

101720 (A)
17/11/2025

BEFORE THE STATE INFORMATION COMMISSION, WEST BENGAL
(Constituted under the Right to Information Act, 2005)



IN THE MATTER OF:

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

Appellant:

Name: KHEPANI CHAKRABORTY
Address: VILL + PO: HIJALGORA, PS-
JAMURIA, PASCHIM BARDHAMAN-713362
Contact: 93399 84272

Versus

Respondents:

1. The State Public Information Officer (SPIO),
Office of the District Magistrate,
Paschim Bardhaman.
2. The State Public Information Officer (SPIO) & Deputy District Land & Land Reforms Officer (Dy. DL & LRO),
Paschim Bardhaman.
3. The Block Land & Land Reforms Officer (BL & LRO),
Jamuria, Paschim Bardhaman.
4. The First Appellate Authority (FAA),
Office of the District Magistrate,
Paschim Bardhaman.

SUBJECT:

Second Appeal under Section 19(3)
of the Right to Information Act, 2005
for non-furnishing of information
sought under RTI Application dated
21.03.2025 and non-disposal of First
Appeal by the First Appellate Authority.

MOST RESPECTFULLY SHOWETH:

A. (P)
Case of Mr. Citizen
Multiple RTI applications
attached with single FA and single 2nd FA
L.D.
PL check
13/11/25

1. That the Appellant had filed an RTI Application dated 21.03.2025 under Section 6(1) of the Right to Information Act, 2005, before the State Public Information Officer, Office of the District Magistrate, Paschim Bardhaman, seeking certain information which was closely related to the functioning and records of that office.
2. That the said SPIO, DM Paschim Bardhaman, instead of furnishing the requested information, transferred the RTI Application to the SPIO & Dy. DL & LRO, Paschim Bardhaman, vide Memo No. 48/XI/GEN/RTI, purportedly under Section 6(3) of the RTI Act, on the ground that the information sought pertained to that office.
3. That upon receipt of a copy of the said transfer order, the Appellant submitted a representation dated 25.06.2025 before the SPIO, DM Paschim Bardhaman, requesting reconsideration of the said transfer, as the Appellant firmly believed that the information sought was indeed available and within the knowledge of the DM's office.
4. That no response was received from the SPIO, DM Paschim Bardhaman. The Appellant also submitted a reminder letter dated 25.06.2025 to the SPIO & Dy. DL & LRO, Paschim Bardhaman, drawing attention to the forwarding letter issued by the SPIO, DM.
5. That subsequently, the SPIO & Dy. DL & LRO, Paschim Bardhaman, vide Memo No. 3594/RTI/ADM&DL&LRO/PAB/2025 dated 25.08.2025, further transferred the said RTI Application to the BL & LRO, Jamuria, Paschim Bardhaman, again under Section 6(3) of the RTI Act.
6. That despite the passage of several months, no information has been furnished to the Appellant till date by any of the above-mentioned authorities, which constitutes a gross violation of the statutory timeline prescribed under Section 7(1) of the RTI Act, 2005.
7. That in view of the continued inaction and delay, the Appellant thereafter preferred a First Appeal under Section 19(1) of the RTI Act before the First Appellate Authority, Office of the District Magistrate, Paschim Bardhaman, on 10.09.2025, with a copy endorsed to the SPIO, DM Paschim Bardhaman and the SPIO & Dy. DL & LRO, Paschim Bardhaman.

8. That till the date of filing this Second Appeal, no order, communication, or response has been received from the First Appellate Authority, nor has any information been supplied by the concerned SPIOs, thereby constituting a continuing denial of the Appellant's right to information.
9. That the repeated transfers of the RTI application between multiple offices without any substantive reply, as well as the failure of both the SPIOs and the FAA to act within the statutory period, demonstrate a complete disregard of the objectives and mandates of the RTI Act, 2005, and attract the provisions of Section 20(1) and 20(2) for imposition of penalty upon the concerned officials.
10. That the Appellant has suffered considerable inconvenience, harassment, and loss of time owing to the prolonged delay and dereliction of duty on the part of the Respondent authorities. Accordingly, the Appellant humbly prays for compensation under Section 19(8)(b) of the Act, to the extent of ₹25000/- (Rupees Twenty Five Thousand only), for the loss and hardship suffered.

