

42911(A)
05/12/2022



BEFORE

THE LD. STATE CHIEF INFORMATION COMMISSIONER,
WEST BENGAL STATE INFORMATION COMMISSION,
KOLKATA

2ND APPEAL NO. _____ / 2022.

A
12

AN APPEAL U/S. 19(3) of RTI ACT, 2005

(Against the non-reply of SPIO, O/o The BDO, Rajganj, District-Jalpaiguri to my RTI application dated 07-09-2022 received on 09-09-2022)

- 1] Name of the Appellant: NAVRATAN LAKHOTIA
- 2] Complete Postal Address: c/o Sobha Chand Lakhotia And Company,
Naya Bazar, Near Gandhi Maidan, Khalpara, Ward No-8, Siliguri -
734005, P.O- Siliguri Bazar, District- Darjeeling, West Bengal.
- 3] (a) Contact No: 9932012167, 9434019327, 03532502981
(b) Email Address: lakhotiacomputers@gmail.com
- 4] (a) Date of filing of application for information under RTI Act: 09-09-2022
(b) Whether application Fee Paid: Yes
(i) If Yes, Mode of Payment: Court Fee of Rs. 10/- was affixed to the
RTI application dated- 07-09-2022 received on 09-09-2022.
- 5] Name of The State Public Information Officer/The Assistant State Public Information Officer to whom the application was made and address: SPIO, O/o BDO, RAJGANJ
(a) Whether the RTI petition is transferred to another SPIO u/s 6(3) of RTI Act, 2005: NO
If yes, name and address of such authority- n/a

Advocate Lakhota

6] Gist of Information Sought For: The information sought was in the reference to my letter (Email) dated 08-06-2022 in regard to illegal approval of Building Plan in 2016 on our already constructed building in 2013; in the name of Bharati Biswas. I had asked for the names and designation of the officials who were supposed to take action on my complaint. And the file noting by the officers on the complaint was also sought for.

7] Have you received any response/information? No

8] Date of filing 1st Appeal: 19-10-2022

(self attested copy of the same is attached at Page 11-14)

9] Authority to whom the first appeal was made with Address: The BDO, O/o BDO, Rajganj, District-Jalpaiguri.

10] Decision of the 1st Appellate Authority, if Any: No communication received till dated

11] Grounds for the 2nd Appeal and the relief Sought:

- i. In my requisition for information under the proviso of section 7(1) of RTI ACT 2005 Dated: **09-09-2022**, I had asked for some very vital information in relation to fabrication of false evidence by the officials of O/o BDO, Rajganj in respect to our landed property; in form of sanctioned Building Plan on our already constructed building; which was highhandedly and illegally awarded to one Bharati Biswas at the behest and befits of the fallacious persons, who were at the spree of grabbing our property.
- ii. Upon the bare knowledge of the above among other things; I had lodged a FIR against the wrongdoers and set the Law in motion. The son of the Building Plan beneficiary was arrested and I as a defacto complainant had objected his bail plea; thusly he was in custody for 23 days. They stopped me on my lawful occasion with threats and coercion. Subsequently, on being enlarged on bail they treacherously made a put up before the Ld Court on 4-7-2022, in an old pending, false and concocted case of 2013; under the provisions of SC & ST Atrocities Act. The Hon'ble Judge **issued a Warrant against me.**
- iii. Consequently, to plead my case and bring the truth to the notice of the Ld Court and thusly, the information being very critical and related to my life, personal freedom, rights and Liberty; I had sought for the information under the proviso of section 7(1) of RTI ACT 2005. But as usual; **as seen in almost all cases** the SPIO;
 - a) has not furnished information within the time specified under sub-section (1) of section 7 of RTI 2005 and also not replied at all.
 - b) has obstructed and/or mala fidely denied the information by mala fidely not replying at all.

(Bharati Biswas)

