

3537/102
27/09/2022

**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 : 20.08.2019)

- 1] Name of the Appellant: **ABHIJIT PALIT**
- 2] Complete postal address: **68, M.B. ROAD, B-4, FIRST FLOOR, NIMTA, KOLKATA - 700049**
(Attach self attested copy of one address proof document viz. Bank Pass Book, EPIC, PAN, Driving Licence, Passport, AADHAR Card etc.)
- 3] (a) Contact No. **7680934241**
(b) e-mail id: **abhijitpalit1234@gmail.com**
- 4] (a) Date of filing of application for information under RTI Act (A self attested copy of RTI application should be attached.) **05/05/2022**
(b) Whether application fee paid: **Y/N**
(i) If yes, mode of payment: **ONLINE**
(ii) If no, self attested photocopy of relevant certificate issued by the competent authority should be attached. **N/A**
- 5] Name of State Public Information Officer / State Assistant Public Information Officer to whom the application was made and address: **DY. REGISTRAR (ADMIN), CALCUTTA HIGH COURT, 3, ESPLANADE, ROW WEST, KOLKATA - 700001**
(a) Whether RTI petition is transferred to another SPIO u/s 6(3) of the RTI Act, 2005: **Y/N**
If yes, name & address of such authority (please attach copy of transfer memo as above) **2. DISTRICT JUDGE, ALIPORE, 24 PARAGANAS(S), PIN - 700027.**
- 6] Gist of the information sought for: **THE LIST OF INFORMATION SOUGHT FOR ARE MENTIONED IN THE RTI APPLICATION & IN THE FIRST APPEAL.**
- 7] Have you received any response / information? **NO**
If so, attach a self-attested copy of the same.
- 8] Date of filing 1st appeal: **15/06/2022**
(A self attested copy of 1st appeal along with proof of submission of the same should be attached).
ATTACHED

A -
20.09.2022
2

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

REGISTRAR (ADMIN),
CALCUTTA HIGH COURT
3, ESPLANADE ROW WEST, KOLKATA - 700001

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).

ATTACHED

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

I AM DEPRIVED OF JUSTICE. I AM DENIED JUSTICE. MY
FUNDAMENTAL RIGHTS ARE VIOLATED.

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.

Abhijit Palit Ashoke K. Palit
I ----- son / daughter of ----- aged 37 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 : KOLKATA

Abhijit Palit
Signature of the appellant

Date : 24/09/2022

ABHIJIT PALIT
(Name of the appellant)

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] 2nd 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.

WEST BENGAL INFORMATION COMMISSION

Khadya Bhaban,
11A, Mirza Ghalib Street,
Kolkata-700 087
Ph. No. (033)2252-0509
Fax No. (033) 2252-0501
Website : www.wbic.gov.in
E-mail : scic-wb@nic.in

No. 2178-WBIC/RTI/302/22

DATE: 19.09.2022

To: Shri Abhijitg Palit,
68, M.B. Road,
B-4, First Floor,
Nimta,
Kolkata - 700 049.

Sub: Appeal of Right to Information Act, 2005.


Ref: Your Appeal Dated 26.08.2022 received in this office on 31.08.2022.

Sir,

Your Appeal is returned herewith for the reason(s) marked below. You may submit the same after rectification.

1. Complaint is not submitted in triplicate as per Circular No. 1522-WBIC/Admn-05/13 dated 13.08.2014 of West Bengal Information Commission.
- ✓ 2. Proof of paying of initial fee along with RTI application is not provided. **ATTACHED**
3. Copy of the application filed to the State Public Information Officer u/s 6(1) of the Act is not enclosed.
4. Complaint is filed earlier to the expiry of the time limit stipulated u/s 7(1) of the RTI Act.
5. Separate complaints are to be filed for each of the application u/s 6(1) of the Act.
6. Complaint is not signed by you.
7. Name / address not legible.

Yours sincerely,


Deputy Secretary
West Bengal Information Commission

WEST BENGAL INFORMATION COMMISSION

Khadya Bhaban.

11A, Mirza Ghalib Street, Kolkata-700 087

Ph. No. (033)2252-0509, Fax No. (033) 2252-0501

Website : www.wbic.gov.in E-mail : wbic@wbic.gov.in

No. 2038-WBIC/RTI/MISC/BG

DATE: 08.09.2022

✓ To: Shri Abhijit Palit,
68, M.B. Road,
B-4, First Floor,
Nimta,
Kolkata - 700 049.

Sub: Your Appeal u/s 19(3) of Right to Information Act, 2005.

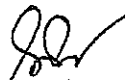
Ref: Your Appeal Dated 25.08.2022 received in this office vide
Docket No 3152 dated 31.08.2022

Sir,

Your above noted Appeal is not admitted for the reason(s) marked below.

1. Action taken by / Information provided by the public authority has been accepted by the Commission.
2. Proof of paying of initial fee along with RTI application + proof of BPL category is not provided.
- ✓ 3. Copy of the RTI application filed to the State Public Information Officer u/s 6(1) of the Act is not enclosed. **ATTACHED**
4. Copy of first appeal u/s 19(1) to the First Appellate Authority is not enclosed.
5. First appeal filed was not filed within the time stipulated u/s 19(1) of the RTI Act, 2005 and consequently this second appeal cannot be entertained.
6. Separate Appeal has to be filed in respect of each of the application filed u/s 6(1) of the Act.
7. The 2nd Appeal is not filed within the time stipulated u/s 19(3) of the Act.
8. Appeal / Complaint is not signed by you.
9. Name / Address is not legible.
10. Any other:

Yours sincerely,



Deputy Secretary

West Bengal Information Commission

30/08/2022

भारतीय डाक



India Post

EW224008724IN IVR:6987224008724
SF BIRATI SO <700051>
Counter No:1.30/08/2022.12:30
To:THE W B INFORMATION.KOLKATA
PIN:700087. New Market SO
From:ABHIJIT PALIT.KOLKATA
Wt:75gms
Amt:29.50(Cash)Tax:4.50
(Track on www.in)