PRAYER In view of the foregoing, the Appellant most respectfully prays that this Hon'ble Commission may be pleased to:

- a) **Direct** the concerned SPIO(s) to furnish the complete and correct information sought in the RTI Application dated 21.03.2025, free of cost, within a time frame as may be fixed by this Hon'ble Commission, under **Section 19(8)(a)** of the RTI Act, 2005;
- b) **Invoke penalty proceedings** under **Section 20(1)** of the RTI Act, 2005, against the erring SPIOs for willful and unjustified delay in providing information;
- c) **Recommend disciplinary action** under **Section 20(2)** of the Act, against the concerned officers for persistent negligence of duty;
- d) **Award compensation** to the Appellant under **Section 19(8)(b)** of the Act, for the inconvenience, mental harassment, and detriment suffered, to the tune of ₹25000/- (Rupees Twenty Five Thousand only); and
- e) **Pass such further or other orders** as may be deemed fit and proper in the interest of justice and transparency.

Place: HIJALGORA

Date: 11.11.2025

Khepoin Chayanwong

Signature of the Appellant

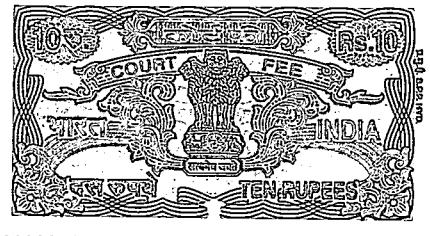
Address: VILL + PO: HIJALGORA, PS- JAMURIA, PASCHIM BARDHAMAN-713362

Mobile No.: 93399 84272

ANNEXURES

1. Copy of RTI Application dated 21.03.2025
2. Copy of Transfer Memo No. 48/XI/GEN/RTI issued by SPIO, DM Paschim Bardhaman
3. Copy of Appellant's representation dated 25.06.2025
4. Copy of Reminder Letter dated 25.06.2025 to SPIO & Dy. DL & LRO
5. Copy of Transfer Memo No. 3594/RTI/ADM&DL&LRO/PAB/2025 dated 25.08.2025
6. Copy of First Appeal dated 10.09.2025.
7. Proof of dispatch of First Appeal (postal receipt / acknowledgment)

To,
The Public Information Officer (PIO)
Office of the District Magistrate & Collector
Paschim Bardhaman, West Bengal



Subject: Application under the Right to Information Act, 2005

Sir,

I, **KHEPANI CHAKRABORTY**, S/o **BHOLANATH CHAKRABORTY**, R/o vill + PO **HIJALGORA**, PS- JAMURIA, Pin- 713362, do hereby seek the following information under the Right to Information Act, 2005, regarding the installation of water pipelines in **Hijolgora Mouza, JL No-40, Plot No-74, Khatian No-1712 & 1713**, by **Super Smelter Company**, as mentioned in your office memo **No-341/Gen/PGC/PAB 276 dated 18.07.2022** and **BL & LRO Jamuria Block Memo No. 1363(2) dated 07.07.2022**, and additionally regarding **Kumardiha Mouza, J.L. No. 41, R.S. Plot No. 541/336** (hereinafter collectively referred to as the "Scheduled Properties").

Information Sought:

1. Kindly provide certified copies of all legal documents that establish the legality of the installed water pipelines by **Super Smelter Company** in the **Scheduled Properties**.
2. Was a **No Objection Certificate (NOC)** obtained from all legal landowners of the undivided property before granting permission for the installation of the water pipeline in the **Scheduled Properties**? If yes, kindly provide certified copies of all such **NOCs**.
3. What specific documents were produced by the **BL & LRO, Jamuria**, to justify the legality of the installed water pipelines in the **Scheduled Properties**? Please provide copies of these documents.
4. On what legal grounds did **Jamuria Municipality** issue the **NOC** for laying the water pipeline on private land in the **Scheduled Properties**? Please provide a copy of the relevant approval and the legal basis under which the permission was granted.
5. Under what legal provision or agreement is **Super Smelter Company** authorized to install and take over a water pipeline in an **undivided scheduled property** without obtaining the explicit consent of all legal heirs and co-owners of the property? Kindly provide documentary proof supporting this action.