- c) That in spite of the gravity of the information sought and communicated; the information was intentionally and malafidely obstructed and thus no reply till date.
 - d) **The First Appellate Authority in spite of several communications and personal meetings ; also chose to not to reply at all for the reasons best known to him.**
- iv. The matter pertaining to the past incidents of illegal sanction of Building Plan in the name of Bharati Biswas w/o Hridoy Biswas vide Order No- 1096/Raj/PS/PL on 31-08-2016 on an already constructed Building; which was built in 2013 by my mother Smt Vidya Devi Lakhota (now deceased) during her life time.
 - v. That immediately upon such knowledge of illegal sanction of Building plan; on and over our landed property; I had filed complaint/petition/grievances vide written letter (Email) Dated :08-06-2022 at 13:21 sent from email id-lakhotiacomputers@gmail.com to rajganjbdo@gmail.com and psrajganjwb@gov.in among others. With the Subject- *Illegal approval of Building Plan by O/o The Rajgunj Panchayat Samiti by Land Grabbers on our already Constructed Building in 2013 and taken Loan over it illegally by using the Building Plan and Mutation Certificate.*
 - vi. That after this letter I had several times visited O/o BDO, Rajgunj, to enquire about its' status. Later upon getting no valid response I filed an RTI application to get the information.
 - vii. That upon not being apprised of any information on any part of the office and self-exploring the premises of the case with little information; on **26-09-2022 vide a Notice/Petition with glaring evidences and proofs;** had elucidated the First Appellate Authority; in what manner the former officials, governed by greed and corruption; by misfeasance and by breach of statutory duty sanctioned the impugned building plan; at the behest of the alleged Building plan beneficiary and her family members (Biswas Family). Nevertheless, in spite my efforts and diligences; I was left without an ace of information; spite the gravity and the weight of my unattended grievances since 08-06-2022.
 - viii. That few months back it was learnt through my lawyer that during a hearing of Quashing of Charge Sheet petition (which was filed in respect to a false case of SC & ST atrocities Act against me in 2013) at the Hon'ble Calcutta High Court-Circuit Bench at Jalpaiguri vide C.R.R. 141 of 2022 with CRAN 1 of 2022 on 14-09-2022; Krishna Biswas(the complainant of this concocted case) through his lawyer had used this illegal Building Plan among other manufactured documents as evidence (fabricated false evidence) to support their false claim of being the owner of our property.
 - ix. That in such bewildering circumstances and in the lack of information sought has prejudiced my rights in the Hon'ble Court. The Quashing petition of SC & ST Atrocities Act failed. They were successful in misleading the Hon'ble Court by relying upon those 'fabricated false evidence' and thus Hon'ble Justice made a remark "However, the totality of the case reveals that the property allegedly belongs to the opposite party no.2 and his enjoyment was disturbed at the instance of the petitioner..." Where the opposite party no.2 is Krishna Biswas s/o of Hridoy Biswas and I myself the Petitioner. And thus, enforced erroneous opinion before the honourable Court, as to I am a trespasser in my own property.

N. Debnath Lakhotia

- x. That the lack of such vital information has caused us irreparable injury and irreversible loss. That the non-communication/obstruction of such information has gravely prejudiced our rights. Correspondingly, vide this unbecoming act; I am made to assume as to the information was intentionally and malafidely obstructed and/or my grievances abandoned; to save the erring presiding officers from any legal punishment and/or to hide the misdeeds of the former officials who had abused their power while exercising their discretionary power in an arbitrary, unjust, unfair and malefice manner by cheating common public and looting government resources.
- xii. That The Right to information Act '2005' was legislated by our law makers to empower the citizens, to promote transparency and accountability in the working of the Government, to corruption, and make our democracy work for the people in real sense. It goes without saying that an informed citizen is better equipped to keep necessary vigil on the instruments of local administrative governance and make the government more accountable to the governed. This Act was a big step towards making the citizens informed about the activities of the Government.
- xiii. But here also I was discriminated and left without Information thus violating my basic fundamental right enshrined under Article 19 of the Constitution. In continuation of violation of Article 14 of the Constitution by the arbitrary act of the officials in the remote past by illegally sanctioning the building plan over our already constructed building and that too without any valid documents. And the present officials now give their stamp of silent approval to such fabricated false evidence; aside not taking any actions against the wrongdoers. **PREJUDICING OUR RIGHTS AND thusly, ADDING INSULT TO OUR INJURIES.** Aside making a last laugh over our helplessness and powerlessness by remaining silent for such a long period of time and deliberately did not reply to my queries. That in the absence of the information I and my family has suffered irreversible loss and injury.
- (a) The said Biswas Family was released on bail (in the absence of this information and other information from various ends) amidst constantly threatening us with dire consequences **jeopardising my life, my Personal Freedom and my legitimate Rights.**
- (b) A **non bailable warrant** in a false case under the provisions **SC and ST atrocities** act was issued by the Hon'ble Court in **July 2022**; jeopardizing my **personal freedom, liberty and legal Rights** and I was helpless in such circumstances **without this information**; to plead for my Rights. And in the absence of these information, I was not able to bring it to the notice of the Hon'ble Court the merit of my case substantiating our title and claim of the property as against those fallacious persons; and the said Biswas Family wickedly relied on those 'Fabricated False Evidence'; further demeaning my remedies. And the present official in spite of being well versed with the fraud and malfeasance practised at their office are now practicing conscious avoidance, wilful blindness, wilful ignorance to the material facts and circumstances; by concealing the materials available on record. And also trying to cause inordinate delay in the matter at hand, in spite of its gravity and seriousness; for the reasons best known to them. I am made to feel that they are deliberately trying to turn a blind eye to their official fraud, corruption and illegal ventures as committed in their offices.

