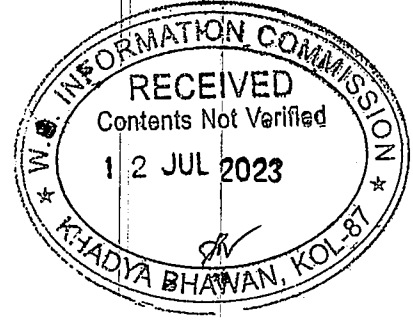


INDEX OF APPEAL



List of documents submitted by Md. Fakhruddin (Appellant)

SL.No	DESCRIPTION OF DOCUMENTS	NATURE OF DOCUMENTS
1.	Original second Appeal containing four pages	English
2.	Copy of R.T.I application dated 24/01/23 containing two pages.	English
3.	Copy of first Appeal dated 09/03/23 with its Enclosures containing four pages	English
4.	Copy of Aadhar Card for proof of address containing one page	English

Place: GARULIA

Date: 12-07-2023

Signature of Appellant: Md. Fakhruddin

A
✓

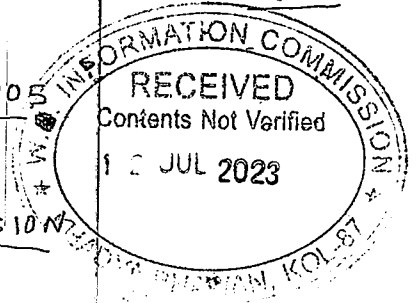
①

THE RIGHT TO INFORMATION ACT, 2005

APPEAL BEFORE

WEST BENGAL INFORMATION COMMISSION

U/s 19(3) of RTI Act, 2005



(Vide Circular No. 3008-WBIC/Admin-05/13 Dated: 20/8/2019)

- 1] Name of the Appellant : MD. FAKHRUDDIN
- 2] Complete Postal Address : Holding NO:- 468, Garulia Main Road, Ward No-11
(Attach self attested copy of one address proof document) Post:- Garulia, P.S. Noapara, Dist:- North 24 Parganas
PIN:- 743133, West Bengal
- 3] (a) Contact No : 9038459535
(b) email id : fakhruddin39@gmail.com
- 4] (a) Date of filing of application for information under RTI Act : 24.01.2023
(A self attested copy of RTI application should be attached)
- (b) whether application fee paid : YES
(i) If yes, mode of payment : Court fee of Rs 10/- Pasted on the face of the RTI application
(ii) If no, self attested photocopy of relevant certificate issued by the competent authority should be attached : Not applicable
- 5] Name of state public information officer / State Assistant Public information officer to whom the application was made and address : Executive officer, office of the Board of Councillors, Garulia Municipality, Post:- Garulia, Dist:- North 24 Parganas, West Bengal, PIN:- 743133
- (a) whether RTI petition is transferred to another SPIO U/s 6(3) of the RTI Act, 2005 : NO
if yes, name & address of such authority : Not applicable
(Please attach copy of transfer memo as above)

(2)

- 5] Gist of the information sought for : (a) Please supply a copy of Assessment record of Holding No:- 292/6, Ward No:- 7 of Garulia Municipality.
- b) Whether any building plan and building site plan is Sanctioned in respect of holding No:- 292/6, Ward No-07 of Garulia Municipality?
- c) If yes, then supply a copy of building plan as well as site plan in respect of holding No:- 292/6, Ward No-07 of Garulia Municipality.
- d) Whether the construction of building is being carried out in accordance with the Sanctioned building plan in respect of holding No:- 292/6, Ward No:- 07 of Garulia Municipality?
- (e) If yes, then supply an authentic copy and If No, then any prosecution or any order against the owner has been taken by the Municipality.
- (f) Supply a copy of Inspection report of your office in respect of holding No:- 292/6, Ward No-7, the work upto plinth level under Rule 29(3) of West Bengal Municipal Building Rules, 1996
- (g) Whether the level of the land of holding No:- 292/6, Ward No-07 of Garulia Municipality is not lower than the ~~lower~~ level of the crown of the nearest public street, if No, then supply an authentic report.
- (h) Whether the land of holding No:- 292/6, Ward No:- 07 of Garulia Municipality is capable of being well drained by means of drainage facilities leading to existing public drains or drainage channel, if yes then supply an authentic document.
- (I) Whether the soil of the site of holding No:- 292/6, Ward No-07 of Garulia Municipality is likely to sustain the construction of the building thereon. If yes, then supply a copy of report which indicate the maximum load that can be transferred to the soil of the particular site safely as per requirement in rule 4 of the West Bengal Municipal Building Rules submitted by the Applicant for taking necessary sanction of Building plan.

