

10/257(A)
02/09/2025

(1)

date: 25.08.25

To

The state chief Information Commissioner
West Bengal Information Commission
11 A Mirza Galib Street
Khordya Bhaban
Kolkata - 700087



From

Debasish Mahapatra
24/3 Feeder Road
Kolkata - 700057
Ph: 9830052278

Sub: Second Appeal under Section 19(3) of RTI Act 2005

Sir,

I have made an second appeal under section 19(3) of RTI Act 2005 following my RTI appeal dated mail to Executive Officer & SPIO of Kamarhati Municipality on 07-07-25. But it has been returned under section 8 of RTI Act 2005.

So I am making a fresh appeal before you.

1. Name & Address

: DEBASISH MAHAPATRA
24/3 Feeder Road
Kol - 57
Ph: 9830052778

2. Date of filing of application under Section 6(1) of R.T.I Act 2005

: Application dated 11/11/25
~~delivered~~ & send through
speed post delivered
on 16.04.25

A

27/8/25

(2)

3. Name of SPIO : Executive Officer
Kamarkhati Municipality
1 M M Feeder Road
Kolkata - 700056
4. Response/Information Received : Unsatisfactory
5. Date of filing of first Appeal : 23/05/25 Through Speedpost
Vide article no. EW 143655825IN
delivered on 26.05.25
6. Authority to whom 1st Appeal was made : Mr Gopal Saha
Chairman
Kamarkhati Municipality
1, M M Feeder Road
Kolkata - 700056
7. Decision of 1st appeal : Answer given as same as
the answer given by SPIO.
which is unsatisfactory and
8. Information sought : (i) Change of mutation of holding
no. 883 of Ward no. 15 has
been cancelled or not.
- ii) If answer to the query ~~is~~ (i) is negative then the
link deed to establish the
relation between donor and
the owner has been produced
or not.
- iii) The rule under which

The sanction plan of G+III construction on the same holding 2-e 883 of ward 15 allowed to construct an extra floor 2-e G+IV

So I request you to let me have the information sought through R.T.I application received on 16.04.25. I Debasish Mahapatra s/o Late Amiya Kanti Mahapatra aged 60 years having being an Indian citizen do hereby solemnly affirm that the statement made here are true to my knowledge based on records and rest are my submission to the hon'ble The West Bengal Information Commissioner.

I also declare that this matter is not pending with any court or tribunal or authority.

Yours faithfully

Debasish Mahapatra

25.08.25

Enclose :- 1. Self attested photocopy of AADHAR

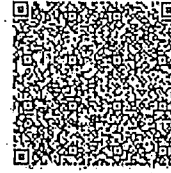
2. Self attested photocopy of R.T.I application dated till delivered on 16.04.25
3. Self attested photocopy of answer given through letter dated 30.04.25 memo no. 101/Gnt
4. Self attested photocopy of 1st appeal dated ~~23.05.25~~ 23.05.25
5. Self attested photocopy of answer of the first appellate



ভারত সরকার
Unique Identification Authority of India
Government of India

তালিকাভুক্তির আই ডি / Enrollment No.: 1111/11152/18136

To
দেবশীষ মহাপাত্র
Debashis Mahapatra
S/O: Amiya Kanti Mahapatra
24/3 M M FEEDER ROAD
Kamarhati (m)
Ariadaha
North 24 Paraganas North 24 Parganas
West Bengal 700057
192894077
ML928940776FT



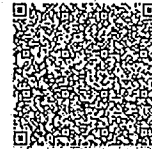
আপনার আধার সংখ্যা / Your Aadhaar No. :

6564 7109 4183

আধার - সাধারণ মানুষের অধিকার



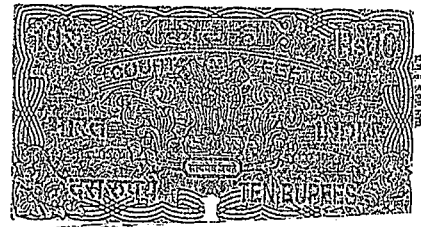
ভারত সরকার
Government of India
দেবশীষ মহাপাত্র
Debashis Mahapatra
জন্মতারিখ / DOB : 30/08/1965
পুরুষ / Male



6564 7109 4183

আধার - সাধারণ মানুষের অধিকার

Debashis Mahapatra



To
The Executive Officer & S.P.O
Kamarkhali Municipality
1 M.M. Feeder Road
Kolkata - 700056

From:

Debasish Mahapatra
24/3 Feeder Road
Kolkata - 700057
Ph: 9830052278

EN085744625IN INR:4987095744625
SP ARIADHA SO (700057)
Counter No: 1.16/04/2025.13:25
To: THE EXECUTIVE, KAMARKHALI MUNICI
PIN: 700056, Beluraria HO
From: DEBASISH MA. 24/3 FEEDER ROAD
Wt: 230ms
Amt: 17.70, Tax: 2.70, Act. Paid: 17.70
<Track on www.indiapost.gov>
Dial 18002666660 for more info



Sub: Request to furnish information under Section 6 (i) of
R.T.I Act 2005

Sir,

In response to my RTI application dated 05/10/24 you have informed me through letter dated 12/11/24 memo no. 904/Gnl that the change of mutation (assessees name) of holding no. 883 of ward no. 15 from Gobinda Kemi Basak to Gour Gobinda Basak has been done without any link deed which could prove the relation between them.

