

1860/(A)
09/06/2023

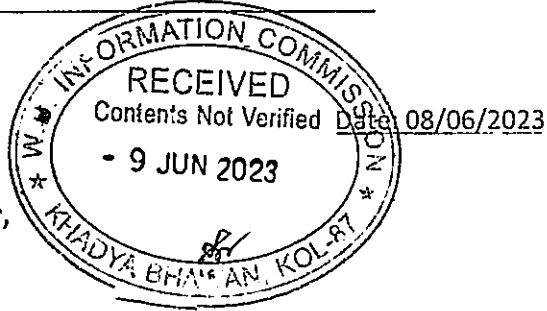
Law Office of Advocate Shayan Sachin Basu,
BA.LLB (Calcutta University), Diploma in Business Management
(International Business Management Institute, Berlin, Germany), Post Graduation Diploma
in Human Rights & Duties Education (Jadavpur University)
Resident Address Tulip Apartment, 26A Charu Chandra Place East, Flat-1B,
City, ST ZIP Code Kolkata -700033
Telephone 8902447291, 8240085988



Speed Post

To,

The Chief State Information Commissioner,
West Bengal Information Commission,
11 A, Mirza Galib Street, Khadya Bhaban,
Kolkata -700087



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

Ref :Memo No.3692/G-8(RTI) - SPIO

&

Memo No.231/G-8(RTI) First Appeal

Sir,

That on 22/02/2023 an application was made under The Right to Information Act, 2005 for information leading to the action taken against Mr. Biplab Deb who is constructing a project at KathalTila, Near Co-ed College, Chakbhabani, Balurghat in the name & style of "Deb Apartment-II" in violation of Amendment in West Bengal Municipal (Building) Rules, 2007, vide notification no. 105/MA/O/C-4/3R-14/2015 dated February 26, 2016, published in Kolkata Gazette.

In the said application vide no. Memo No.3692/G-8(RTI) the following questions were asked:

1) You are requested to provide me with the "Sanctioned Building Plan" of "Deb Apartment - II", at Kathal Tata, Near Co-ed College, Chakbhabani, Balurghat.

2) You are requested to provide me with relevant documents on which date, the plans were approved & who approved the plan?

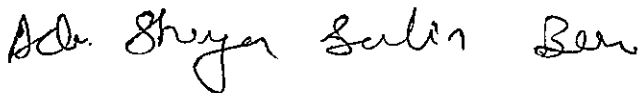
3) You are requested to provide me with relevant documents, what action has been taken by Balurghat Municipality on 'Deb Apartment-II' at Kathal Tala, Near Co-ed College, Chakbhabani, Balurghat, for violation of amendment in West Bengal Municipal (Building) Rules, 2007, vide notification no. 105/TW O/C-4/3R-14/2015

On 16/03/2023 a reply was received from the Executive Officer and SPIO, Balurghat Municipality, West Bengal dated 10/03/2023 *"In reply to above, this is to inform that all the above 3(three) applications filed to this office seems to be identical and based on same language containing a bunch of repeated RTI questions have continuous harassing effect of the public authority. Furthermore, repeated questions promotes private interest but not to the public interest. Hence, denied on the ground of repetition of questions. This is for your information"*

On 03/04/2023, an appeal was made before the Appellate Authority i.e Chairman, Balurghat Municipality for information & subsequently a reply was received by the Appellate Authority / Chairman, Balurghat Municipality dated 25/04/2023 having memo no. 231/G-8(RTI) stating that *"With references to the above, this is to inform you replied sent to him under this Municipality memo no. 3692/G-8 RTI 10/03/2023 by SPIO remained the same. Further, the matter relates to 3rd Party. In view of the above your appeal application dated 03.04.2023 rejected U/S 11 of RTI Act, 2005"*

As from the reply it is clear that no concrete answer was provided against the said RTI Application from the Executive Officer/SPIO, & The Appellate Authority/Chairman, Balurghat Municipality, West Bengal, moreover the grounds provided for rejection are arbitrary, whimsical and totally illegal in nature, which are ultimately in violation of the provisions of the Right to Information Act, 2005 for which stringent action may be taken against the Executive Officer/SPIO, & The Appellate Authority/Chairman, Balurghat Municipality, West Bengal.

Thus I am requesting your good office to take a note of the situation and provide me with the details hereby asked in accordance with the provisions of the Right to Information. Your response within the stipulated period as per provision of the "Right to Information Act, 2005" will restrain the undersigned to take subsequent legal steps before the appropriate forum of Law.