J) Supply a copy of certificate of licensed building surveyor / Architect / Structural Engineer about the inspection of the site and the structural design including that of foundation has been made on the basis of recommendations / findings of the Geotechnical Engineer.

K) Whether the mother plot of holding NO:- 292 is subdivided with the prior Approval of the Board of Councillors as required under section 10(1) of the West Bengal Municipal Building Rules.

(L) If yes, then supply an authentic copy.

7] Have you received any response / information ? : No
If so, attach a self attested copy of the same

8] Date of filing of 1st Appeal : 09-03-2023
(A self attested copy of 1st Appeal along with proof of submission of the same should be attached)

9] Authority to whom the First Appeal was made and address : SRI RAMEN DAS, CHAIRMAN
of Garulia Municipality, office
of the Board of Councillors, P.O. Garulia
Dist:- North 24 Parganas PIN:- 743133

10] Decision of the 1st Appellate Authority if any : No
including number and date of order
(A self attested Photocopy of the order of the 1st Appellate Authority should be attached)

11] Grounds for 2nd Appeal and the relief sought (specify) : (a) No decision taken/
no information being furnished / supplied to me within the specified
time / statutory period by the First Appellate Authority as
fixed in the RTI Act.

(b) I, therefore pray to you for a direction upon the SPIC /
First Appellate Authority as the case may be to furnish the
information in respect of all the information sought for with
supported / connected documents to me as applied for within
a shortest period as specified by you and imposed punishment
upon him due to violation of the provisions under RTI Act, 2005

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

: No, 2nd Appeal is filed within the Statutory Period.

I 'Md. Fakhruddin' son of Late Md. MoINUDDIN aged about 48 years 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.

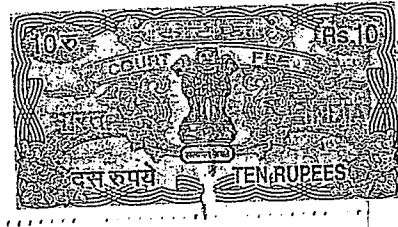
Place : Garulia

Date : 12-07-2023

Md. Fakhruddin
Signature of the Appellant

MD. FAKHRUDDIN
(Name of the Appellant)

①



To,

The State Public Information Officer
Office of the Garulia Municipality
Post:- Garulia, P.S Noapara
Dist:- 24 Pgs (North)
PIN:- 743133

Sub:- Information sought under RTI Act, 2005

1. Full Name of the Applicant : MD. FAKHRUDDIN
(in capital letters)
2. Father's Name : LATE. MD. MAINUDDIN
(in capital letters)
3. Complete Address : Holding No:- 468, Garulia Main Road, Post:-
Garulia, Dist:- North 24 Parganas, West Bengal
PIN:- 743133.
4. Telephone NO : Not applicable
Office
Residence
Mobile if any
5. Whether Belong to BPL Category : NO
6. Details of application for : Court fee of Rs 10/- Pasted on the face of this
application as required under West Bengal Right
to Information Rule, 2006. Vide notification No. 157-
PAR. (AR) dated 10/21/2006.

7. Particulars information required:

- (a) Please supply a copy of Assessment record of Holding No:- 292/6,
Ward No:- 7 of Garulia Municipality
- (b) Whether any building plan and building site plan is sanctioned
in respect of holding No:- 292/6, Ward No:- 7 of Garulia Municipality
- (c) If yes, then supply a copy of building plan as well as site plan
in respect of holding No:- 292/6, Ward No:- 7 of Garulia Municipality

Attested
Md. Fakhruddin

P.T.O

(2)

