



**FORMAT FOR FILING 2ND APPEAL BEFORE WEST BENGAL
INFORMATION COMMISSION
U/S 19 (3) of RTI Act, 2005**

1634/ (A)
25/05/2023

(Vide Circular No. 3008-WBIC/Admin-05/13 Dated : 20/08/2019)

1] Name of the Appellant:

SHYAMAL KUMARRAY

2] Complete postal address:

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

9, BAIRAGI PARA LANE,
P.O. SALKIA, DIST. HOWRAH
P.CODE-71106.

3] (a) Contact No.

MOB. 6290814154

(b) e-mail id:

shyamalaray809@gmail.com

4] (a) Date of filing of application for information under RTI Act
(A self attested copy of RTI application should be attached.)

13 June 2019

(b) Whether application fee paid:

Y / N

Yes

(i) If yes, mode of payment:

Court fee Rs.10/-

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

Does not arise

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

PRITHWISH ROY, Exe Engineer
& S.P.I.O., H.M.C.

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

No

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

6] Gist of the information sought for:

1) Certified documents of regularised order of
Mayor for 30 nos. of BMR files out of 81 BMR
2) Present status of 51 BMR files out of 81 BMR
3) Certified documents of order for self demolition
How many nos. of BMR have been demolished?

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

No.

8] Date of filing 1st appeal:

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

17 February 2020

A
/

- 9] Authority to whom the first appeal was made with address: Deputy Commissioner (Previous)
Chief Auditor & 1st Appellate Authority
- 10] Decision of the 1st Appellate Authority, if any, including number and date of the order: NIL
(A self-attested photocopy of the order of the 1st Appellate Authority should be attached). The petition of 1st
appellate sent to S.P.I.O. on 07.03.2020
for information.
- 11] Grounds for 2nd appeal and the relief sought (specify): Non furnishing of information from
Exe. Engineer & S.P.I.O.
- 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. Negligence of Exe. Engineer & S.P.I.O.

Shyamal Kr. Ray Lt. Suresh
I son / daughter of Ch. Roy aged 66 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 : Salkia, Howrah

Shyamal Kr. Ray
Signature of the appellant

Date : 25.05.2023

SHYAMAL KUMAR RAY
(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.



ভারতের নির্বাচন কমিশন

পরিচয় পত্র

ELECTION COMMISSION OF INDIA
IDENTITY CARD

WB/24/162/132273



নির্বাচকের নাম : শ্যামল কুমার রায়

Elector's Name : Shyamal Kumar Ray

পিতার নাম : সুরেশ চন্দ্র রায়

Father's Name : Suresh Chandra Ray

লিঙ্গ/Sex : পুং M

জন্ম তারিখ : 26/05/1956
Date of Birth :

WB/24/162/132273

ঠিকানা:

৩, বৈরাগীপাড়া লেন, হাওড়া মিউনিসিপাল কর্পোরেশন, মালিপাঞ্চঘড়া,
হাওড়া- 711106

Address:

9, BAIRAGI PARA LANE, HOWRAH
MUNICIPAL CORPORATION,
MALIPANCHGHARA, HOWRAH- 711106

ইন্দ্রবীণ বসু

Date: 29/01/2013

170-হাওড়া উত্তর নির্বাচন কেন্দ্রের নির্বাচক নিবন্ধন

আধিকারিকের স্বাক্ষরের অনুকৃতি

Facsimile Signature of the Electoral
Registration Officer for

170-Howrah Uttar Constituency

ঠিকানা পরিবর্তন হলে নতুন ঠিকানার জোটার লিষ্ট নাম তোলা ও একই
নম্বরের নতুন সচিব পরিচয়পত্র পাওয়ার জন্য নির্দিষ্ট ফর্মে এই
পরিচয়পত্রের নম্বরটি উল্লেখ করুন।

In case of change in address mention this Card No.
in the relevant Form for including your name in the
roll at the changed address and to obtain the card
with same number.