THE RELIEF SOUGHT WITH PRAYERS :

The first APPEAL was preferred in circumstances previously owing to malafide obstruction of the information and by also showing the gravity of the sought information. But the FAA apparently had tried to further obstruct the information to my 1st appeal; by irresponsibly not responding at all; in spite of showing the gravity of the case and information. Thusly, also causing injury of my legal rights at Hon'ble High Court amidst the injury to my Fundamental rights and jeopardised my Liberty and personal freedom.

And now after waiting for a considerable time for the information and now upon being subjected to injury and irreversible losses and being thrown at the doors of litigation. I hereby, ardently request the Hon'ble Commission to take the **Judicious Note** of irreversible loss and injury suffered by the appellant due to inordinate delay and deliberate obstruction of information by seemingly hiding material facts about the information sought; in addition to malafide intensions which becomes fully evident with the attending circumstances as fully described above.

Hence, on this behalf I request your Honour to help me get the desired information without further prejudice. As the information sought on the issue(allegation) is very serious in nature. The production of information will change the outcome of the case at hand. And there is every chance and likelihood of injustice done to public at large if the information is not produced. (As If these high-handed procedures are being followed without due process of law and in contravention of laws. Concealment of the facts will prejudice the public at large; who are in good faith practicing faith upon the public authorities concerned)

The way the SPIO and the present officials O/o BDO, Rajganj are conducting themselves while dealing with information pertaining to fraud, malfeasance, nonfeasance, administrative turpitude as practised at their office. And the way various RTI applications are not being replied clearly suggests that there is something fishy going on in the office since a long time. And they are rest assured that no law can bind them against their intentional acts of mis-using their discretionary power in discriminatory, arbitrary, unfair and unjustified manner.

That it is humbly prayed to your Honour to dispose the appeal at an urgent pace to reign the significance of Laws of Land. To withhold the dying framework of RTI Act 2005. And consequently, grant Justice for **irreversible loss suffered in the dearth of the information sought for**, and thus injustice done to our family.

That in such a view to accelerate the Appeal, I have completed the requisites by sharing the copy of this appeal with the defendant. That I may kindly be informed for any requisites of appeal, that might possibly have been left out along with comprehensive submissions hereof.

That it is humbly prayed to your Honour to take **Strict Action** against the erring SPIO and related officials, by inter alia invoking **Section 20** of The Right to Information Act, 2005 with the following prayers:

- (i) kindly impose penalty on the SPIO under Section 19(8) (c) of the RTI Act, 2005
- (ii) kindly Dismiss the SPIO on account of illegal, deliberate, malafide and baseless reply to delay and finally obstruct the information.
- (iii) kindly recommend administrative action and/strictures, against the SPIO under Section 20 (2) of the RTI Act, 2005.
- (iv) Kindly recommend to the Department of Land & Land Reforms & Refugee Relief & Rehabilitation of West Bengal and the Govt. of West Bengal - Ministry of Land & Land Reforms (West Bengal) for administrative action and/strictures, against the SPIO.

Revised letter

- (v) kindly impose maximum penalty on the SPIO under Section 20(1) of the RTI Act, 2005.
- (vi) kindly direct the Respondents to refund the Application fee paid by Appellant while submitting RTI Application, as per section 7(6) of the RTI Act;
- (vii) kindly invoke its powers under the RTI Act to issue any other direction or recommendation as it may deem appropriate.
- (viii) kindly direct the public authority to make entry in Service Book/Annual Performance Appraisal Report of the respondents for defying the provisions of the Act.
- (ix) kindly award compensation for the complainant for pecuniary and other loss.

That for which acts of kindness, Your Appellant, as in duty bound, shall ever pray.

12] n/a. As 2nd Appeal is filed within the mandated time period .