I request that the information be provided in **certified copies**. If the information is voluminous, kindly inform me of the estimated cost so that I may make the required payment.

As per the **RTI Act, 2005**, I request you to provide the requested information within **30 days** of receipt of this application. In case the information is held by multiple authorities, please **forward my application to the relevant department(s)** as per **Section 6(3) of the RTI Act, 2005**.

In case of **non-disclosure** of information, please provide reasons for the same as per the provisions of the RTI Act, 2005.

Enclosures:

1. Copy of relevant office memo for reference.
2. RTI Application Fee of **Rs. 10/-** (through **[Indian Postal Order/Demand Draft/Online Payment]**, as applicable).

Thank you for your time and consideration.

Kiran Chandra
29/03/25
Sincerely,

MOBILE NUMBER
9457481711 MVR:8287673486987

2. 07/03/2025 RAVIARI SO 0715352

3. 07/03/2025, 10:17

4. 07/03/2025, OFFICE OF THE DI

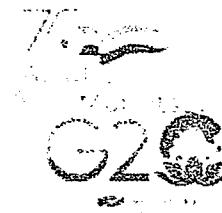
5. 07/03/2025, ISKCON, Varkienna Mission 30

6. 07/03/2025, 10:17, HJALGORA

7. 07/03/2025, 10:17

8. 07/03/2025, 10:17, 300.00 (Cast)

9. 07/03/2025, 10:17, 14005.00 (Cast)



You are here Home>> Track Consignment

Tools



Track Consignment

Quick help

* Indicates a required field.

* Ref Number

Track More

Event Details For : RW673486987IN

Current Status : Item Delivered [To: DM (Article Receipt Room)]

Date: 21/03/2025

Time: 15:57:10

Office: Ramkrishna Mission SO (Beat Number:1)

Event: Item Delivered [To: DM (Article Receipt Room)]

Home





GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE & COLLECTOR
PASCHIM BARDHAMAN
KANYAPUR, ASANSOL, PIN- 713305

Phone No. 0341-2254545 Fax- 2254242, email: dimpaschimbardhaman@gmail.com

Memo No: 48 /XI/Gen/RTI/

Date: 27/02/25

To
The SPIO & Dy.DL&LRO
Paschim Bardhaman

Sub: - Transferring of RTI Application U/S 6 of RTI Act, 2005 of the applicant Khepani Chakraborty.

Enclosed please find herewith a RTI application of Khepani Chakraborty S/o- Lt. Bholanath Chakraborty, R/o- Vill+P.O- Hijalgora, P.S- Jamuria, Paschim Bardhaman- 713362(WB), which speaks itself.

The information as sought for by the applicant is closely related with the functioning authority of his office.

Therefore, all the papers in original are being transferred for disposal of the matter from your end directly to the applicant as per RTI Act, 2005 within the stipulated time with an intimation to this end.

26/3/25

SPIO

Office of the District Magistrate
Paschim Bardhaman

Enclo: As stated

Memo No: 48 /1(1)/XI/Gen/RTI/

Date: 27/02/25

Copy forwarded for information to: -

✓ 1) Khepani Chakraborty S/o- Lt. Bholanath Chakraborty, R/o- Vill+P.O- Hijalgora, P.S- Jamuria, Paschim Bardhaman- 713362(WB).

With request to contact with concerned SPIO for request information because this establishment is not related to 'information' asked for.

26/3/25

SPIO

Office of the District Magistrate
Paschim Bardhaman



RECEIVED ON 10.07.2022

Date 10.07.2022

Serial No.

2016

29

OK

SC

To
The District Magistrate & collector
Paschim Bardhaman

Through BL & LRO Jamuria Block

Ref:- Your good office memo No- 341/Gen/PLC/PAB 276 date- 18.07.2022
BL & LRO Jamuria block Memo No- 1363(2) Date- 07.07.2022

Sub:- Enquiry report

Respected Sir,

In connecting with the above noted memo of over the petition of Petitioner Akash Chakraborty S/O Tapan Chakraborty Of Hijolgora, PS- Jamuria, Dist- Paschim Bardhaman and memo of petition of petitioner BL & LRO Jamuria respectively. I enquire the above noted memo of petition's at locally in presence of available local witnesses, due to installed water pipelines located in Hijolgora Mouza JL No- 40, Plot No- 74 Khatian No- 1712 & 1713 by the Super Smelter Company Jamuria industry and they came to know that the above noted installed pipe lines is legally. During my enquiry the BL & LRO produced some documents in favour of the above noted landed property as per my requisition also I collect one No Objection Certificate from Jamuria Municipality, Hijolgora Gram Panchayet and NOC of permission for laying water pipe line from Ajay River to Super Smelter plant Jamuria industrial area for a length of 2500 mtr. The petitioner Akash Chakraborty did not produced any valid documents in favour of his complain.