After having such information I wrote a letter to the Chairman on 30/12/24 and reminded him on 10/12/25 requesting him to ~~can~~ take appropriate action such that other persons should not be cheated. In support of my request I also identified some loop holes on the matter.

Through that letter I have tried to identify a nexus between promoter or developer and a part of workforce of the municipality who not only can change the assessee name without link deed but also ~~also~~ can have the permission (if any) to construct an extra floor i.e from G+III to G+IV.

Two months have passed away inbetween.. I am sure that the authority have enquired as per my request

and information.

So it is my humble request to you to provide me the information on the query stated below under section 6(1) of R.T.I. Act 2005.

1. The change of mutation of holding no. 883 of ward no. 15 has been cancelled or not.
2. ~~did~~ If the change of mutation of the said holding is still exist then did they produce the link deed or any paper to establish the relation between the donor i.e. Bijay Laxmi Basak and the previous assessee Gobinda Rani Basak in between or not.
3. Under which Rule or subrule the construction of an extra floor i.e. from G+III to G+IV permitted?

As per section 6(1) of R.T.I Act 2005 and a court fee of Rs 10/- (Ten) attached along with a copy of Adhar asking information in printed format to my above mention address through registered post.

More over I am ready to pay other charges if required in connection to R.T.I. Act 2005.

Thanking you
Yours faithfully

Debasish Mahapatra
14.04.25

Encls:- 1. XEROX COPY of ADHAR
2. Photocopy of letter dated 10.2.25

~~Debasish Mahapatra~~
Debasish Mahapatra
28.08.25

Office of the Municipal Councillors, Kamarhati

[Address: 1, M.M. Feeder Road, Rathtala, Belgharia, North 24 Parganas, Kolkata - 700 056]
Ph: 033-2564-9580, 033-2564-8646. Fax: (033) 2564-1361. Email: kamarhati_municipality@rediffmail.com

Memo No. 435/Gml

Date: 10.07.2025

To,
Debasish Mahapatra,
of 24/3 Feeder Road,
Kolkata - 700057.

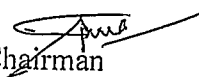
Subject: Reply of 1st Appeal application dated 23.05.2025 (received dated 26.05.2025) against RTI application dated 14.04.2025.

Reference: Our office vide Memo No. 101/Gnl dated 30.04.2025.

With regard to the queries made by you in your RTI application dated 14.04.2025 (received on 16-04-2025 by this office), you are hereby informed that the Memo. No. 101/Gnl dated 30.04.2025 of the Kamarhati Municipality need not to be disclosed to applicant as it is exempted under section 8(1)(e) and 8(1)(j) of the RTI Act, 2005.

That is further more stated not to be disclosed any information which relates to personal information that would cause unwarranted invasion of privacy according to legal sources or breach of confidentiality between the concerned parties.

Thus in view of above, the Municipality cannot provide you the information sought in your application dated 14.04.2025 (received on 16-04-2025 by this office) which is already within the knowledge of the concerned parties.


Chairman
&

1st Appellate Authority
Kamarhati Municipality


Debasish Mahapatra
25.08.25

Office of the Municipal Councillors, Kamarhati

[Address: 1, M.M. Feeder Road, Rathala, Belgharia, North, 24 Parganas, Kolkata - 700 056]

Ph: 033-2564-9580, 033-2564-8646. Fax: (033) 2564-1361. Email: kamarhati_municipality@rediffmail.com

Memo No. 101/ GM

Date. 30.04.2025

To,
Debasish Mahapatra,
Of 24/3 Feeder Road,
Kolkata -700057
Ph No. 9830052278.

Subject: Your RTI application dated NIL (received on 16-04-2025
by this office) u/s 6(1) of the RTI Act 2005.

With regard to the queries made by you in your RTI application dated NIL (received on 16-04-2025 by this office), you are hereby informed that the queries sought by you are exempted under section 8(1)(e) and 8(1)(j) of RTI Act.

Therefore, no information is allowed to be provided to you on this matter.

Debasish Mahapatra
25.08.25

SPIO 30/4/25

&
Executive Officer,
Kamarhati Municipality.