I, **Navratan Lakhotia** son of **Sri Chunni Lal Lakhotia** aged **43 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: **Siliguri**

Signature of the appellant: Navratan Lakhotia

Date: **30-11-2022**

Name of the appellant: **Navratan Lakhotia**

Enclosers:

- 1) Self Signed 2nd Appeal in the prescribed format. (Page 1-6)
- 2) Self Attested copy of the Address Proof (Aadhar Card) (Page 7)
- 3) Self attested copy of RTI Application (Page 8-10)
- 4) Self attested photo copy of proof of RTI fee payment. (Page 8)
- 5) Self attested copy of 1st Appeal (Page 11-14)
- 6) Receipt copy of the Notice of 2nd Appeal served to the defendant (Page 15)



Government of India



ভারত সরকার
Unique Identification Authority of India
Government of India

তালিকাভুক্তির আই ডি / Enrollment No.: 1215/91506/12442

To
নবরতন লাখোটীয়া
Navratan Lakhotia
S/O: Chunnilal Lakhotia
SOBHA CHAND LAKHOTIA AND COMPANY NAYA
BAZAR
NEAR GANDHI MAIDAN, KHALPARA WARD NO 8
Siliguri (M. Corp)
Siliguri Bazar
Siliguri Darjeeling
West Bengal 734005
9932012167

09/01/2016
323832810



আপনার আধার সংখ্যা / Your Aadhaar No. :

9114 4229 8944

আধার – সাধারণ মানুষের অধিকার



নবরতন লাখোটীয়া
Navratan Lakhotia
জন্মতারিখ / DOB : 24/01/1979
পুরুষ / Male



9114 4229 8944

আধার – সাধারণ মানুষের অধিকার

- তথ্য
- আধার পরিচয়ের প্রমাণ, নাগরিকত্বের প্রমাণ নয়।
 - পরিচয়ের প্রমাণ অনলাইন প্রমাণীকরণ দ্বারা লাভ করুন।

INFORMATION

- Aadhaar is proof of identity, not of citizenship .
- To establish identity, authenticate online .

- আধার সারা দেশে মান্য।
- আধার ভবিষ্যতে সরকারী ও বেসরকারী পরিষেবা প্রাপ্তির সহায়ক হবে।
- Aadhaar is valid throughout the country .
- Aadhaar will be helpful in availing Government and Non-Government services in future .



ঠিকানা:
এস/ও: চুন্নিলাল লাখোটীয়া, শোভা
চাঁদ লাখোটীয়া আন্ড কম্পানি,
নয়া বাজার, গান্ধী মইদানের
পাশে, খালপাড়া, ওয়ার্ড নং ৪,
শিলিগুড়ি (পৌরসভা), দার্জিলিং,
শিলিগুড়ি বাজার, পশ্চিম বঙ্গ,
734005

Address:
S/O: Chunnilal Lakhotia, SOBHA
CHAND LAKHOTIA AND
COMPANY, NAYA BAZAR, NEAR
GANDHI MAIDAN, KHALPARA,
WARD NO 8, Siliguri (M. Corp),
Darjeeling, Siliguri Bazar, West
Bengal, 734005

9114 4229 8944

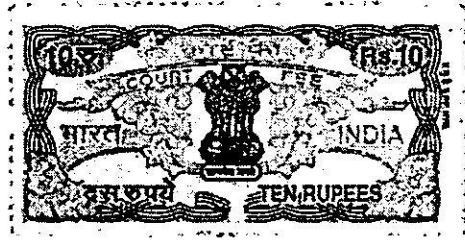
1847
1800 300 1947

help@uidai.gov.in

www.uidai.gov.in

Dated : 07-09-2022

To,
The State Public Information Officer,
O/o The B.D.O
Rajganj Block,
Dist-Jalpaiguri.



U R G E N T - I N F O R M A T I O N

Subject : Request for the URGENT INFORMATION under Right To Information Act, 2005 under the proviso of Section 7(1).

Dear Sir,

With due respect I would like to request your kind self to furnish me the information in reference to the letter (Email) Dated :08-06-2022 at 13:21 sent from email id- lakhotiacomputers@gmail.com to rajganjbdo@gmail.com and psrajganj-wb@gov.in among others. With the Subject- **Illegal approval of Building Plan by O/o The Rajgunj Panchayat Samiti by Land Grabbers on our already Constructed Building in 2013** and taken Loan over it illegally by using the Building Plan and Mutation Certificate. That in the above subject matter it was brought to your kind notice that In the disputed schedule of land a building was constructed in 2013 by my Mother Smt Vidya Devi Lakhotia(now deceased). The Building Plan was sanctioned illegally in 2016 on an already constructed Building in 2013.