30/08/22

**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 : 20/08/2019)

- 1] Name of the Appellant: **Abhijit Palit**
- 2] Complete postal address: **68, M.B. ROAD, B-4, FIRST FLOOR, NIMTA,
KOLKATA - 700046**
(Attach self attested copy of one address proof document
viz. Bank Pass Book, EPIC, PAN, Driving Licence,
Passport, ADHAR Card etc.)
- 3] (a) Contact No. **7680934241**
(b) e-mail id: **abhijitpalit1234@gmail.com**
- 4] (a) Date of filing of application for information under RTI Act **05/05/2022**
(A self attested copy of RTI application should be attached.)
(b) Whether application fee paid: **Y/N**
(i) If yes, mode of payment: **ONLINE**
(ii) If no, self attested photocopy of relevant certificate
issued by the competent authority should be attached. **N/A**
- 5] Name of State Public Information Officer / State Assistant Public Information Officer to whom
the application was made and address: **DR. REGISTRAR (ADMIN), CALCUTTA HIGH COU.
3, ECLANABAD, POO WEST, KOLKATA - 700005**
(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 - **DISTRICT JUDGE ALIPORE, SOUTH
(please attach copy of transfer memo as above) 24 PARAGANAS, PIN - 700027**
- 6] Gist of the information sought for:
**THE LIST OF INFORMATION SOUGHT FOR ARE MENTIONED
IN THE RTI APPLICATION.**
- 7] Have you received any response / information? **YES/NO**
If so, attach a self-attested copy of the same. **ATTACHED**
- 8] Date of filing 1st appeal: **15/06/2022**
(A self attested copy of 1st appeal along with proof of submission of the same should be
attached). **ATTACHED**

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

REGISTRAR (ADMIN)
CALCUTTA HIGH COURT
3, ESPLANADE ROAD WEST, KOLKATA - 700001

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).

ATTACHED

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

I AM DEPRIVED OF JUSTICE AND MY FUNDAMENTAL RIGHTS ARE VIOLATED.

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.

Abhijit Palit Ashoke Kumar Palit
I ----- son / daughter of ----- aged ----- 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 : KOLKATA

Abhijit Palit
Signature of the appellant

Date : 26/08/2022

ABHIJIT PALIT
(Name of the appellant)

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:

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- 2] Separate 2nd appeal has to be filed in respect of each RTI application.



भारत सरकार
Government of India

Issue Date: 14/02/2014



अभिजित पालित
Abhijit Palit
जन्मतिथि / DOB: 06/04/1985
पुरुष / Male

3150 7108 6600



3150 7108 6600

मेरा आधार, मेरी पहचान

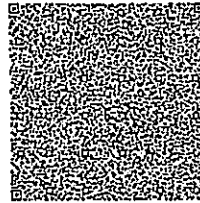


भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

ठिकाना: 68, एम.बी.रोड, निमता, नई मुंबई (एम),
उत्तर २४ पारगना, पश्चिम बंगाल, 700049

Print Date: 14/11/2023

Address: 68, M.B. ROAD, NIMTA, North
Dumdum (m), North 24 Parganas, West
Bengal, 700049



3150 7108 6600

1047

help@uidai.gov.in

www.uidai.gov.in

Abhijit Palit

RTI

The Right to Information Act 2005
Application for obtaining information

From

Abhijit Palit
68,
M.B. ROAD,
B-4,
FIRST FLOOR,
NIMTA,
KOLKATA - 700049
Phone: 7680934241

To

The State Public Information Officer
DY. Registrar (ADMIN)
CALCUTTA HIGH COURT
3, Esplanade Row West
Kolkata
PIN CODE - 700001

SUB : (1) Reason for overlooking the MAT SUITE Order No. 248 of 2016 by this Honourable LD. Court and allowing the petitioner to file AC M-83 of 2021 in the Court of the LD. Ist JM where the ex-parte decree of divorce order has already been passed based on U/s 13(1)(ia)(ib). (2) Reason for granting interim maintenance to the petitioner in AC-272 of 2017 by the LD. 2nd JM despite the petitioner willfully and deliberately deserting the respondent without any sufficient or cogent reason. (3) Reason for sending notice to the respondent for hearing in three different cases in two different Courts by overlooking the fact that same points and same events have been used and also by overlooking Article 20(2) of the Indian Constitution.

Dear Public Information Officer:

Under the Right to Information Act 2005, Section 6, I need some information. The details of the information are as follows

1. Details of the applicant

Name : Abhijit Palit
Email : abhijitpalit1234@gmail.com
Phone : 7680934241
Address : 68,
M.B. ROAD,
B-4,
FIRST FLOOR,
NIMTA,
KOLKATA - 700049

2. Period to which the information relates: 2016-2022

3. Details of Information

BACKGROUND:

Case numbers: (1) ACGR 5166 OF 2016 (FIR NO. 319 OF 2016) DATED 01.09.2016, 2ND JM, ALIPORE, (2) DV AC-272 OF 2017 DATED 27.01.2017, 2ND JM, ALIPORE, (3) AC M-83 OF 2021, DATED 27.01.2021, IST JM, ALIPORE, UNDER THE JUDGESHIP OF THE HONOURABLE LD. DISTRICT and SESSIONS JUDGE, ALIPORE, SOUTH 24 PARGANAS, WEST BENGAL.

I have won the ex-parte decree of divorce against my ex-wife on 24.04.2017 based on cruelty & desertion under section 13(1)(ia)(ib) vide order no. MAT SUITE 248 of 2016.

Period to which the information relates: 2016 - 2022.

In the light of the above mentioned background, please provide the following information under section 2(f) and 2(j) of the RTI Act:

(A) Reason for overlooking the MAT SUITE Order No. 248 of 2016 by this Honourable LD. Court.