Warm Regards,

Advocate Shayan Sachin Basu

Hon'ble High Court at Calcutta

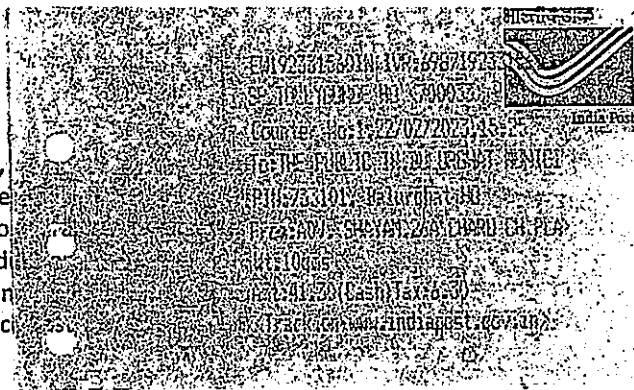
Contact No - +91 8240085988

Email id- shayansbasulegal@gmail.com

Documents Attached:

1. Application under Section 6 of the Right to Information Act, 2005 (Dated 22/02/2023)
2. Reply from the Executive Officer and SPIO, Balurghat Municipality (Dated 10/03/2023)
3. Appeal before the Appellate Authority/Chairman, Balurghat Municipality (Dated 03/04/2023)
4. Reply from the The Appellate Authority/Chairman, Balurghat Municipality, West Bengal, (Dated 25/04/2023)

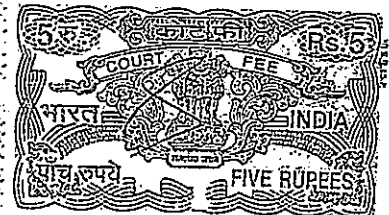
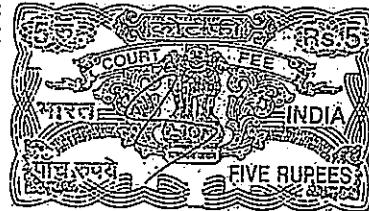
Law Office of Advocate Shayan Sachin Basu,
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(International Business Management Institute, Berlin, Germany), Postgraduate
in Human Rights & Duties Education (Jadavpur University) & Introduction to
Criminal Law (Case Western Reserve University, Cleveland, Ohio, USA)
Resident Address Tulip Apartment, 26A Charu Chandra Place,
City, ST ZIP Code Kolkata -700033
Telephone 8902447291, 8240085988



Speed Post

To,
The Public Information Officer, (Finance Officer)
Balurghat Municipality,
Rina Road, Shibtali,
Dakshin Dinajpur,
West Bengal 733101

Date: 22/02/2023



Ref: An application under the Right to Information Act, 2005.

Sir,

For a few years, we have noticed that many flats have been constructed or some flats are under construction in Balurghat Municipality. One builder namely Mr. Biplab Deb is constructing a project at Kathal Tila, Near Co-ed College, Chakbhabani, Balurghat in the name & style of 'Deb Apartment-II' in violation of 'Amendment in West Bengal Municipal (Building) Rules, 2007, vide notification no. 105/MA/O/C-4/3R-14/2015 dated February 26, 2016, published in Kolkata Gazette'.

Under the above fact and circumstances I intend to know the following information about both construction sites and information may kindly be supplied to me under the Right to Information Act, 2005 for the following:

1. You are requested to provide me with the "Sanctioned Building Plan" of "Deb Apartment - II", at Kathal Tata, Near Co-ed College, Chakbhabani, Balurghat.
2. You are requested to provide me with relevant documents on which date, the plans were approved & who approved the plan?
3. You are requested to provide me with relevant documents, what action has been taken by Balurghat Municipality on 'Deb Apartment-II' at Kathal Tala, Near Co-ed College, Chakbhabani, Balurghat, for violation of amendment in West Bengal Municipal (Building) Rules, 2007, vide notification no. 105/TW O/C-4/3R-14/2015.

Your answers and appropriate information as sought within the stipulated period as per the provision of the said Act, 2005 will restrain the undersigned from knocking before the appropriate Forum/ Court/ Tribunal of Law.

*Requisite Court Fees (Rs. 10/-) is affixed herewith.

Anticipating your cordial response at the earliest which is solicited and will be highly appreciated too

Warm Regards,

Adv. Shayan Sachin Basu

Advocate Shayan Sachin Basu
Calcutta High Court

OFFICE OF THE
BALURGHAT MUNICIPALITY



SOVA MAJUMDER SARANI
BALURGHAT: DAKSHIN DINAJPUR

PH. NO: 03522 - 255450 / 255680 / 256930 / 255649 / 256931 / 255655

E-mail - bmpality@gmail.com / bmpality@hotmail.com

website : www.balurghatpurasava.webs.com

Memo No. 3692/G-8(RTI)

Date:- 10/03/2023

To

1. Ananya Dey
58A Debendra Ghosh Road.
Kolkata-700025

2. Advocate Shayan Sachin Basu
Tulip Apartment, 24A Charu Chandra Place East, Flat-18
City, ST ZIP Code Kolkata-700033

3. Antim Basak
S/O. Lt. Radha Ballav Basak
North Chakbhabani
P.O & P.S- Balurghat
Dist-Dakshin Dinajpur
Pin-733101

Ref. : RTI application of Ananya Dev dt. 22.02.2023 , RTI application of Shayan Sachin Basu dt. 22.02.2023
& RTI application of Antim Basak dt. 13.02.2023

Sir,

In reply to above, this is to inform you that all the above 3(three) applications filed to this office seems to be identical and based on same language containing a bunch of repeated RTI questions have continuous harassing effect of the public authority. Further more, repeated questions promotes private interest but not to the public interest .