0580069

Shyamal K. Ray
25.05.2023

Shyamal Kumar Ray

B.Com., LL.B
Advocate

Judges' Court, Howrah



Resi. & Chamber :

9, Bairagi Para Lane,
Salkia, Howrah - 711 106
Mobile : 9748338281

Ref. No.



6290814154

Date 13.06.2019

To
The Executive Engineer & S.P.I.O.,
"Building Department"
Howrah Municipal Corporation,
4, Mahatma Gandhi Road,
Howrah-711 101.

হাওড়া মিউনিসিপ্যাল কর্পোরেশন
কেন্দ্রীয় বিতরণ শাখা

13 JUN 2019

বাচাই না কামরা চিঠি নিলাম

**Sub: - Appeal for obtaining information through
Right to Information Act - 2005.**

Sir,

I shall be thankful if you kindly provide the information on the following subject. The necessary Court fees of Rs. 10/- (Rupees Ten) only is affixed herewith.

INFORMATION TO BE REQUIRED

1. As per supplied information from O.S. & S.P.I.O. vide Memo No. 0195(A)/O.S./RTI/18-19 dtd. 02.03.19. Kindly furnish me with certified documents of the approval/regularized order of Hon'ble Mayor, H.M.C. for 30Nos. B.M.R. files out of 81 B.M.R. files within the period from 01.01.2017 to 30.06.2018 along with sanctioned floors (unauthorized) and regularized additional floors against retention fees of each B.M.R. file individually (Ward No. 1 to 6).

Contd... (2)

Shyamal K. Ray
25.05.2023

Shyamal Kumar Ray

B.Com., LL.B
Advocate

Judges' Court, Howrah



Resi. & Chamber :

9, Bairagi Para Lane,
Salkia, Howrah - 711 106
Mobile : 9748338281

6290814154

Ref. No.

Date

(2)

2. **Kindly furnish me the present status of 51 B.M.R. files out of 81 files within the period from 01.01.2017 to 30.06.2018 (Ward No. 1 to 6), which are not yet been regularized against retention fees.**
3. **Kindly furnish me with certified documents of order for Self Demolition notice if issued from the Building Department. If such notices issued against above said B.M.R. files, since Landlord/Developer were carried out the orders or not ? If they did not carry the same, how many numbers of B.M.R. (unauthorized floors) have been demolished by the Building Department ?**

Hope you will take necessary action within the stipulated period to avoid future complication.

Thanking you,

Yours faithfully

Shyamal Kr. Ray

(SHYAMAL KR. RAY)

Shyamal Kr. Ray
25.05.2023

Shyamal Kumar Ray

B.Com., LL.B
Advocate

Judges' Court, Howrah



Resi. & Chamber :

9, Bairagi Para Lane,
Salkia, Howrah - 711 106

Mobile : 9748338281
6290814154

Ref. No.

Date 17.02.2020

To,
Sri Arunava Das,
Deputy Commissioner &
1st Appellate Authority,
Howrah Municipal Corporation,
4, M.G. Road,
Howrah - 711 101.

হাওড়া সিটি মিক্সড কার্পোরেশন
কেন্দ্রীয় নির্মাণ শাখা

17 FEB 2020

সিটি না করিয়া চিঠি নিলান

Re: - Non furnishing of Information under RTI Act
2005 from the S.P.I.O. & Executive Engineer,
Building Department.

Sir,

It is brought to your kind notice that some questions placed to the S.P.I.O. & Executive Engineer (Building) by written on 13. 06. 2019 related illegal construction (Xerox copy enclosed), but unfortunately, no information received from his end within eight (8) months.

Hope, you will take necessary steps at an early date to avoid future complication and oblige me.