(B) The petitioner has used the same points and the same events in the ACGR-5166 of 2016 (FIR No. 319 of 2016) dated 01.09.2016 (2nd JM) and in the DV AC-272 of 2017 dated 27.01.2017 (2nd JM) and in the AC M-83 of 2021 dated 27.01.2021 (1st JM). The reason for accepting such applications by this Honourable LD. Courts where there is a violation of Article 20(2) of the Indian Constitution.

(C) The reason for sending notice for hearing in two different Courts in three different cases based on the same points and the same events without providing a single evidence to date.

(D) The reason for overlooking the last sentence of the Paragraph 22 in the Cr.P.C. 125 application where the petitioner has stated that "she till now wants to stay with the Opposite Party wherever he wants to stay" which proves that the petitioner has willfully and deliberately deserted the respondent without any valid reason.

(E) The reason for overlooking the FIR against the petitioner and her parental relatives being FIR No. 82 of 2020 dated 11.02.2020 Under Sections – 341/323/427/506/34 of the I.P.C. and then the Police upon the conclusion of the investigation has submitted a Charge Sheet Under Sections – 448/323/506/34 of the I.P.C.

(F) Reason for overlooking the police complaints against the petitioner and her parental relatives in different Police Stations - 08.04.2016 at the Nimta P.S., 12.05.2016 at the Nimta P.S., 14.05.2016 at the Nimta P.S., GDE No. 700 of 2016., 02.06.2016 at the Thakurpukur P.S., 11.06.2016 at the Balasore Town P.S., SD No. 259, 260, 261, 263 and 264, 12.06.2016 at the Nimta P.S., GDE No. 614 of 2016., 12.06.2016 – the Medical Examination of Shri Abhijit Palit was conducted by a Government Doctor at the North Dum Dum Municipal Hospital under the purview of the then Sub-inspector of the Nimta P.S., 6394 of 2016., 12.08.2016 at the Nimta P.S., 20.08.2016 at the Thakurpukur P.S.

(G) The Honourable LD. Courts have completely overlooked the fact that the respondent (Shri Abhijit Palit) is legally married to Mrs. Lipika Palit since 4th May 2018. The petitioner has been deliberately and intentionally claiming to be the legally married wife of the respondent everywhere which is an Abuse of the Process of Law. The reason for the LD. Courts being silent in this matter is not known to the respondent.

(H) The reasons as per the records for not referring the two notable judgements in my case related to the ACGR 5166 of 2016 – (1) Anju vs Govt. Of Nct Of Delhi & Ors.; on 4 February, 2019, CRL. REV. P. 730/2016 & (2) Alok Lodhi & Ors. Vs. State of MP & Anr., MCRC 47904 of 2019.

(I) The then I.O. of the Thakurpukur P.S. named LSI BABY HAZRA during the Cr.P.C. 41A interrogation in the ACGR-5166 of 2016 (FIR No. 319 of 2016) told Shri Ashoke Kumar Palit (respondent's father) that "As your son have filed divorce petition so Nivedita Palit nee.....Roy have filed 498A". The reason for accepting such an application by the LD. Court where the application is based on revenge and which is after thought is not known to the respondent and his parents. The petitioner's ex-matrimonial house is at Nimta which falls under the jurisdiction of the Honourable LD. District and Sessions Judge, Barasat, North 24 Parganas. If the incidents were genuine, the petitioner could have easily filed 498A at the Barasat Court but she filed 498A not only after receiving the divorce petition summon but also at the Alipore Court, South 24 Parganas which have a territorial jurisdiction.

In the light of the above mentioned background, please provide the following information under section 2(f) and 2(j) of the RTI Act:

1. Copy of the E-TICKET from Howrah to Balasore dated 26.05.2016 as mentioned by the petitioner in paragraph-15 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-16 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-15 in the AC M-83 of 2021 dated 27.01.2021.

2. Copy of the E-TICKET from Balasore to Ongole dated 03.06.2016 and from Ongole to Balasore as mentioned by the petitioner in paragraph-15 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-16 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-15 in the AC M-83 of 2021 dated 27.01.2021.

3. Copies of all the medical reports of injury of Mrs. Nibha Roy (mother of the petitioner), Miss Nandita Roy (younger sister of the petitioner) and Nivedita Palit nee.....Roy (petitioner) as mentioned by the petitioner in paragraph-15 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-16 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-15 in the AC M-83 of 2021 dated 27.01.2021.

4. Copies of all the medical reports of injury based on the alleged physical assault

as mentioned by the petitioner in paragraph-6 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-7 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-6 in the AC M-83 of 2021 dated 27.01.2021.

5. The exact date/time/place/year of the alleged sexual assault as mentioned by the petitioner in paragraph-7 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-8 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-7 in the AC M-83 of 2021 dated 27.01.2021.

6. Copies of all the medical reports of injury based on the alleged physical assault as mentioned by the petitioner in paragraph-9 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-10 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-9 in the AC M-83 of 2021 dated 27.01.2021.

7. The exact date/time/place/year of the alleged sexual assault as mentioned by the petitioner in paragraph-11 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-12 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-11 in the AC M-83 of 2021 dated 27.01.2021.

8. The exact date/time/place/year of the alleged sexual assault as mentioned by the petitioner in paragraph-13 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-14 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-13 in the AC M-83 of 2021 dated 27.01.2021. The petitioner has also alleged of sexual abuse on one day early May 2016. The respondent wishes to know that exact date.

9. Copies of all the medical reports of the child (Anish Kumar Palit) including the vaccination details since 21.02.2016 to date.

10. Copies of all the educational details of the child such as the name of the school in which the child is studying, the monthly fees structure of the school in which the child is studying, the class in which the child is reading etc.,

11. Copy of the affidavit of the name change of the child.

12. Copy of the affidavit of the single motherhood.

13. Copy of the BOB account (27530100010089) statement since inception to date. This is the account where the respondent has transferred money to the petitioner

on his own volition but the petitioner and her lawyer has concealed these facts.

14. The Cr.P.C. 239 discharge application (FIR No. 319 OF 2016, ACR 5166 OF 2016) was rejected by the then Honourable LD. 2nd JM on 19.09.2018 based on the strong objection by the then State Public Prosecutor. Request this Honourable LD. Court to provide all the necessary documents based on which the discharge petition was rejected and the natural justice was denied to Shri Abhijit Palit and his parents along with the Cr.P.C. 207 application required documents.

