 3. Please supply me with details of monthly expenditure bills for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.

- Please supply me with details of all the government grants with utensils / dishes for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
- Please supply me with details of the 'Cash book' for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.
- Please supply me with details of all audit report for the Mid day meal programme of each year from 01.01.2007 to till date of the said School thereof.
- 7. Please supply me with details of bank pass book and bank statement for the Mid day meal programme from 01.01.2007 to till date of the said School thereof.

Ground of First Appeal: I did not get information from the Headmaster till date. The Headmaster has Voluntarily avoided providing information on the pretext of section 8(1) (i)of the RTI Act 2005. But the RTI Act 2005 promotes transparency and accountability in the working of every public authority. I sought the information in accordance with spirit of transparency and accountability enshrined in the RTI Act 2005. This information which I already sought is the institutional information, which preserved in the Office of the said Headmaster of Madhupur Lakshmi Kanta High School (H.S). Hence I request you to supply me with details of mentioned all information taking from the Headmaster / the Teacher-In-Charge / the Senior most teacher under section 6(1) of the RTI Act 2005.

I hereby inform you that -

- a. I am a citizen of India and I am asking this information as a citizen.
- b. That I have affixed the requisite fees of Rs. 10 by the way of court fees stamp.
- c. I am willing to pay requisite fees to obtain the information.
- d. I assure that I shall not allow / cause to be 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.
- ➤ My mail id : <u>talukdarpn@gmail.com</u>

Dated, Cooch Behar,

6th November 2023

Yours faithfully,

Premananda Talukdar

Self-attested Premananda Talukdar 06.01.2024.

Signature (PREMANANDA TALUKDAR) Appellant

To
The First Appellate Authority (FAA) & Block
Development Officer (BDO)
Office of the Block Development Officer.
Cooch Behar-II Development Block
P.O & P.S- Pundibari
District - Cooch Behar.
Pin Code - 736101

From
Premananda Talukdar
S/0-Late-Sudhire Chandra Talukdar
Rajmata Dighi West B3 Lane
R.R.N. Road, Old Post office para.
P.S-Kotwali, P.Of Dist-Cooch Behar.
Pin code-736101

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EM748004584IN IVR:6987948004584

SP COOCH BEHAR HD <736101>
Counter Ho:2,06/11/2023,13:44
To:THE BDO.COB II FAA
PIM:736165, Pundibari SO
From:PREMANANDA TALUKDAR.Wt:46qms
Ant:41.30(Cash)Tax:6.30
<Track on www.indiapost.gov.in>
<Dial 18002666868> (Wear Masks, Stay Safe>

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EW948004584IN

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Booked At	Booked On	Destination Pincode	Tariff	Article Type		Delivery Confirmed On
Cooch Behar HO	06/11/2023 13:39:20	736165	41.30	Inland Speed Post	Pundibari SO	08/11/2023 16:45:28

Event Details For: EW948004584IN

Current Status: Item Delivered(Addressee)

Date	Time	Office	Event
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06/11/2023	14:10:15	Cooch Behar HO	Item Bagged
06/11/2023	13:39:20	Cooch Behar HO	Item Booked

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ORDER SHEET

Hearing on first appeal under the RTI Act 2005 chaired by The First Appellate Authority (FAA) & Block Development Officer (BDO) was carried out at 4:00 PM on 29th November, 2023 at the office chamber of the Block Development Officer, Cooch Behar-II Development Block. The State Public Information Officer (SPIO) of this Block alongwith Headmaster of Madhupur Lakshmi Kanta High School (H.S) and the Appellant attended the same.

The First Appellate Authority (FAA) & Block Development Officer (BDO) heard the reply of Headmaster of Madhupur Lakshmi Kanta High School (H.S) on not providing the information to the Appellant as per u/s 8(1)(j) of the RTI Act, 2005.

The First Appellate Authority (FAA) & Block Development Officer (BDO) was not satisfied with the reply of Headmaster of Madhupur Lakshmi Kanta High School (H.S).

The First Appellate Authority (FAA) & Block Development Officer (BDO) directed Headmaster of Madhupur Lakshmi Kanta High School (H.S) to provide all the information to the Appellant within 02 (two) weeks. He should also mention the specific reason for which he is unable to provide the same.

Block Developmen

Cooch Behar-II Development/Bladenent/Officer
Cooch British II Care Someont Block

Pandibari, Cooch Behar

Dato: 29.11.2023

Memo No: 24 77 (2

Copy forwarded for kind information to:-

- 1. The Head Master / TIC Madhupur Lakshmi Kanta High School (H.S) Madhupur, Cooch Behar
- 2. Premananda Talukdar Sio Lt. Sudhir Chandra Talukdar Rajmata Dight West By Lane Old Post Office Para Cooch Behar-736101

Block Development

Cooch Behar-II Developping Block in oncor

Cooch Behar-II Development Block Pundibari, Coosi Bobs