Now it is learnt that The Rajgunj Panchayat Samity had approved the L.U.C on **21-07-2016** vide ref. **Order No- 985/Raj/PS/PL**. And consequently, The Executive Officer, Rajgunj Panchayat Samity had granted permission for the construction on **31-08-2016** vide **Order No- 1096/Raj/PS/PL**. The permission was granted to Smt Bharati Biswas, W/o Hriday Biswas, Shelterbari, P.O- Balaram. District- Jalpaiguri.

Now after considering all of the above facts, it is very much clear that **the sanction of building plan was in contravention of Laws; and is a clear-cut example of fraud and collusion and Criminal Breach of Trust**. The authorities (public servant) meant for imparting public services are bound to work honestly and with due diligence and adherence to the rules and regulations. When a Public Servant, in the discharge of his official duty, knowingly has refused to do what he was under obligation to do under the law and knowingly caused injury, harm to property and mental alarm to any person; by his act. It is a matter of Public Concern. Thus, the information sought is pertaining to "public interest immunity".

The copy of the above mentioned complaint/petition/application (Email) is attached for your kind perusal and marked as **Annexure A1** and is Self Attested)

N. D. Lakhota

Please Furnish me with the information in reference to the above as under :-

- 1) Please furnish me as to what were the formalities followed by the Competent Authorities to sanction the Building Plan and approval of L.U.C. Please furnish certified Copy ?
- 2) Please Furnish me the Certified Copy of the Enquiry Report for the approval of the above Building Plan and approval of L.U.C.?
- 3) Please Furnish me as to was any building already constructed on the above scheduled Land at the time of Enquiry or approval of L.U.C. or before the sanction of the subject Building Plan (Land Schedule: LR Plot No- 1107(RS Plot No-976), Mouza- Jugivita, Sheet No-1, JL No-24, Block-Rajgunj)
- 4) Please give the names and the designation of the officials who were supposed to take action on my above complaint/petition/application?
- 5) Please also provide the copy of the file noting by the Officers on the complaint/application/petition?

i) I declare that I am a Bonafede Citizen of India and below given address is my permanent address. (My Voter Id Card Vide Epic No- GLQ4035457)

ii) The requested information is **URGENT** and I have reasonable apprehension of imminent **danger to my personal life and liberty**, apart from my family members, in view of threats of dire consequences and extended limits of harassments to be meted out to us by vested interest persons, for which we all still reserve out rights to proceed as per any unfolded future situation in order to usurp our lands.

iii) Past incidents of issuance of NBWA in a false vide Internet **Case No SC/ST Prev.Of Atro/01/2016. (Special Case No. 04/2015** pending In the Court of Ld. District & Sessions Judge 1st (Special Court) at Jalpaiguri.) Despite gravity of allegations, the alleged Building Plan beneficiary's and her family members were enlarged on bail (**vide Criminal Misc. Case – 1196/ 2022 and Criminal Misc. Case – 1315 / 2022**) have been constantly threatening me. Aside threats of Incarnating us in more such false cases under the provisions of Special Acts; having been communicated vide various sources. And **the complaint to this effect has been filed with the relevant agency**. So, in the absence of the requested information I/we would be handicapped to neither safeguard our rights or be able to pay visit to my/our property and there **IS** every chance of deprivations of my/our **Liberty** and miscarriages of justice vide such **"trap cases"**. Moreover, a petition is pending before **Hon'ble Calcutta High Court (Circuit Bench) vide CRR/141/2022**. And the information sought has to be communicated to the Hon'ble Court during the pleading.

(if any of the above stated facts are to be verified, pls contact me at my undersigned email address for supply of such documents or verify at the respective Court's Website)

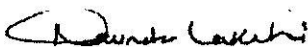
Nabin Chandra

- iii) If information sought is rejected or evasively replied, the PIO has to give the reasons for rejection as required under Section 7(8). Merely quoting the bare clause of the Act does not imply that the reasons have been given. Such rejection amounts to malafide Rejection of information. The SPIO should intimate as to how the exemptions if any under the Act are applicable to the rejection.
- iv) **Any other demand of fees if generated will be deposited as requested by your office.** And also mention the name and address of Appellate authority in reply as per Section 7 and 19 of RTI Act 2005. **Kindly also provide the status on above mentioned questions.**
- v) The allegation in the complaint involves serious public concerns. Thus, **the information sought pertains to larger public interest.**
- vi) Hence, on this behalf I request you to supply me the desired information without further prejudice. As the information sought on the issue(allegation) is very serious in nature. The production of information will change the outcome of the case at hand. And there is every chance and likelihood of injustice done to us if the documents or Information are not produced.