- (d) whether the construction of building is being carried out in accordance with the sanctioned building plan in respect of holding No-292/6, Ward No-7 of Garulia Municipality?
- (e) If yes, then supply an authentic copy and if no, then any prosecution or any order against the owner has been taken by the Municipality
- (f) Supply a copy of Inspection report of your office in respect of holding No-292/6, Ward No-7, the work upto Plinth level under Rule 29(2) of West Bengal Municipal Building Rules 1996
- (g) whether the level of the land of holding No:- 292/6, Ward No-7 of Garulia Municipality is not lower than the level of the crown of the nearest Public Street, if NO then supply an authentic report.
- (b) whether the land of holding No:- 292/6, Ward No:-7 of Garulia Municipality is capable of being well drained by means of drainage facilities leading to existing public drains or drainage channel if yes then supply an authentic document
- (I) whether the soil of the site of holding No:- 292/6, Ward No-7 of Garulia Municipality is likely to sustain the construction of the building thereon. If yes, then supply a copy of report which indicate the maximum Load that can be transferred to the soil of the particular site safely as per requirement in rule 4 of the West Bengal Municipal building Rules submitted by the Applicant for taking necessary sanction of Building Plan.
- (J) Supply a copy of Certificate of licensed building surveyor/Architect/Structural Engineer about the inspection of the site and the structural design including that of foundation has been made on the basis of recommendations/findings of the Geotechnical Engineer.
- (K) whether the mother plot of holding No:- 292 is subdivided with the Prior Approval of the Board of Councillors as required under Section 10(1) of the West Bengal Municipal building Rules.
- (L) If yes, then supply an authentic copy.

8 Form/Medium of information required : English

9. Enclosure : Court fee of Rs 10/- being application fee as required by W.B. Right to information Rules, 2006 vide notification No. 157 PAR(AR) dated 10/3/2006 as said above in Column No-6

DECLARATION

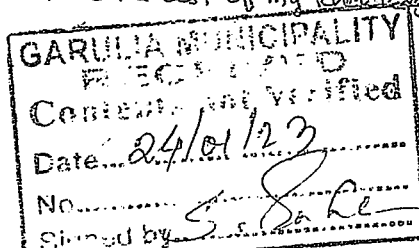
I state that the information sought does not fall within the restriction contained in Section 8 and 9 of the RTI Act and to the best of my knowledge it pertains to your office

Date: 24/01/2023

Place: GARULIA

Attested

Md. Fakhimuddin



Md Fakhimuddin

Signature of Applicant

The Right to information Act, 2005First Appeal for State Government

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

To,

The First Appellate Authority Under RTI Act

Dept/Office — Garulia Municipality

Po Garulia, Dist:- 24 Pgs (N)

PIN: 743133, West Bengal

Sir,

As I am Aggrieved by no decision of State Public information officer, I hereby file this first appeal under section 19(1) of the Right to information Act for your kind decision.

1. Details of Appellant

1.1 Full Name : MD. FAKHRUDDIN

1.2. Full Address : Holding NO- 468, Garulia Main Road, Ward NO-11,
Post: Garulia, Dist: North 24 Pgs, PIN: 743133,
West Bengal

1.3 Phone/Cell NO : NIL

1.4. E-Mail ID : NIL

2. Details of State Public Information Officer (SPIO)

2.1. Name/Designation : Executive Officer & PIO

2.2. Full Address : Garulia Municipality, Post: Garulia, Dist:- 24 Pgs (N)

2.3. Name of Public Authority: Department of Municipal affairs

3. Details of RTI Application to SPIO

3.1 Date of application : 24/01/2023

3.2 Mailed on: No

3.3 BY Registered / Speed Post No: No

3.4. Hand Delivery: Yes

3.5. Date of Receipt by SPIO: 24/01/2023

Attested
Md. Fakhruddin

4. Particulars of payment of filing fee : Court fee of Rs 10/- already filed with the application sought under RTI Act, 2005 in which no decision taken against which this first appeal being filed.