Hence, denied on the ground of repetition of questions.
This is for your information.



Yours faithfully

SPIO

&

Executive Officer
Balurghat Municipality

ok
Law Office of Advocate Shayan Sachin Basu,
BA.LLB (Calcutta University), Diploma in Business Management
(International Business Management Institute, Berlin, Germany), Post Graduation Diploma
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Resident Address Tulip Apartment, 26A Charu Chandra Place East, Flat-1B,
City, ST ZIP Code Kolkata -700033
Telephone 8902447291, 8240085988



Speed Post

To,

Date: 03/04/2023

The Appellate Authority,
Balurghat Municipality,
Rina Road, Shibitali,
Dakshin Dinajpur,
West Bengal 733101

भारतीय डाक
IN104690825IN IVR:8287104690825
RL TOLLYGUNGE HO 700033
Courier No: 2, 03/04/2023, 14:28
To: APPELLATE A.D. DINAJPUR
PIN: 733101, Balurghat HO
From: S. S. BASU, C. C. PLACE
Wt: 20gms
Amt: 22.00 (Cash)
<Track on www.indiapost.gov.in>
<Dial 18002666888> <Wear Masks, Stay Safe>
India Post

Subject : An appeal under Section 19 of the RIGHT TO INFORMATION ACT, 2005.

Ref : Memo No.3692/G-8(RTI)

Sir,

That on 22/02/2023 an application was made under The Right to Information Act, 2005 for information leading to the action taken against Mr. Biplab Deb who is constructing a project at Kathal Tila, Near Co-ed College, Chakbhabani, Balurghat in the name & style of 'Deb Apartment-II' in violation of 'Amendment in West Bengal Municipal (Building) Rules, 2007, vide notification no. 105/MA/O/C-4/3R-14/2015 dated February 26, 2016, published in Kolkata Gazette.

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As from the reply it is clear that no concrete answer was provided against the said RTI Application from the Executive Officer and SPIO, Balurghat Municipality, West Bengal, moreover the grounds provided for rejection are arbitrary, whimsical and totally illegal in nature, which are ultimately in violation of the provisions of the Right to Information Act, 2005 for which stringent action may be taken against the Executive Officer and SPIO, Balurghat Municipality, West Bengal.

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Adv. Shayan Sachin Basu

Warm Regards,

Advocate Shayan Sachin Basu
Hon'ble High Court at Calcutta

Contact No - +91 8240085988

Email id- shayansbasulegal@gmail.com

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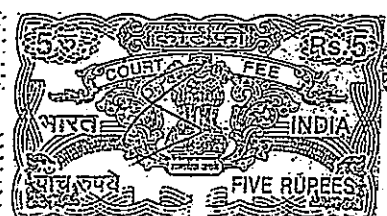
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Resident Address Tulip Apartment, 26A Charu Chandra Place East, Flat-1B,
City, ST ZIP Code Kolkata -700033
Telephone 8902447291, 8240085988

EN192331569IN IN:658719233
SP TOLLYMORE RD 700033
Counter No:1, 22/02/2023, 15:25
To: THE PUBLIC INFORMATION OFFICER
PIN: 733101, Balurghat RD
From: ADV. SHAYAN SACHIN BASU CH FLA
Wt: 10gms
Amt: 41.30 (Cash) Tax: 6.30
(Track on www.indiapost.gov.in)

Speed Post

To,
The Public Information Officer, (Finance Officer)
Balurghat Municipality,
Rina Road, Shibtali,
Dakshin Dinajpur,
West Bengal 733101

Date: 22/02/2023



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Advocate Shayan Sachin Basu
Calcutta High Court

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website : www.balurghatpurasava.webs.com

Memo No. 3692/G-8(RTI)

Date:- 10/03/2023

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1. Ananya Dey
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SPIO

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Executive Officer
Balurghat Municipality

OFFICE OF THE

BALURGHAT MUNICIPALITY

SOMNATH CHANDER SARANI

BALURGHAT - KANKIN DINAJPUR

PH. NO: 03322 - 255450 / 255451 / 255930 / 255649 / 255931 / 255655

E-mail - bmpalicy@gmail.com / bmunicipality@hotmail.com

website : www.balpur.org / www.balasava.webs.com

Date:- 25/04/2023

mo No. 231 /G-8(RTI)

To
Advocate Shayan Sachin Basu
Tulip Apartment, 24A Charu Chandra Palce - 700015
City, ST-ZIP Code Kolkata-700053

Subject:- Your Reply of your RTI application vide dated 03.04.2023.
Ref:- 1. This office Memo no. 187/G-8 (RTI) dated - 20.04.2023.
2. Denied Application of Biplob Deb Vide dated 24.04.2023.

In view of references to the above, this is to inform you replied sent to him under this Municipality memo no. 92/G-8 RTI 10.03.23 by SPIO remained the same. Further, the matter relates to 3rd party.
In view of the above your appeal application dated 01.04.23 rejected U/S 11 of RTI Act, 2005.

This is for your information.

Appellate Authority
&
Chairman
Balurghat Municipality