During enquired it came to know that the above noted landed property is undivided property as per BL & LRO records and installed water pipelines located in Hijolgora Mouza JL No- 40, Plot No- 74 Khatian No- 1712 & 1713 by the Super Smelter Company as per mention on the above noted documents and the above noted matter is a purely civil in nature.

This is for favour of your kind Information.

Enclosed:-
1) Copy of NOC.
2) Land particulars.

Yours faithfully

Rakesh Kumar Singh

ASI of Police

Kenda PP under Jamuria PS

Dist- Paschim Bardhaman

Date- 08.07.2022

Forwarded
to
In-charge
State
Police
Bardhaman (W.B.)

OK. 6314/102

D.D.C. - 1176/102

To
The State Public Information Officer (SPIO)
Office of the District Magistrate
Paschim Bardhaman, West Bengal

Date- 24.06.2025

Subject: Request for Intervention Regarding Non-Response to RTI Application Transferred to Dy. DL & LRO

Respected Sir,

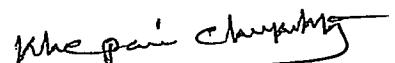
I the undersigned, am writing to respectfully bring to your kind attention that I had submitted an RTI application to your esteemed office seeking certain information. Your office was pleased to transfer my RTI application to the SPIO & Deputy District Land & Land Reforms Officer, Paschim Bardhaman, for necessary action, vide Memo No. 48/XI/GEN/RTI, dated 27/03/2025. A copy of the said forwarding memo was also marked to me vide Memo No. 48/1(1)/XI/GEN/RTI.

However, I regret to inform you that till date, I have not received any response from the Office of the SPIO & Dy. DL & LRO, Paschim Bardhaman, in relation to the information sought.

In view of the above, I humbly request your kind intervention in the matter to ensure that the concerned authority provides a timely response to my RTI application, as per the provisions of the RTI Act, 2005.

Your kind cooperation in this regard shall be highly appreciated.

Thanking you,



Yours faithfully,

Khepani Chakraborty, S/o- Lt. Bholanath Chakraborty, R/o- Vill+Post- Hijalgora, P.S. Jamuria, Paschim Bardhaman- 713362 (WB).

CC. SPIO & Dy. DL& LRO, Paschim Bardhaman.

To
The State Public Information Officer (SPIO)
Office of the District Magistrate
Paschim Bardhaman
West Bengal

Date: 24.06.2025

Subject: Request for Reconsideration of RTI Application Transferred under Memo No. 48/XI/GEN/RTI dated 27/03/2025

Respected Sir,

I the undersigned, am writing to respectfully bring to your kind notice that I had submitted an RTI application to your office via registered post on **20/03/2025**, seeking information pertaining to a communication addressed to your office by **Rakesh Kumar Singh, ASI of Police, Kenda Police Post under Jamuria P.S., Paschim Bardhaman**, along with enclosures such as the **copy of a NOC and land particulars**. My RTI application was confined to obtaining clarity in connection with the said letter and enclosures.

However, in response, your office, vide **Memo No. 48/XI/GEN/RTI dated 27/03/2025**, transferred my application to the SPIO & Dy. DL&LRO, stating that your establishment is not related to the information sought.

In view of the fact that the said letter and documents were directly received by your office and form the very basis of my RTI query, I humbly submit that your good office is in a better position to either furnish the information or provide a reasoned response in accordance with the RTI Act, 2005.

Further, I respectfully bring to your attention that under **Section 20(1) of the RTI Act**, there are provisions regarding the furnishing of false, misleading, or incomplete information. While I do not suggest any deliberate intent, I believe a re-examination of the matter would be in the interest of transparency and accountability as envisaged under the Act.