You are humbly requested to Order for furnishing requested information in terms of **Section 7(1) of The Right To Information Act, 2005** (as amended upto date), to be **delivered** at the given address or even intimate me to collect it **in person**.

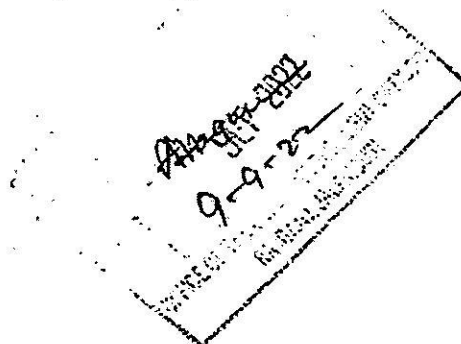
Thanking You.

Yours Truly,
Navratan Lakhota,



c/o Sobha Chand Lakhota & Co,
Naya Bazar, Khalpara, Siliguri-734005.
Contact Nos- 9932012167
Email: lakhotiacomputers@gmail.com

Annexure A1- Attached complaint / petition / application (Email) Dated 08-06-2022 (PAGE 4-7)



DATED: **19-10-2022**

To,

The Appellate Authority
O/o The B.D.O
Rajganj Block,
Dist-Jalpaiguri.

Subject- (First Appeal under Section 19 of the Right to Information Act 2005 for RTI petition dated 7-9-2022 submitted to **The SPIO**, O/o The B.D.O, Rajganj on **09-09-22**)

- 1.Full name of the Appellant:** Navratan Lakhota s/o Chunni Lal Lakhota.
- 2.Address:** Sobha Chand Lakhota & Co, Naya Bazar, Khalpara, Siliguri-734005.
Contact Nos-9434019327, 9932012167. E-mail : lakhotiacomputers@gmail.com
- 3.Particulars of the State Public Information officer:** The State Public Information Officer,
O/o The B.D.O Rajganj Block, Jalpai
- 4. Date of receipt of the information appealed against:** NOT RECEIVED even after the passage of 41 Days.
- 5.The grounds for appeal:** In my requisition for information under the proviso of Section 7(1) of RTI ACT 2005 Dated: 07-09-2022(received on 09-09-2022), I had asked for the urgent information, as per the copy enclosed. This has **NOT BEEN REPLIED** at all, till date in spite of continuous efforts of getting true information; And this act is a blatant violation of my Fundamental Rights. **The absence of the repeatedly requested true information has caused grave prejudice and injury to me and my family and miscarriage of Justice.**

GROUND:

That in spite of the gravity of the information sought and communicated; the information was intentionally and malafidely obstructed and thus no reply till date.

The past incidents of illegal sanction of Building Plan in the name of Bharati Biswas w/o Hridoy Biswas vide Order No- 1096/Raj/PS/PL on 31-08-2016 on an already constructed Building; which was built in 2013 by my mother Smt Vidya Devi Lakhota (now deceased) during her life time.

That immediately upon such knowledge of illegal sanction of Building plan; on and over our landed property; I had filed complaint/petition/grievances vide written letter (Email) Dated :08-06-2022 at 13:21 sent from email id- lakhotiacomputers@ gmail.com to rajganjbdo@gmail.com and psrajganj-wb@gov.in among others. With the Subject- **Illegal approval of Building Plan by O/o The Rajganj Panchayat Samiti by Land Grabbers on our**

Navratan Lakhota

already Constructed Building in 2013 and taken Loan over it illegally by using the Building Plan and Mutation Certificate.

That after this letter I had several times visited your good office, to enquire about its' status. Later upon getting no valid response I filed an RTI application to get the information.

That upon not being apprised of any information on any part of the office and self-exploring the premises of the case with little information; on 26-09-2022 vide a Notice/Petition with glaring evidences and proofs; had elucidated your kind self, in what **manner the former officials, governed by greed and corruption; by misfeasance and by breach of statutory duty sanctioned the impugned building plan;** at the behest of the alleged Building plan beneficiary and her family members (Biswas Family). Nevertheless, in spite my efforts and diligency; I was left without an ace of information from your good office; spite the gravity and the weight of my unattended grievances since 08-06-2022.

That few days back it was learnt through my lawyer that during a hearing of Quashing of Charge Sheet petition (which was filed in respect to a false case of SC & ST atrocities Act against me in 2013) at the Hon'ble Calcutta High Court- Circuit Bench at Jalpaiguri vide C.R.R. 141 of 2022 with CRAN 1 of 2022 on 14-09-2022; Krishna Biswas through his lawyer had used this illegal Building Plan among other manufactured documents as evidence to support their false claim of being the owner of our property.