15. Copies of all the bills/tax invoice/challan of the Streedhan articles as mentioned by the petitioner in paragraph-20 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-20 in the AC M-83 of 2021 dated 27.01.2021.

- That Your Honour, the petitioner states that she has not received her Streedhan articles but the Charge Sheet in connection with the 498A/406/34 of the IPC dated 17.12.2016 states that she has received all her Streedhan articles including one gold chain (without producing a single bill or challan or tax invoice to date). The petitioner has signed in the ZIMMANAMA as well dated 02.10.2016. That Your Honour, the ex-husband of the petitioner have transferred all the relevant articles of the petitioner from Hyderabad to Kolkata via Kuber Logistics Bill No. 5113 dated 25.10.2016 which she has received but the petitioner has not disclosed the facts neither before the Protection Officer during the DV/DIR nor before this Court in these applications. The respondent also states that the father of the respondent has handed over all the relevant Streedhan articles dated 22.11.2016 at the Thakurpukur P.S. The respondent also states that the Streedhan articles were collected without producing a single bill/tax invoice/documents. Had this LD. Courts investigated and enquired properly these facts must have surfaced as her statement is a palpable lie.

- That Your Honour, the essential ingredient of the IPC 406 is entrustment of the dowry articles with proof of possession.

- The petitioner/ex-wife/aggrieved person should be able to produce the proof of ownership i.e., Bills/Tax Invoice/Challan/Photographs.

- In Jaswant Lal Vs. State AIR 1968 SC 700, the Hon'ble Supreme Court laid down that entrustment is an essential ingredient of an offence U/s 406 IPC.

- In Reshan Lal Vs. State AIR 1983 SC 631, the Hon'ble Supreme Court held that proof of entrustment is an essential ingredient of the offence.

- In Ram Narayan Vs. CBI 2003 (3) SSC 641, the Hon'ble Supreme Court held that no constitute an offence of criminal breach of trust, there must be an entrustment.

- In the judgement of Neera Singh Vs. State (Govt. of NCT of Delhi) and others, 138

(2007), DLT 152, the Hon'ble High Court of Delhi observed the mandate for the preparation of list of dowry articles at the time of marriage duly signed by both the parties. The petitioner and her family members are bound to disclose the source of such expenditure on marriage.

16. The exact date/time as to when the Dowry amount and gold jewelleries had been given to the respondent and his family members and in whose presence these items were given to the respondent as claimed in the following –

- The petitioner has alleged in paragraph-1 in the FIR No. 319 of 2016 (ACGR 5166 of 2016, 498A/406/34 of the IPC) dated 01.09.2016 that Shri Abhijit Palit and his father have taken Dowry. The exact Dowry amount and the medium of transaction need to be provided as documents or evidence. In reality, there was no exchange of any Dowry amount.
- The petitioner has alleged in paragraph-1 in the AC-272 of 2017 (DV) dated 27.01.2017 that Shri Abhijit Palit and his father have taken Dowry with jewelleries amounting to Rs. (.....) zero. The exact Dowry amount, the medium of transaction and the quantity as well as the type of jewelleries exchanged need to be provided along with the copies of the bills/tax invoice/challan.
- The petitioner has alleged in paragraph-1 in the AC M-83 of 2021 (Cr.P.C. 125) dated 27.01.2021 that the mother and father of Shri Abhijit Palit have taken Dowry as jewelleries. The mother of the respondent, Smt. Kalpana Palit was not present at the marriage venue dated 27.02.2015 and 28.02.2015 respectively at Kanpur as she was in Kolkata. Then how the petitioner was able to hand over all the jewelleries to the mother of the respondent is not known to the respondent. The Honourable LD. Court need to explain this.
- Note: - Three different statements have been made by the petitioner in three different applications in paragraph-1.

4. Application fee details

Encl. Application Fee of Rs 10/- by IPO No. By Court Fee Stamp Pay To: Accounts Officer

5. Below Items are for your kind information and consideration

- a. As per section 6(3) of the RTI Act 2005, In case, the requested information is held by another public authority, I request the PIO to transfer the application or part of it within FIVE days and immediately inform me about such transfer.

b. As per section 7(3) of the RTI Act 2005, In case, there are further fee required to provide the requested information, I request the PIO to inform me of the additional fee amount along with the calculations made to arrive at the amount.

c. As per section 7(8)(iii) and 7(3)(ii) of the RTI Act 2005, I request the PIO to inform me of the particulars of First Appellate Authority.

6. Declaration

I declare that I am a citizen of India.

Abhijit Palit

Yours faithfully,

Abhijit Palit

Thursday, May 5th 2022



RTI FEES
PAID

Payment successful for OnlineRTI

1 message

Payments <no-reply@razorpay.com>
Reply to: no-reply@razorpay.com
To: abhijitpalit1234@gmail.com

Sat, 30 Apr 2022 at 13:40



₹589.00

Paid Successfully

Payment Id	pay_JPUqjucyh2ma88
Method	UPI abhijitpalit786@axl
Paid On	30th Apr, 2022
Email	abhijitpalit1234@gmail.com
Mobile Number	+917680934241

Abhijit Palit

For any order related queries please reach out to OnlineRTI

Please report this payment if you find it to be suspicious
or fraudulent Report Payment

Powered By Razorpay

OFFICE OF THE LD. CHIEF JUDICIAL MAGISTRATE
SOUTH 24 PARGANAS, ALIPORE

No: 1352

Date: 06.07.2022

From: The Ld. Chief Judicial Magistrate
&
State Public Information Officer
South 24 Parganas, Alipore.

To: Shri Avijit Palit
68 M.B. Road,
B-4 Nimta,
Kolkata 700049.