Thanking you,

Yours faithfully,

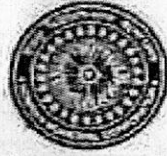
Shyamal K. Ray

Shyamal K. Ray
25.05.2023

তারিখ	নাম এবং ঠিকানা	দিবস	বাহকের নাম	প্রাপ্ত
	Despatch			
1.	Smt. Kibila Deri H. M. C. Quater A. M. G. Road, Howrah-1.	(Through Speed Post)		
	Letter No. 81-DY. Commr. / RTI / AA-72/19-20 dt. 06.03.2020.			
2.	Sri Shyamal Kr. Ray (Advocate) 9, Bairagi Poo Lane, Howrah-1	(Through Speed Post)		
	Letter No. 82-DY. Commr. / RTI / AA-73/19-20 dt. 06.03.20			
	06.03.20			
3.	Chief Auditor & 1st.			
	Memo No. 82-DY. Commr. / RTI / AA-73/19-20			
	dt. 06/03/2020			

Shyamal Kr. Ray
25.05.2023

DH
7/3/20



হাওড়া পুরনিগম

Peon Book of Internal Audit dept. Chief Auditor, H.M.C.

পিওন বুক - ২০০

ফর্ম নং ৩০৫ জি

তারিখ	নাম এবং ঠিকানা	বিবরণ	বাহকের নাম	গ্রহণ
7/3/2020	1. IA / RTI / 166 / 19 - 20	<u>SPIO & EE (Building)</u> Transfer of appeal under RTI Act, 2005 of Smt. Shyamal K. Ray (Advocate) dated - 17/2/2020 before 1st Appellate Authority regarding information about some BMR. Files	2/5/2020	

Shyamal K. Ray
25.05.2023

Email**State Chief Information Commissioner West Bengal**

Hearing on 16-05-2025

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

Thu, Apr 24, 2025 12:53 PM

 1 attachment

Subject : Hearing on 16-05-2025

To : bldg hmc <bldg.hmc@gmail.com>

Cc : shyamalray809@gmail.com

Please find the attachment, for further details visit our website

West Bengal Information Commission



WBIC-RTI-A-104598-1033-2025 HN.pdf

16 KB

Email D.NO-2154 (ATR)
16/05/25

State Chief Information Commissioner West Benga

~~LINK-D.NO~~

Please find the attachment of Appeal No-104598 of 2025 of virtual hearing of 16/05/2025


From : bldg hmc <bldg.hmc@gmail.com>

Thu, May 15, 2025 03:52 PM

Subject : Please find the attachment of Appeal No-104598 of 2025 of virtual hearing of 16/05/2025

1 attachment

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

 **Appeal no-104598 of 2025.pdf**
401 KB

Hearing-16.05.25
S.C



HOWRAH MUNICIPAL CORPORATION

BUILDING DEPARTMENT

4, MAHATMA GANDHI ROAD, HOWRAH - 711 101

Phone : 033 2638 3211/12/13, Fax : 033 2641 0830

WEBSITE: www.myhmc.in, EMAIL: bldg.hmc@gmail.com

No. 305/RTI/A.E./Bldg/25

Date : 15/05/2025

From,
Assistant Engineer & S.P.I.O,
In charge of Building Department,
Howrah Municipal Corporation

To,
Sri Shyamal Kumar Ray
9, Bairagi Para Lane,
Howrah-711106

Ref : Information / copy of documents U/S 6 (1) of the RTI Act 2005, in-connection with the letter dated-13/06/2019, holding number- Certified documents of approval/regularized order of Hon'ble Mayor, HMC for 30 Nos. BMR files out of 81 BMR files within the period from 01/01/2017 to 30/06/2018 along with sanction floor (Unauthorized) against the retention fees of each BMR file individually (ward no. 1 to 6), Howrah

Sub: Information u/s 7(1) of the Right to Information Act, 2005

Sir,

In inviting reference to the subject matter as cited above, this is to inform you that upon perusal of the documents and records in this department, point wise information is sorted below:

- 1) Let the information sought for u/s 8 (1) (d) of RTI Act 2005, being extension of disclose of information.