23/05/25

(1)

To
The Appellate Authority
Mr. Gopal Saha
The chairman
Kamarhati Municipality
A, M.M. Feeder Road
Kolkata - 56



EW143655823IN IVR:6987143655825
SP ARIADANA SD <700057>
Counter No:1,23/05/2025,13:33
To:THE APPETATE ,THE CHAIRMAN
PIN:700056, Belgharia HO
From:DEBASISH MA,24/3 FEEDER ROAD
Wt:50gms
Amt:17.70,Tax:2.70,Amt.Paid:18.00(Cash).
<Track on www.indiapost.gov.in>
<Dial 18002666868> <Wear mask -Stay safe>



From
Debasish Mahapatra
24/3 Feeder Road
Kolkata - 57

Ph: 9830052278

Sub: First Appeal Under section 19(1) of R.T.I Act 2005
Sir,

I am a citizen of India would like to make First Appeal under section 19(1) of the R.T.I. Act 2005 as per following details.

1. Name & Address of : Debasish Mahapatra
The applicant
24/3 Feeder Road
Kol- 57
Ph: 9830052278
2. Appeal against reply : The executive officer and S.D.I.O
received from
Kamarhati Municipality
1 M.M. Feeder Road
Kol- 56

(2)

3. Reference of Original : R.T.I. Application dated Nil
RTI Application delivered on 16.04.25

(The application which was delivered on 16.04.25 unfortunately has no date. I thought it will be ignored by your office, so another R.T.I Application of same format and queries was sent through speedpost vide article no. EW0857446251N delivered on 17.04.25. As your office i.e S.P.O answer to these queries I requesting you to instruct S.P.O to consider the R.T.I Application dated 14.04.25 in place of application dated nil for further correspondence)

4. Reference of reply : The answer given through letter
of S.P.O Appeal dated 30.04.25 having memo
against no. 101/4nl

Ground for the First Appeal

The Ground for the first appeal is stated below pointwise —

(i) The information sought through query no. 1 & 2 will have no connection to the disclosure of any fiduciary relationship. So the queries no. 1 & 2 do not fall under section 8(1)(e) & 8(1)(i) of R.T.I Act 2005

(ii) The information sought through query no. 3 is absolutely on the construction of the building and building rules only.
So it is also not fall under ~~any~~ 8(1)(e) and 8(1)(i) of RTI Act 2005

My "PRAYAR/ PLEA IN" THIS FIRST APPEAL

1. Please instruct the S.P.I.O in writing to give actual information as requested in my R.T.I application dated nil or R.T.I application dated 14.04.25
2. As per section 19(5) of R.T.I Act 2005 during the appeal proceeding the said S.P.I.O should be asked to explain his deemed denial of request for information since to onus prove that the denial of request was justified is on the S.P.I.O
3. Please inform the S.P.I.O that the applicant will move a second appeal before the S.I.C. under Section 20 of R.T.I Act 2005
4. I want to be heard during the first appeal and will be available on the mobile no. 9830052278

It is therefore requested to conduct a proper hearing for this first appeal and instruct S.P.I.O to supply of required information

Thanking you
Yours faithfully

Debasish Mahapatra

Encls: ① Photo copy of R.T.I application
dated nil and dated 14.04.25

② Photocopy of letter memo no.
101/Gnl dated 30.04.25

Debasish Mahapatra
28.08.25

Office of the Municipal Councillors, Kamarhati

[Address: 1, M.M. Feeder Road, Rathala, Belgharia, North, 24 Parganas, Kolkata - 700 056]

Ph: 033-2564-9580, 033-2564-8646. Fax: (033) 2564-1361. Email: kamarhati_municipality@rediffmail.com

Memo No. 101/ Gm

Date. 30.04.2025

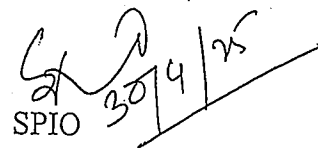
To,
Debasish Mahapatra,
Of 24/3 Feeder Road,
Kolkata -700057
Ph No. 9830052278.

Subject: Your RTI application dated NIL (received on 16-04-2025
by this office) u/s 6(1) of the RTI Act 2005.

With regard to the queries made by you in your RTI application dated NIL (received on 16-04-2025 by this office), you are hereby informed that the queries sought by you are exempted under section 8(1)(e) and 8(1)(j) of RTI Act.

Therefore, no information is allowed to be provided to you on this matter.

Debasish Mahapatra
25.08.25


SPIO 30/4/25
&
Executive Officer,
Kamarhati Municipality.

Hearing on 27-01-2026

< State Chief Information Commissioner West Bengal <scic-wb@nic.in> >

Tue, 30 Dec 2025 3:17:13 PM +0530

To "MD. GHULAM ALI ANSARI"<secy.ma-wb@gov.in>

Cc "dbshsmahapatra"<dbshsmahapatra@gmail.com>

Please find the attachment, for further details visit our website

West Bengal Information Commission

2 Attachment(s)

WBIC-RTI-A-101214-3176-202...

16.1 KB

WBIC-RTI-A-101257-2533-202...

15.9 KB