Accordingly, I kindly urge your good office to **reconsider my application** and take appropriate steps to ensure the requested information is duly provided or suitably addressed by the concerned department within your establishment.

Thanking You

Khepani Chakraborty

Yours faithfully,

Khepani Chakraborty, S/o- Lt. Bholanath Chakraborty, R/o- Vill+Post- Hiijalgora, P.S. Jamuria, Paschim Bardhaman- 713362 (WB).

To
The State Public Information Officer &
Deputy District Land & Land Reforms Officer (Dy. DL&LRO)
Paschim Bardhaman, West Bengal

Date- 24.06.2025

Subject: Reminder – 1

Respected Sir,

This is to bring to your kind attention that my RTI application was forwarded to your office by the Office of the District Magistrate, Paschim Bardhaman, vide Memo No. 48/XI/GEN/RTI dated 27/03/2025. I was also marked a copy of the said forwarding under Memo No. 48/1(1)/XI/GEN/RTI.

As per **Section 7(1) of the Right to Information Act, 2005**, it is mandatory for the Public Information Officer to either provide the requested information or reject the request with valid reasons **within 30 days** of the receipt of the application. However, despite the statutory period having elapsed, I have not received any response from your office till date.

I, therefore, earnestly request you to kindly expedite the matter and provide the requisite information without any further delay. Failing this, I will be compelled to take appropriate action under the RTI Act, including filing a **First Appeal under Section 19(1)** of the said Act before the designated Appellate Authority.

Thanking You



Yours faithfully,

Khepani Chakraborty, S/o- Lt. Bholanath
Chakraborty, R/o- Vill+Post- Hiijalgora,
P.S. Jamuria, Paschim Bardhaman-
713362 (WB).

CC. The SPIO, Office of the District Magistrate.

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(Dial 18002444848)<Dear user -Stay safe>

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(Track on www.indianpost.gov.in)
(Dial 18002444848)<Dear user -Stay safe>

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PTN:713305, Ramkrishna Mission SH
From:KHEPPANT CHA,JAMIRTA
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(Track on www.indianpost.gov.in)

≡ Consignment Number

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Delivery Location: Ramkrishna Mission SO
Delivery Confirmed On: 25/06/2025 15:39:26

Event Details For : RW238216700IN

Current Status : Item Delivered(Addressee)

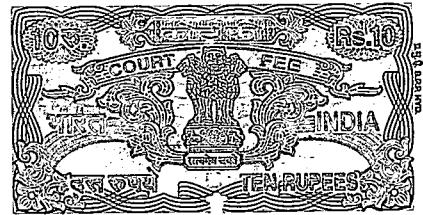
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Time: 15:39:26
Office: Ramkrishna Mission SO
Event: Item Delivered(Addressee)

Date: 25/06/2025
Time: 10:42:52
Office: Ramkrishna Mission SO
Event: Out for Delivery

Date: 25/06/2025
Time: 09:34:58
Office: Ramkrishna Mission SO
Event: Item Received

Date: 25/06/2025
Time: 04:04:36
Office: Asansol Ma RMS2 TMO





To
The First Appellate Authority
Office of the District Magistrate
Paschim Bardhaman, West Bengal

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

Respected Sir,

I, Khepani Chakraborty, S/o Late Bholanath Chakraborty, a resident of Vill + Post – Hijalgora, P.S. Jamuria, District – Paschim Bardhaman – 713362, hereby prefer this First Appeal, against the gross inaction and willful negligence on the part of the SPIO, Office of the Dy. DL&LRO, Paschim Bardhaman.

My RTI application, originally submitted to the Office of the District Magistrate, Paschim Bardhaman, was duly forwarded to the concerned SPIO of the Dy. DL&LRO under Memo No. 48/XI/GEN/RTI dated 27/03/2025, with a copy marked to me under Memo No. 48/1(1)/XI/GEN/RTI.

As per the mandate under Section 7(1) of the RTI Act, 2005, it is obligatory for the Public Information Officer to respond to an RTI application either by furnishing the requested information or by issuing a reasoned rejection within 30 days from the date of receipt. However, more than the stipulated time has elapsed, and I have neither received the information sought nor any formal rejection or explanation for the delay.

This inordinate delay and silence on the part of the SPIO & Dy. DL& LRO amounts to a blatant violation of Section 7(1) and is tantamount to dereliction of statutory duty, warranting appropriate intervention.