Sub: Your RTI Application


Sir,

In response to your abovementioned application under Right to Information Act 2005, I am sending herewith the reply supplied by the Ld. Judicial Magistrate, 1st Court, Alipore, South 24 Parganas vide No. 221 dated 20-06-2022 for your kind information.

It is to be noted here that your abovementioned application under Right to Information Act 2005 was forwarded to the Ld. Judicial Magistrate, 1st Court, Alipore, South 24 Parganas and also to the Ld. Judicial Magistrate, 2nd Court, Alipore, South 24 Parganas vide this Office No. 1026(2) dated 30-05-2022 but no reply was received from the Ld. Judicial Magistrate, 2nd Court, Alipore, South 24 Parganas till date.

Under these circumstances, if in future any information is supplied by the Ld. Judicial Magistrate, 2nd Court, Alipore, South 24 Parganas, then it will be immediately send to your end.

Enclo: As stated above.


Chief Judicial Magistrate
&
State Public Information Officer
South 24 Parganas, Alipore
South 24 Parganas, Alipore

OFFICE OF THE JUDICIAL MAGISTRATE, 1ST COURT, ALIPORE.

SOUTH 24 PARGANAS

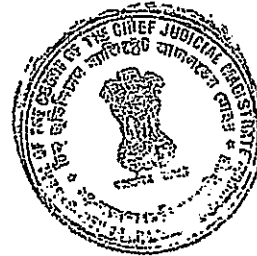
No. 221

Dated:- 20/06/2022

At Alipore

From: Smt. Aman Singhal
Judicial Magistrate, 1st Court
Alipore, South 24 Parganas.

To: The Ld. Chief Judicial Magistrate,
&
State Public Information Officer
Alipore, South 24 Parganas.



Sub: Reply of RTI submitted by Sri Avijit Palit

Respected Sir,

With due respect and humble submission, I am furnishing information as asked for by Your Honour's Memo No. 1026(2)/1 dated 30/05/2022 pertaining to the application submitted by Sri Avijit Palit relating to Case No. ACM 83 of 2021 dated 27/01/2021.

The reply to the information u/s 2(f) and 2(j) of the RTI Act is as follows:

In respect of A. N.A

In respect of B. N.A

In respect of C. Summons/Notices are sent as per provision of law.

In respect of D. N.A

In respect of E. N.A

In respect of F. N.A

In respect of G. N.A

In respect of H. N.A

In respect of I. N.A .

The reply to the information u/s 2(f) and 2(j) of the RTI Act is as follows:

- In respect of 1. NA
- In respect of 2. NA
- In respect of 3. NA
- In respect of 4. NA
- In respect of 5. NA
- In respect of 6. NA
- In respect of 7. NA
- In respect of 8. NA
- In respect of 9. NA
- In respect of 10. NA
- In respect of 11. NA
- In respect of 12. NA
- In respect of 13. NA
- In respect of 14. NA
- In respect of 15. NA
- In respect of 16. NA



This is for Your Honour's kind perusal and necessary action.
With due regards,

Yours faithfully,

Aman Singh

Judicial Magistrate, 1st Court
Alipore, South 24 Parganas.
Judicial Magistrate
First Class
1st Court, Alipore,
South 24 Parganas

Memo No. 1590 - G.S.

Docket No. 279/22

From:

The Deputy Registrar (Administration) – i/c,
& Public Information Officer,
Hon'ble High Court, Appellate Side, Calcutta.

To

Shri Abhijit Palit
68, M. B. Road,
B-4, First Floor,
P.S. – Nimta, Kolkata,
PIN – 700049.

Dated, Calcutta, the 29th June, 2022.

Re: Your First Appeal dated 14/06/2022 u/s 19 (1) of the Right to Information Act, 2005 in connection with your R.T.I. application dated 05/05/2022.

Sir,

With reference to the above, I am directed to forward herewith the copy of the Order dated 27/06/2022 passed by Ld. Registrar Administration (L&OM) cum First Appellate Authority in connection with the aforesaid Appeal for your information. You are further requested to approach to the office of the Ld. District Judge, Alipore, South 24 Parganas.

Yours faithfully,

Encl: Photocopy
of the said Order.

Nebasis Banerjee 29/6/2022

Deputy Registrar (Administration) – i/c
& Public Information Officer,
Hon'ble High Court, Appellate Side, Calcutta.

IN THE OFFICE OF THE
FIRST APPELLATE AUTHORITY UNDER THE R.T.I. ACT, 2005
R.T.I. APPEAL NO.-279/2022

Present: Shri Umesh Singh,
Registrar Administration (I.&OM),
Appellate Side, High Court,
Calcutta
&
First Appellate Authority
Under the RTI Act, 2005.

An appeal under Section 19(1) of the Right to Information Act, 2005 read with the Calcutta High Court (Right to Information) Rules, 2006.

Name of the Appellant/Applicant: Shri Abhijit Palit,
68, M.B Road, B-4, First Floor.
P.S-Nimta, Kolkata,
PIN-700049

Name of the Public Authority: Public Information Officer, High Court,
Appellate Side, Calcutta
cum
Deputy Registrar (Administration),
Appellate Side, High Court,
Calcutta.

Order No.-2

Dated:- 27.06. 2022.

The appellant/applicant Shri Abhijit Palit and the Deputy Registrar (Administration)-in-Charge & Public Information Officer, High Court, Appellate Side, Calcutta are present during hearing at 2.30 p.m on this day.

It appears from the report dated 23.06.2022 of the Assistant Registrar (Information) that RTI application dated 05.05.2022 of the applicant Shri Abhijit Palit relates to his Case Numbers ACGR 5166 of 2016, DV AC-272 of 2017 and AC M-83 of 2021 come under the purview of the Learned District Judge, Alipore, South 24 Parganas.

Accordingly, the R.T.I application dated 05.05.2022 of the applicant Shri Abhijit Palit was transferred under section 6(3) of the R.T.I Act, 2005 to the office of the Learned District Judge, Alipore, South 24 Parganas vide office Memo No.-1269-G.S dated 17.05.2022 by the Deputy Registrar (Administration)-in-Charge & Public Information Officer, High Court, Appellate Side, Calcutta. The applicant was informed of the same vide office Memo No.-1270-G.S dated 17.05.2022 by the Assistant Registrar (Information) , High Court, Appellate Side, Calcutta and was requested to approach the above authority for further communication.