Assistant Engineer
Date : 15/05/2025

No. 305/RTI/A.E./Bldg/25

Copy to:-

1. Commissioner (S.C.I.E)
11A, Mirza Galib Street
Kolkata-700087

Assistant Engineer

WEST BENGAL INFORMATION COMMISSION
Khadya Bhavan, 11A, Mirza Galib Street, Kolkata - 700 087.
Phone No. (033) 2252 0509, 2252 0501
Website : www.wbic.wb.gov.in ; e-mail : scic-wb@nic.in

Appeal no. 104598 of 2025 under the Right to Information Act, 2005

RTI Appellant : Shri Shyamal Kumar Ray (6290814154)

SPIO : Shri Biplab Roy, Assistant Engineer
(Building), Howrah Municipal Corporation,
Howrah (9830493115)

First Appellate Authority : The Deputy Commissioner, Howrah
Municipal Corporation, Howrah

Date of RTI : 13.06.2019

Date of First Appeal : 17.02.2020

Date of Second Appeal : 25.05.2023
before the Commission

Date of hearing : 16.05.2025

Present for hearing -

a) SPIO : Virtually

b) First Appellate Authority : Absent

c) Applicant : Absent

Ref: Hearing Memo no. 2322-WBIC/RTI/A/104598/1033/2025 dated 09.04.2025

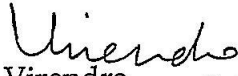
Facts on Record :

1. Shri Shyamal Kumar Ray, Advocate (hereinafter referred to as the appellant), filed an RTI application to the SPIO, Howrah Municipal Corporation, Howrah seeking the following information related to illegal construction;
 - i) As per supplied information from OS & SPIO vide memo no. 0195 (A)/OS/RTI/18-19 dated 02.03.2019, kindly furnish me with certified documents of the approval/regularised order of Hon'ble Mayor, HMC for 30 nos. BMR files out of 81 BMR files within the period from 01.01.2017 to 30.06.2018 along with sanctioned floors (unauthorised) and regularised additional floors against retention fees of each BMR file individually (ward no.1 to 6).

- ii) Kindly furnish me the present status of 51 BMR files out of 81 files within the period from 01.01.2017 to 30.06.2018 (ward no.1 to 6) which are not yet been regularised against retention fees.
- iii) Kindly furnish me with certified documents of order for Self Demonization notice if issued from the Building Department. If such notices issued against above said BMR files, since Landlord /Developer were carried out the orders or not? If they did not carry the same, how many numbers of BMR (unauthorised floors) have been demolished by the Building Department?
2. Ground for second appeal was non-response of SPIO and relief sought is to provide the information.
3. The SPIO replied to the appellant vide memo no.305/RTI/AE/Bldg/25 dated 15-5-2025.

Decision and Deliberation

4. The appellant was absent despite the option of virtual hearing. He has neither sent any information nor any representative. He was not contactable on phone either. The SPIO was present virtually.
5. It is seen that the appellant has been replied vide para 3 above. Going through the queries of the RTI application, it is seen that the appellant has been seeking information which are exempted u/s 8 (1) (e) and (j) RTI Act. The case is closed.
6. The matter is disposed of.


Virendra 23/5/25
State Chief Information Commissioner
West Bengal

Memo No : 3159 - WBIC/RTI/A/104598/1033/2025

Date: 26/05/2025

Copy forwarded to :-

1. Shri Biplab Roy, Assistant Engineer (Building) & SPIO, Howrah Municipal Corporation,
4, M. G. Road, Howrah - 711101.
2. The First Appellate Authority & Deputy Commissioner, Howrah Municipal Corporation,
4, M. G. Road, Howrah - 711101.
3. Shri Shamal Kumar Ray, Advocate, 9, Bairagi Para Lane, PO - Salkia, Dist. - Howrah, PIN
- 711106.


Law Officer & Joint Registrar
West Bengal Information Commission