That in such bewildering circumstances and in the lack of information sought has prejudiced my rights in the Hon'ble Court. **The Quashing petition of SC & ST Atrocities Act failed.** They were successful in misleading the Hon'ble Court and thus Hon'ble Justice made a remark **"However, the totality of the case reveals that the property allegedly belongs to the opposite party no.2 and his enjoyment was disturbed at the instance of the petitioner..."** Where the opposite party no.2 is Krishna Biswas s/o of Hridoy Biswas and I myself the Petitioner. **And thus, enforced opinion created as to I am a trespasser in my own property.**

That the lack of such vital information has caused us *irreparable injury* and *irreversible loss*. That the non-communication/obstruction of such information has gravely prejudiced our rights. Correspondingly, vide this unbecoming act; I am made to assume as to the information was intentionally and malafidely obstructed and/or my grievances abandoned; to save the erring presiding officers from any legal punishment and/or to hide the misdeeds of the former officials who had abused their power while exercising their discretionary power in an arbitrary, unjust, unfair and malefice manner by cheating common public and looting government resources.

Hence, on this behalf I request you to help me get the desired information without prejudice. As the information sought on the issue(allegation) is very serious in nature. The production of information will change the outcome of the case at hand. And there is every chance and likelihood of injustice done to public at large if the documents or information

Noted. Taken

are not produced. (As If these high-handed procedures are being followed without due process of law and in contravention of laws. Concealment of the facts will prejudice the public at large; who are in good faith practicing faith upon the public authorities concerned)

That The Right to information Act '2005' was legislated by our law makers to empower the citizens, to promote transparency and accountability in the working of the Government, to **corruption, and make our democracy work for the people in real sense.** It goes without saying that an informed citizen is better equipped to keep necessary vigil on the instruments of local administrative governance and make the government more accountable to the governed. This Act was a big step towards making the citizens informed about the activities of the Government.

But here also I was discriminated and left without Information thus violating my basic fundamental right enshrined under Article 19 of the Constitution. In continuation of violation of Article 14 of the Constitution by the arbitrary act of the officials in the remote past by illegally sanctioning the building plan over our already constructed building and that too without any valid documents; aside not taking any actions against the wrongdoers. PREJUDICING OUR RIGHTS AND thusly, ADDING INSULT TO OUR INJURIES.

6. RELIEF SOUGHT: Kindly Recommend to the State Information Commission that a **PENALTY** should Levied and a **Disciplinary Action** against the SPIO under Section 20 of the RTI Act of 2005, for knowingly and malafidely obstructing the information; which has prejudiced my rights in the Court of Law. The **absence of information** has caused injury to me and my family while pleading at the court. And is also the violation of my Fundamental rights.

THE TRUE RELIEF SOUGHT: I ardently request The Appellate Authority to help me get the true information as sought in my RTI petition at an earlies date to arrest further loss and injury. The information sought shall immensely help in pleading the wrong done to me and my family

Aside this I would like to request your kind self to take the Judicious note of irreversible loss suffered by the appellant due to inordinate delay and obstruction of information as fully described above.

7.Particulars of information- RTI petition Dated: 07-09-2022(received on 09-09-2022), is attached and is self-explanatory and self-attested.

8. I am not aware of the fees for this Appeal. I agree to pay the required fees; if any fees are payable for the purpose of this appeal or getting information.