It appears from the said report that the appellant/applicant Shri Abhijit Palit has not received any reply or information from the office of the Learned District Judge, Alipore, South 24 Parganas within the stipulated time and has thus resorted to this instant First Appeal before the undersigned seeking redressal for his cause.

27
Assistant Registrar (Information)
High Court A.S.
Calcutta

Memo No. 1269 - G.S

Docket No. 222/22

From:
The Deputy Registrar (Administration)-i/c
& Public Information Officer,
Hon'ble High Court, Appellate Side, Calcutta.

To,
The Ld. District Judge,
Alipore, South 24 Parganas,
PIN - 700 027.

Dated. Calcutta, the 17th May, 2022.

Re: An application filed by Shri Abhijit Palit under the Right to Information Act, 2005 dated 05/05/2022 and received by us on 12/05/2022.

Sir,

The above R.T.I. application (in original) is being transferred herewith to your end under Section 6(3) of the R.T.I. Act, 2005 for further necessary action as it is closely related to your judgeship. You are also requested to communicate the information directly to the applicant.

Yours faithfully,



Encl: As above.

Deputy Registrar (Administration)-i/c
& Public Information Officer,
Hon'ble High Court, Appellate Side, Calcutta.

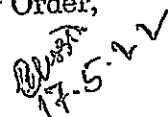
Memo No. 1270 - G.S.

Dated. Calcutta, the 17th May, 2022.

Copy forwarded for information to:

Shri Abhijit Palit, 68, M.B. Road, B-4, First Floor, P.S. - Nimta, Kolkata, PIN - 700049. You are requested to approach the above authority for further communication.

By Order,



Assistant Registrar (Information).

The Right to Information Act, 2005

First Appeal for State Government

FIRST APPEAL

I.D No _____ Date: _____ [For office use]

To,

The First Appellate Authority under RTI Act

Registrar (Administration)
Calcutta High Court
3, Esplanade Row West
Kolkata
Pin Code - 700001

Sir,

As I am aggrieved by no decision of State Public Information Officer, I hereby file this appeal for your kind decision.

1. Details of appellant

1.1 Full Name: Abhijit Palit

1.2 Full Address:

68, M.B. ROAD,
B-4, FIRST FLOOR,
NIMTA, KOLKATA - 700049

1.3 Phone/Cell No: 7680934241

1.4 Email ID: abhijitpalit1234@gmail.com

2. Details of State Public Information Officer (SPIO)

2.1 Name/Designation: Public Information Officer

2.2 Full Address:

DY. Registrar (ADMIN)
CALCUTTA HIGH COURT
3, Esplanade Row West
Kolkata
PIN CODE - 700001

3. Details of RTI application to SPIO

Date of Application: Thursday, May 5th 2022

Mailed on : 05/05/2022 by Registered Post No.: EK309381551IN

Date of receipt by SPIO: 10/05/2022

4. Particulars of payment of filing fee:

Paid Rs.10/- by bank draft/pay slip/IPO No: By Court Fee Stamp

5. Details of information sought:

BACKGROUND:

Case numbers: (1) ACGR 5166 OF 2016 (FIR NO. 319 OF 2016) DATED 01.09.2016, 2ND JM, ALIPORE, (2) DV AC-272 OF 2017 DATED 27.01.2017, 2ND JM, ALIPORE, (3) AC M-83 OF 2021, DATED 27.01.2021, 1ST JM, ALIPORE, UNDER THE JUDGESHIP OF THE HONOURABLE LD. DISTRICT and SESSIONS JUDGE, ALIPORE, SOUTH 24 PARGANAS, WEST BENGAL.

I have won the ex-parte decree of divorce against my ex-wife on 24.04.2017 based on cruelty & desertion under section 13(1)(ia)(ib) vide order no. MAT SUITE 248 of 2016.

Period to which the information relates: 2016 - 2022.

In the light of the above mentioned background, please provide the following information under section 2(f) and 2(j) of the RTI Act:

(A) Reason for overlooking the MAT SUITE Order No. 248 of 2016 by this Honourable LD. Court.

(B) The petitioner has used the same points and the same events in the ACGR-5166 of 2016 (FIR No. 319 of 2016) dated 01.09.2016 (2nd JM) and in the DV AC-272 of 2017 dated 27.01.2017 (2nd JM) and in the AC M-83 of 2021 dated 27.01.2021 (1st JM). The reason for accepting such applications by this Honourable LD. Courts where there is a violation of Article 20(2) of the Indian Constitution.

(C) The reason for sending notice for hearing in two different Courts in three different cases based on the same points and the same events without providing a single evidence to date.

(D) The reason for overlooking the last sentence of the Paragraph 22 in the Cr.P.C. 125 application where the petitioner has stated that "she till now wants to stay with the Opposite Party wherever he wants to stay" which proves that the petitioner has willfully and deliberately deserted the respondent without any valid reason.

(E) The reason for overlooking the FIR against the petitioner and her parental relatives being FIR No. 82 of 2020 dated 11.02.2020 Under Sections - 341/323/427/506/34 of the I.P.C. and then the Police upon the conclusion of the investigation has submitted a Charge Sheet Under Sections - 448/323/506/34 of the I.P.C.

(F) Reason for overlooking the police complaints against the petitioner and her parental relatives in different Police Stations - 08.04.2016 at the Nimta P.S., 12.05.2016 at the Nimta P.S., 14.05.2016 at the Nimta P.S., GDE No. 700 of 2016., 02.06.2016 at the Thakurpukur P.S., 11.06.2016 at the Balasore Town P.S., SD No. 259, 260, 261, 263 and 264, 12.06.2016 at the Nimta P.S., GDE No. 614 of 2016., 12.06.2016 - the Medical Examination of Shri Abhijit Palit was conducted by a Government Doctor at the North Dum Dum Municipal Hospital under the purview of the then Sub-inspector of the Nimta P.S., 6394 of 2016., 12.08.2016 at the Nimta P.S., 20.08.2016 at the Thakurpukur P.S.

