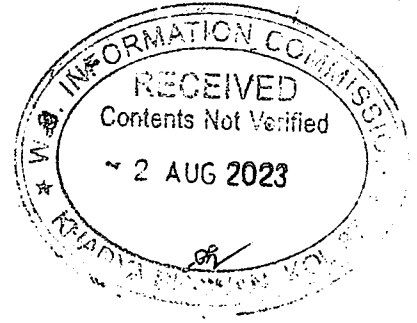


2703/(A)
02/08/2023



Before the Information Commissioner

Khaddya Bhavan, 11/A Mirza Galib Street Kolkata 87

Second Appellate authority under Right to Information Act 2005

Second appeal under section of Right to Information Act 2005

Smt. Ujjala Ray wife of Shri
Biswajit Ray daughter of late Nitai
Chandra Saha residing at 31 'Brojo
Dham' Sebadal Road near Shib
Mandir P.S. Nimta Kolkata 49

.....Appellant

Sir,

I Smt. Ujjala Ray wife of Shri Biswajit Ray daughter of late Nitai Chandra Saha residing at 31 'Brojo Dham' Sebadal Road near Shib Mandir P.S. Nimta Kolkata 49 preferred an application under Right to Information Act 2005 before SPIO, P and AR Department AR cell Government of West Bengal and sought the following informations:

A multi storied building was raised on land measuring 05 cottahs 02 chhittaks xx sqft at Mouza Sahara within JL no. 46 Touzi no. 146 Pargana Anwarpur under Police Station Airport comprising in RS Dag no. 519 corresponding to LR Dag no. 1115 appertaining to

A
✓

Ujjala Ray

RS Khatian no. 964 corresponding to LR Khatian no. 2713, 2712, within the limits of Madhyamgram Municipality in holding no. 152 Swamiji Park ward no 28 in the district of North 24 Parganas Kolkata 700133 and the building was raised pursuance to Development agreement dated 29.10.18 being executed by owners sri Biswanath Saha son of late Netai Chandra Saha and others and Developers Sri Ranjit Kumar Sarkar and others and sanction no. 88/29.12.18. Please supply the extract of sanction letter being no. 88/29.12.18 against plan no, 96/19.11.18.

1. On which date Board for Councilors have taken decision for sanctioning the above plan?

Please supply the extract of resolution of board of councilors regarding sanctioning of plan being sanction no. 96/19.11.18.

2. Who is the concern engineer, who visited the site for inspection of the building? Please supply the extract of office order for deputing the concern engineer who visited the site of the land of subject development.
3. Whether complaint was made by the owners regarding deficiency of construction of building. If yes, what is the date of complaint?
4. What action has been taken by municipal authority to resolve the complaint preferred by some of the owner's of the land? Please supply the extracts of office orders and minutes regarding action

Ujjala Ray

taken on the basis of complaint preferred by some owners of the land.

5. Whether there is any completion certificate (C.C.) in favor of the development building? If yes what is the date of issue of such completion certificate and memo number? Please supply a copy of extract of such letter.
6. Who is the signing authority of completion certificate of building?
7. If completion certificate is issued then on whose report the said C.C. is issued?
8. Who is the concern Engineer/Officer who submitted the report after inspection of the site and entire building under development for issuance of completion certificate? Please supply the extract of such report.

I pay court fees of Rs10/- and CF was affixed on the top of first page of the application.

Now the said application was forwarded to Madhyamgram municipality with a direction to give the informations to me within statutory period but the concern entrusted officer was indulged not to give any information as sought till date.

Ujjala Ray

Under the circumstances I pray before appellate authority to direct concern SPIO of Madhyamgram Municipality North 24 Parganas to supply/furnish required informations on the basis of above questions immediately along with imposition of penalty upon the concern officer according to provisions laid down in section 20 of RTI Act 2005. But First appellate authority remained silent till date.

For inaction and non action by SPIO and First Appellat authority I beg to prefer this second appeal for disposal of my application so that I may get informations as sought for before SPIO initially along with

CF is affixed herein.