5. Details of information sought :

- (a) Please supply a copy of Assessment record of Holding NO:- 292/6, Ward NO-7 of Garulia Municipality.
- (b) Whether any building Plan and building site Plan is sanctioned in respect of holding NO:- 292/6, Ward NO-7 of Garulia Municipality.
- (c) If yes, then supply a copy of building Plan as well as site Plan in respect of holding NO:- 292/6, Ward NO-7 of Garulia Municipality.
- (d) Whether the construction of building is being carried out in accordance with the sanctioned building Plan in respect of holding NO:- 292/6, Ward NO-7 of Garulia Municipality?
- (e) If yes, then supply an authentic copy and if No, then any Prosecution or any order against the owner has been taken by the Municipality.
- (f) supply a copy of Inspection report of your office in respect of holding NO:- 292/6, Ward NO-7, the work upto the plinth level under Rule 29(2) of West Bengal Municipal Building Rules.
- (g) Whether the level of the land of holding NO- 292/6, Ward NO-7 of Garulia Municipality is not lower than the level of the crown of the nearest public Street, if No then supply an authentic report.
- (h) Whether the land of holding NO:- 292/6, Ward NO-7 of Garulia Municipality is capable of being well drained by means of drainage facilities leading to existing public drains or drainage channel, if yes, then supply an authentic document.
- (I) Whether the soil of the site of holding NO:- 292/6, Ward NO-7 of Garulia Municipality is likely to sustain the construction of the building thereon. If yes, then supply a copy of report which indicate the maximum Load that can be transferred to the soil of the particular site safely as per requirement in rule 4 of the West Bengal Municipal Building Rules submitted by the applicant for taking necessary sanction of Building Plan.

Attested

M. A. Fakhimuddin

Supply a copy of certificate of licensed building surveyor / Architect / Structural Engineer about the inspection of the site and the structural design including that of foundation has been made on the basis of recommendations / findings of the Geo technical Engineer.

c) whether the mother plot of holding No:- 292 is subdivided with the prior approval of the Board of councillors as required under Section 10(1) of the West Bengal Municipal Building Rules

d) If yes, then supply an authentic copy.

(A photocopy of my application for information containing all the aforesaid informations applied is attached herewith)

6. Particulars of decision of SPIO

6.1 Letter Reference NO: I have not received a decision / the information within the time specified in Sub-Section (1) of section-7

6.2 Date of SPIO's Decision: No decision taken / No information supplied within the time specified.

~~6.2 Date of SPIO's Decision:~~

6.3 Date of Receipt of Decision by the Appellant: No decision taken.

7. Brief facts of the case: I 'Md. Falchuddin' s/o Late Md. Moiruddin residing at holding No:- 468, Gamulia main Road, Post:- Gamulia, Dist:- North 24 Pgs, applied to the SPIO for the Gamulia Municipality, Post:- Gamulia, Dist:- North 24 Pgs to furnish the informations mentioned in SL No-5 above. The application for information was delivered by me by hand and the same was received on 24/01/2023, inspite of receiving my application for information on 24/01/2023, no information as asked for was provided to me till today.

8. Reasons / Grounds for this appeal: No decision taken / No information as asked for furnished within the specified time.

9. Any other information in support of Appeal: Not applicable

Attested
Md. Falchuddin

10. Prayer/Relief Sought for : I, therefore pray to you for a direction upon the SPIO to furnish the informations to me as applied for within a shortest period as specified by you and imposed punishment upon him due to violation of the provisions under Right to information Act, 2005.

11. Grounds for prayer/relief sought for : I am a social activist. I have reasonable and bonafide doubt that some corrupt practices have been adopted in respect of the subject matter of the information and non furnishing of the information applied for strengthens my said doubt and my intention and desire is to do something to remove the corrupt practices and to see that the person/persons involved in the corruption is punished as per the provisions of the law of this country.

12. Personal Presence at hearing : YES

13. Enclosures : Photocopies of original RTI application, acknowledgment of SPIO

A. 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.

Place: Garulia

Date: 9/3/2023

Md. Fatchmuddin
Signature of Appellant

GARULIA MUNICIPALITY	
RECEIVED	
Control No. _____	
Date: 09/03/2023	
No. _____	
Signature: <u>[Signature]</u>	

Attested

Md. Fatchmuddin




आधार

ভারত সরকার
Unique Identification Authority of India
Government of India

ভালিকাভুক্তির আই ডি / Enrollment No.: 1410/12102/00028

To
মহ. ফাখরুদ্দীন
Md. Fakhruddin
S/O: Late Md. Moinuddin
468 Garulia Main Road
Milan Sangh Club
Garulia
Garulia
Garulia North 24 Parganas
West Bengal 743133
9038459535

31/12/2016



MD197918873FH



আপনার আধার সংখ্যা / Your Aadhaar No. :

2261 7039 2127

আমার আধার, আমার পরিচয়




ভারত সরকার
Government of India



মহ. ফাখরুদ্দীন
Md. Fakhruddin
জন্মতারিখ / DOB : 05/08/1974
পুরুষ / Male



2261 7039 2127

আমার আধার, আমার পরিচয়

Attested
Md. Fakhruddin