Please be informed that I have already issued a written reminder to the SPIO, Dy. DL&LRO, Paschim Bardhaman, on 24.06.2025, but no response has been received to date, which further strengthens the presumption of administrative indifference.

In light of the above, I respectfully urge your office to:

1. Take immediate cognizance of this non-compliance under Section 19(1) of the RTI Act, 2005.
2. Direct the concerned SPIO, Dy. DL&LRO, Paschim Bardhaman, to furnish the complete and correct information forthwith, as originally sought in my RTI application.
3. Recommend disciplinary action under Section 20(1) for willful denial of information without reasonable cause, if deemed appropriate after inquiry.

I am enclosing the following documents for your kind consideration:

- Copy of the original RTI Application
- Copy of the forwarding letter issued by the DM Office (Memo No. 48/XI/GEN/RTI dated 27/03/2025)
- Copy of the reminder letter dated 24.06.2025.

Thanking you in anticipation.

Kiran Choudhury
10/07/25

Yours faithfully,

CC.- 1. SPIO, Office of the District Magistrate,
Paschim Bardhaman.
2. SPIO & Dy. DL& LRO, Paschim Bardhaman.



GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT LAND AND LAND REFORMS OFFICER
PASCHIM BARDHAMAN
VIVEKANANDA SARANI, KANYAPUR, P.O.- R. K. MISSION, ASANSOL-713305
e-mail : dlropaschimbardhaman@gmail.com

Memo No: 3554 /RTI/ADM&DL&LRO/ PAB/2025

Dated - 25 / 08 /2025

To
The Block Land & Land Reforms Officer,
Jamuria,
Paschim Bardhaman

Sub: Requesting for Information under section 5(4) of the RTI Act, 2005.

An application under the Right to Information Act, 2005 from Shri Khepani Chakraborty is received which is self explanatory, is being sent as the matter relates to his office jurisdiction. So, he is requested to provide necessary information in respect of point No.3 under section 5(4) of the RTI Act, to this end at the earliest for disposal of the case.

Enclo- As stated

25.08.2025
SPIO

By District Land & Land Reforms Officer,
Paschim Bardhaman

BY DISTRICT LAND & LAND REFORMS OFFICER
PASCHIM BARDHAMAN

Memo No. 3554/(1) / RTI/ADM & DL&LRO- PAB/2025

Dated - 25 / 08 /2025

Copy forwarded for information to :-

Khepani Chakraborty
S/O- Lt. Bholanath Chakraborty
Vill-PO-Hijalgora, PS-Jamuria,
Paschim Bardhaman

25.08.2025
SPIO

By District Land & Land Reforms Officer,
Paschim Bardhaman

BY DISTRICT LAND & LAND REFORMS OFFICER
PASCHIM BARDHAMAN

Shantiganj HO (713347) 
SI: RW113255934TN, TVR No: 868
10/09/2025 14:03:52. Counter
To: THE FIRST APPELLATE AUTHORITY
Ramkrishna M, WEST BENGAL - 713305
From: KHEPANI CHAKRABORTY-713362
Base Amt: 27.00,
Wt: 15 (Actual) gms
P.Mode: Cash,

POD:No www.indiapost.gov.in

Shantiganj HO (713347) 
SI: RW113255917TN, TVR No: 868
10/09/2025 14:05:29. Counter
To: THE SATTE PUBLIC INFORMATION AND DEI
Ramkrishna M, WEST BENGAL - 713305
From: KHEPANI CHAKRABORTY-713362
Base Amt: 27.00,
Wt: 15 (Actual) gms
P.Mode: Cash,

POD:No www.indiapost.gov.in

Shantiganj HO (713347) 
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To: THE PUBLIC INFORMATION AND DEI
Ramkrishna M, WEST BENGAL - 713305
From: KHEPANI CHAKRABORTY-713362
Base Amt: 27.00,
Wt: 40 (Actual) gms
P.Mode: Cash,

POD:No www.indiapost.gov.in

Booking Ref ID: 933600341004536314
GSTIN: 13AARAGK0067F72C, Airtel
Total Base Tariff: 81
Total GST: 7 Total SGST:
Net Amount: 95
Track @ www.indiapost.gov.in