UJJALA RAY

Date: 02.08.2023

Mobile No 9051038491

E mail no : ujjalaray160@gmail.com

INDEX

SL NO.	DESCRIPTION OF DOCUMENT	DATE
1.	An application under Right to Information Act 2005. To SPIO, Paid AR Department, AR Cell, Govt. of West Bengal, "Nabanna".	29.11.2022
2.	Letter from: The Deputy Secretary & SPIO Department of P & AR.	16.12.2022
3.	Letter from: Assistant Secretary to the Government of West Bengal & S.P.I.O.	22.12.2022
4.	Before the First Appellate authority (AA) under Right to Information Act 2005. Government of West Bengal, Department of Urban Development And Municipal Affairs, M.D. Branch, "Nagarayan".	27.02.2023
5.	Letter from: Senior Special Secretary to the Government of West Bengal & Appellate Authority.	06.03.2023



By Speed Post

To
SPIO
Paid AR Department
AR Cell, Govt. of West Bengal
“Nabanna”
Sarat Chatterjee Road
P.O. Shibpur, Howrah.

Sub: An application under Right
to Information Act 2005.

Sir,

I Smt. Ujjala Ray wife of Shri Biswajit Ray daughter of late Nitai Chandra Saha residing at 31 ‘Brojo Dham’ Sebadal Road near Shib Mandir P.S. Nimta Kolkata 49, like to require the following information:

1. A multi storied building was raised on land measuring 05 cottahs 02 chhittaks xx sqft at Mouza Sahara within JL no. 46 Touzi no. 146 Pargana Anwarpur under Police Station Airport comprising in RS Dag no. 519 corresponding to LR Dag no. 1115 appertaining to RS Khatian no. 964 corresponding to LR Khatian no. 2713, 2712, within the limits of Madhyamgram Municipality in holding no. 152 Swamiji Park ward no 28 in the district of North 24 Parganas Kolkata 700133 and the building was raised pursuance to

Development agreement dated 29.10.18 being executed by owners sri Biswanath Saha son of late Netai Chandra Saha and others and Developers Sri Ranjit Kumar Sarkar and others and sanction no. 88/29.12.18. Please supply the extract of sanction letter being no. 88/29.12.18 against plan no, 96/19.11.18.

2. On which date Board for Councilors have taken decision for sanctioning the above plan?

Please supply the extract of resolution of board of councilors regarding sanctioning of plan being sanction no. 96/19.11.18.

3. Who is the concern engineer, who visited the site for inspection of the building? Please supply the extract of office order for deputing the concern engineer who visited the site of the land of subject development.
4. Whether complaint was made by the owners regarding deficiency of construction of building. If yes, what is the date of complaint?
5. What action has been taken by municipal authority to resolve the complaint preferred by some of the owner's of the land? Please supply the extracts of office orders and minutes regarding action taken on the basis of complaint preferred by some owners of the land.
6. Whether there is any completion certificate (C.C.) in favor of the development building? If yes what is the date of issue of such

completion certificate and memo number? Please supply a copy of extract of such letter.

7. Who is the signing authority of completion certificate of building?
8. If completion certificate is issued then on whose report the said C.C. is issued?
9. Who is the concern Engineer/Officer who submitted the report after inspection of the site and entire building under development for issuance of completion certificate? Please supply the extract of such report.

I pay court fees of Rs10/- and CF is affixed on the top of first page of this application.

I crave leave to pay further court fees if required by the authority for having the information as sought above.

Thanking you

Yours faithfully

Ujjala Roy
Ujjala Roy

Date: 29.11.2022

Communication address:-

Mobile no: 9051038491

Email no : ujjalaray160@gmail.com

RTI Urgent

Government of West Bengal
Department of Personnel & Administrative Reforms
Administrative Reforms Cell
NABANNA, 7th floor, 325, Sarat Chatterjee Road, Howrah-711 102.

No. 842-PAR(AR)/O/3B- 1/2022

Date: 16.12.2022

From: The Deputy Secretary & SPIO
Department of P & A.R

To: The S.P.I.O.,
Urban Development & Municipal Affairs Department,
NAGARAYAN, DF – 8, Sector – I, Salt Lake, Kolkata – 700064.