(G) The Honourable LD. Courts have completely overlooked the fact that the respondent (Shri Abhijit Palit) is legally married to Mrs. Lipika Palit since 4th May 2018. The petitioner has been deliberately and intentionally claiming to be the legally married wife of the respondent everywhere which is an Abuse of the Process of Law. The reason for the LD. Courts being silent in this matter is not known to the respondent.

(H) The reasons as per the records for not referring the two notable judgements in my case related to the ACGR 5166 of 2016 - (1) Anju vs Govt. Of Nct Of Delhi & Ors.; on 4 February, 2019, CRL. REV. P. 730/2016 & (2) Alok Lodhi & Ors. Vs. State of MP & Anr., MCRC 47904 of 2019.

(I) The then I.O. of the Thakurpukur P.S. named LSI BABY HAZRA during the Cr.P.C. 41A Interrogation in the ACGR-5166 of 2016 (FIR No. 319 of 2016) told Shri Ashoke Kumar Palit (respondent's father) that "As your son have filed divorce petition so Nivedita Palit nee.....Roy have filed 498A". The reason for accepting such an application by the LD. Court where the application is based on revenge and which is after thought is not known to the respondent and his parents. The petitioner's ex-matrimonial house is at Nimta which falls under the jurisdiction of the Honourable LD. District and Sessions Judge, Barasat, North 24 Parganas. If the incidents were genuine, the petitioner could have easily filed 498A at the Barasat Court but she filed 498A not only after receiving the divorce petition summon but also at the Alipore Court, South 24 Parganas which have a territorial jurisdiction.

In the light of the above mentioned background, please provide the following information under section 2(f) and 2(j) of the RTI Act:

1. Copy of the E-TICKET from Howrah to Balasore dated 26.05.2016 as mentioned by the petitioner in paragraph-15 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-16 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-15 in the AC M-83 of 2021 dated 27.01.2021.

2. Copy of the E-TICKET from Balasore to Ongole dated 03.06.2016 and from Ongole to Balasore as mentioned by the petitioner in paragraph-15 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-16 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-15 in the AC M-83 of 2021 dated 27.01.2021.

3. Copies of all the medical reports of injury of Mrs. Nibha Roy (mother of the petitioner), Miss Nandita Roy (younger sister of the petitioner) and Nivedita Palit nee.....Roy (petitioner) as mentioned by the petitioner in paragraph-15 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-16 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-15 in the AC M-83 of 2021 dated 27.01.2021.

4. Copies of all the medical reports of injury based on the alleged physical assault as mentioned by the petitioner in paragraph-6 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-7 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-6 in the AC M-83 of 2021 dated 27.01.2021.

5. The exact date/time/place/year of the alleged sexual assault as mentioned by the petitioner in paragraph-7 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-8 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-7 in the AC M-83 of 2021 dated 27.01.2021.

6. Copies of all the medical reports of injury based on the alleged physical assault as mentioned by the petitioner in paragraph-9 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-10 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-9 in the AC M-83 of 2021 dated 27.01.2021.

7. The exact date/time/place/year of the alleged sexual assault as mentioned by the petitioner in paragraph-11 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-12 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-11 in the AC M-83 of 2021 dated 27.01.2021.

8. The exact date/time/place/year of the alleged sexual assault as mentioned by the petitioner in paragraph-13 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-14 in the FIR No. 319 of 2016 (ACGR 5166 of 2016) dated 01.09.2016 and in paragraph-13 in the AC M-83 of 2021 dated 27.01.2021. The petitioner has also alleged of sexual abuse on one day early May 2016. The respondent wishes to know that exact date.

9. Copies of all the medical reports of the child (Anish Kumar Palit) including the vaccination details since 21.02.2016 to date.

10. Copies of all the educational details of the child such as the name of the school in which the child is studying, the monthly fees structure of the school in

which the child is studying, the class in which the child is reading etc.,

11. Copy of the affidavit of the name change of the child.

12. Copy of the affidavit of the single motherhood.

13. Copy of the BOB account (27530100010089) statement since inception to date. This is the account where the respondent has transferred money to the petitioner on his own volition but the petitioner and her lawyer has concealed these facts.

14. The Cr.P.C. 239 discharge application (FIR No. 319 OF 2016, ACGR 5166 OF 2016) was rejected by the then Honourable LD. 2nd JM on 19.09.2018 based on the strong objection by the then State Public Prosecutor. Request this Honourable LD. Court to provide all the necessary documents based on which the discharge petition was rejected and the natural justice was denied to Shri Abhijit Palit and his parents along with the Cr.P.C. 207 application required documents.

15. Copies of all the bills/tax invoice/challan of the Streedhan articles as mentioned by the petitioner in paragraph-20 in the AC-272 of 2017 dated 27.01.2017 and in paragraph-20 in the AC M-83 of 2021 dated 27.01.2021.

• That Your Honour, the petitioner states that she has not received her Streedhan articles but the Charge Sheet in connection with the 498A/406/34 of the IPC dated 17.12.2016 states that she has received all her Streedhan articles including one gold chain (without producing a single bill or challan or tax invoice to date). The petitioner has signed in the ZIMMANAMA as well dated 02.10.2016. That Your Honour, the ex-husband of the petitioner have transferred all the relevant articles of the petitioner from Hyderabad to Kolkata via Kuber Logistics Bill No. 5113 dated 25.10.2016 which she has received but the petitioner has not disclosed the facts neither before the Protection Officer during the DV/DIR nor before this Court in these applications. The respondent also states that the father of the respondent has handed over all the relevant Streedhan articles dated 22.11.2016 at the Thakurpukur P.S. The respondent also states that the Streedhan articles were collected without producing a single bill/tax invoice/documents. Had this LD. Courts investigated and enquired properly these facts must have surfaced as her statement is a palpable lie.