9. I declare that I am a Bonafede Citizen of India, and below given address is my permanent address.

Noted
Correct

Thanking You

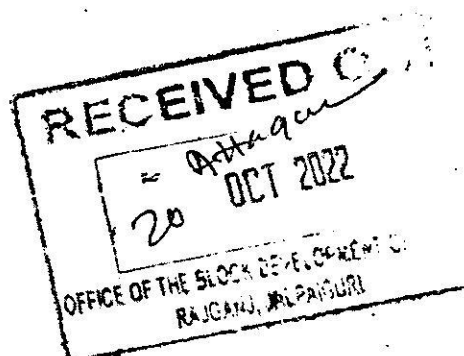
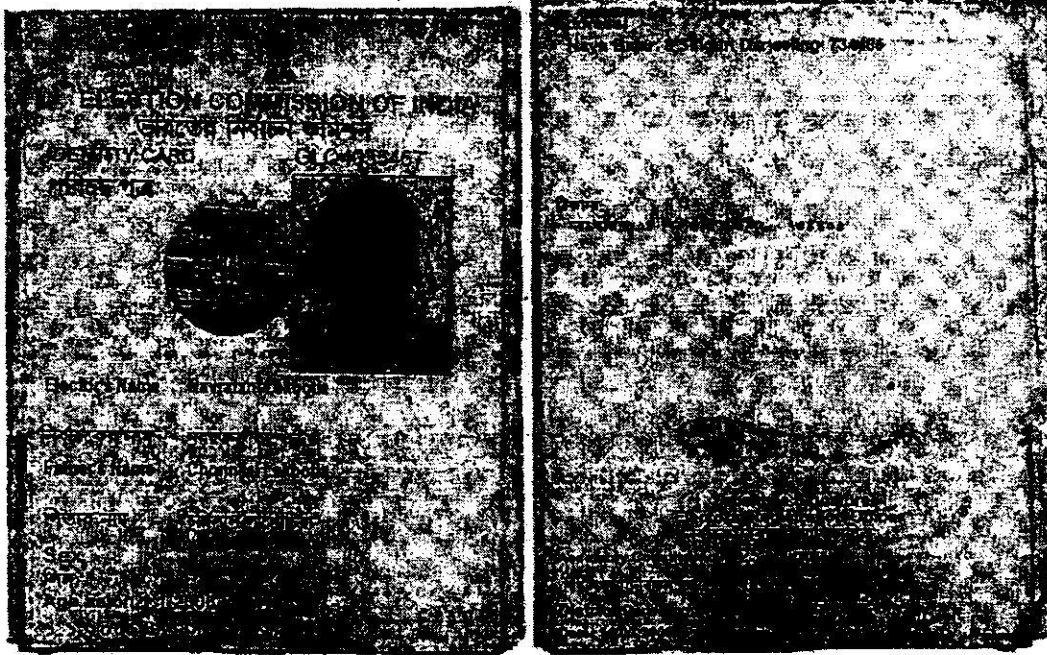
Yours Sincerely,

Navrat Lakhotia

Navrat Lakhotia,
S/o Sri Chunní Lal Lakhotia,
Naya Bazar, Khalpara, Ward No-VIII
Siliguri -734005
District- Darjeeling

Enclosures :

1. Copy of self-attested Voter Identity Card (Page-4)
2. Self-Attested RTI petition dated Dated: 7-9-22(received on 9-9-22), (Page-5-7)
3. Copy of Orders as downloaded from website <https://hcservices.ecourts.gov.in/> dated 14.09.2022 passed by Hon'ble Justice Tirthankar Ghosh, J. (Page 8-11)



Dated: 30-11-2022

To,
The SPIO,
O/o The BDO,
Rajganj,
Dist-Jalpaiguri.

To,
Appellate Authority,
The BDO,
O/o The BDO,
Rajganj, Dist-Jalpaiguri.

Copy To,
The RTI Cell,
The District Magistrate & Collector
O/o The District Magistrate,
Jalpaiguri.

(Subject: Notice of 2nd Appeal before the Hon'ble West Bengal Information Commission, West Bengal. In the matter of non-reply of SPIO, O/o the BDO, Rajganj, District-Jalpaiguri to my RTI application dated 07-09-2022 submitted on 09-09-2022)

Respected Sir,

With due respect I would like to bring to your kind notice that I have decided to file a 2nd Appeal before The Ld. State Chief Information Commissioner, West Bengal Information Commission, Kolkata.

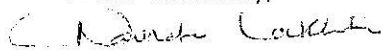
That on 09-09-2022 I have made a RTI petition to the SPIO, O/o The BDO Rajganj for seeking some urgent information. That till date I have not received any reply to the above RTI Petition.

That upon being aggrieved, I had preferred 1st Appeal before the First Appellate Authority, The BDO, Rajganj by submitting the appeal on 19-10-2022. It was also not replied at all; in spite of several visits and meetings. Hence, I am preferring this 2nd Appeal before The Ld. State Chief Information Commissioner, West Bengal Information Commission, Kolkata.

That on this behalf I am submitting the copy of the 2nd appeal petition with enclosers; A total of 15 Pages attached to this letter. This is for your kind notice and action.

Thanking You.

Yours' Sincerely,



Navratan Lakhota,
S/o Chunni Lal Lakhota
Naya Bazar, Khalpara, Ward No-8,
Siliguri -734005, P.O- Siliguri Bazar,
District- Darjeeling, West Bengal.
Contact No-9932012167
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