• That Your Honour, the essential ingredient of the IPC 406 is entrustment of the dowry articles with proof of possession.

◦ The petitioner/ex-wife/aggrieved person should be able to produce the proof of ownership i.e., Bills/Tax Invoice/Challan/Photographs.

◦ In Jaswant Lal Vs. State AIR 1968 SC 700, the Hon'ble Supreme Court laid down that entrustment is an essential ingredient of an offence U/s 406 IPC.

◦ In Reshan Lal Vs. State AIR 1983 SC 631, the Hon'ble Supreme Court held that proof of entrustment is an essential ingredient of the offence.

◦ In Ram Narayan Vs. CBI 2003 (3) SSC 641, the Hon'ble Supreme Court held that no constitute an offence of criminal breach of trust, there must be an entrustment.

◦ In the judgement of Neera Singh Vs. State (Govt. of NCT of Delhi) and others, 138 (2007), DLT 152, the Hon'ble High Court of Delhi observed the mandate for the preparation of list of dowry articles at the time of marriage duly signed by both the parties. The petitioner and her family members are bound to disclose the source of such expenditure on marriage.

16. The exact date/time as to when the Dowry amount and gold jewelleryes had been given to the respondent and his family members and in whose presence these items were given to the respondent as claimed in the following –

◦ The petitioner has alleged in paragraph-1 in the FIR No. 319 of 2016 (ACGR 5166 of 2016, 498A/406/34 of the IPC) dated 01.09.2016 that Shri Abhijit Palit and his father have taken Dowry. The exact Dowry amount and the medium of transaction need to be provided as documents or evidence. In reality, there was no exchange of any Dowry amount.

◦ The petitioner has alleged in paragraph-1 in the AC-272 of 2017 (DV) dated 27.01.2017 that Shri Abhijit Palit and his father have taken Dowry with jewelleryes amounting to Rs. (.....) zero. The exact Dowry amount, the medium of transaction and the quantity as well as the type of jewelleryes exchanged need to be provided along with the copies of the bills/tax invoice/challan.

◦ The petitioner has alleged in paragraph-1 in the AC M-83 of 2021 (Cr.P.C. 125) dated 27.01.2021 that the mother and father of Shri Abhijit Palit have taken Dowry as jewelleryes. The mother of the respondent, Smt. Kalpana Palit was not present at the marriage venue dated 27.02.2015 and 28.02.2015 respectively at Kanpur as she was in Kolkata. Then how the petitioner was able to hand over all the jewelleryes to the mother of the respondent is not known to the respondent. The Honourable LD. Court need to explain this.

◦ Note: - Three different statements have been made by the petitioner in three different applications in paragraph-1.

6. Particulars of Decision of SPIO:

No response received

7. Brief facts of the case:

Reason for overlooking the MAT SUITE Order No. 248 of 2016 by this Honourable LD. Court and allowing the petitioner to file AC M-83 of 2021 in the Court of the LD. Ist JM where the ex-parte decree of divorce order has already been passed based on U/s 13(1)(ia)(ib). (2) Reason for granting interim maintenance to the petitioner in AC-272 of 2017 by the LD. 2nd JM despite the petitioner willfully and deliberately deserting the respondent without any sufficient or cogent reason. (3) Reason for sending notice to the respondent for hearing in three different cases in two different Courts by overlooking the fact that same points and same events have been used and also by overlooking Article 20(2) of the Indian Constitution.

The copy of the RTI application has been attached herewith as Annexure 1.

8. Reasons/grounds for this appeal:

1. As there was no reply from the Public Information Officer, to the RTI application dated 05/05/2022 within 30 days, an appeal is preferred before the First Appellate Authority under the Section 19 (1) of the Right to Information Act, 2005.
2. Under the RTI Act, 2005, a PIO is obliged to provide access to information to a citizen unless as stipulated by Section 7(1), furnishing of such information is covered by one of the exemptions provided under Section 8 or Section 9 of the RTI Act.
3. The PIO has failed to discharge its duties and obligations and has adopted a lackadaisical approach towards dealing with the RTI application by not responding within 30 days of the application.
4. The PIO has failed to inform the applicant as to why this information has not been disclosed to the applicant and its reasons thereof. Section 4(1)(d) of the RTI

Act clearly lays down that every public authority shall have to disclose the reasons for its decisions to the affected persons.

5. It is obligatory upon the PIO to disclose the information as requested by the applicant. The request of the applicant squarely falls within the definition of Right To Information Under Section 2(j) of RTI Act read with Section 2(f) and 2(i) relating to the definition of Information and record. The applicant in his RTI application has clearly enumerated the information which he desires and there is no ground whatsoever for the PIO to not to provide him the complete information.

9 Any other information in support of appeal:

No

10 Prayer/relief sought for:

The PIO may be directed to furnish information requested in the RTI application as available in the files/records and made available to the applicant.

11. Personal Presence at hearing: NO

12. Enclosures:

Photocopies of original RTI application with its enclosures, postal proof of mailing

13. Declaration:

I hereby state that the information and particulars given above are true to the best of my knowledge and belief. I also declare that this matter is not previously filed with any information commission nor is pending with any Court or tribunal or authority.

Abhijit Palit

Signature of appellant

Abhijit Palit

Tuesday, June 14th 2022



FIRST APPEAL
FEES PAID

Payment successful for OnlineRTI

1 message

Payments <no-reply@razorpay.com>
Reply to: no-reply@razorpay.com
To: abhijitpalit1234@gmail.com

Sat, 11 Jun 2022 at 16:55



₹589.00

Paid Successfully

Payment Id	pay_JgAc3aJ6j2adGw
Method	UPI abhijitpalit786@ybl
Paid On	11th Jun, 2022
Email	abhijitpalit1234@gmail.com
Mobile Number	+917680934241

Abhijit Palit

For any order related queries please reach out to OnlineRTI

Please report this payment if you find it to be suspicious
or fraudulent [Report Payment](#)

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