Sub: Information sought for under RTI Act, 2005.

Sir,


In terms of section 6(3) of the RTI Act, 2005, I am to transfer herewith an application dated 29.11.2022 from Smt Ujjala Roy, which is closely related to your department.

You are requested to furnish the information with respect to the application, directly to the applicant within stipulated period, as envisaged by the Act, under intimation to this department.

Enclo: As stated.

Yours faithfully,

A



Deputy Secretary & S.P.I.O

No. 842/1(1)-PAR(AR)/O/3B-1/2022

Date: 16.12.2022

Copy forwarded for information to:-

✓ Smt Ujjala Roy, 31 "Brojo Dham", Sebadal Road, Near Shib Mandir, P.S – Nimta, Kolkata - 700049.


State Public Information Officer

GOVERNMENT OF WEST BENGAL
Urban Development & Municipal Affairs Department
(Municipal Affairs Branch)
NAGARAYAN,
DF-8, Sector – I, Salt Lake, Kolkata – 700 064.

No. 593/DS/SPIO/MA/RIA-124/22.

Dated, Kolkata, the 22nd December, 2022.

From: Assistant Secretary
to the Government of West Bengal & S.P.I.O.

To : The State Public Information Officer,
Madhyamgram Municipality,
P.O. – Madhyamgram,
Dist. – North 24 Parganas,
Pin: 743275.

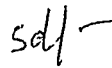
Subject: Information sought for by Smt. Ujjala Roy
under the provision of RTI Act, 2005.

Sir,

I am to transfer herewith the original RTI Application No. Nil dated 29.11.2022 of Smt. Ujjala Roy, transferred by Deputy Secretary & S.P.I.O. of Department of Personnel & Administrative Reforms vide his Memo No. 842-PAR (AR)/O/3B-1/2022 dated 16.12.2022, under Section 6(3) of the RTI Act, 2005, with a request to provide the required information as sought for therein to the applicant directly and immediately under Section 7(1) of RTI Act, 2005.

Yours faithfully,

Enclo: As stated above.


Assistant Secretary
to the Government of West Bengal & S.P.I.O.


No. 593/1(2)/DS/SPIO/MA/RIA-124/22.

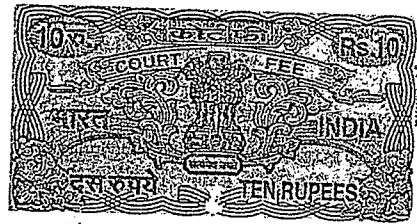
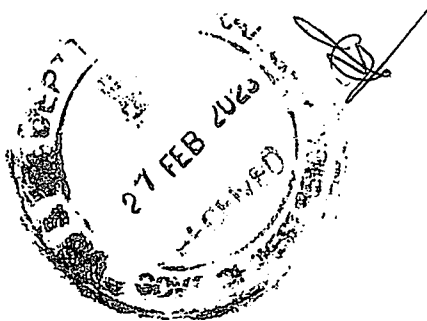
Dated, Kolkata, the 22nd December, 2022.

Copy forwarded for information to:

1. The State Public Information Officer, P & AR Department,
NABANNA, 7th Floor, 325, Sarat Chatterjee Road, Howrah- 711102.
- ✓ 2. Smt. Ujjala Roy, 31, Brojo Dham, Sebadal Road,
Near Shib Mandir, P.S. Nimta, Kolkata- 700049.

(She is requested to contact with 1st Appellate Authority, Madhyamgram Municipality, if not satisfied with the information provided by the SPIO, Madhyamgram Municipality.


Assistant Secretary
to the Government of West Bengal & S.P.I.O.



Before the First Appellate authority (AA) under Right to Information Act 2005

Municipal Affairs Department

An appeal under section 19 of Right to Information Act 2005

Smt. Ujjala Ray wife of Shri
Biswajit Ray daughter of late Nitai
Chandra Saha residing at 31 'Brojo
Dham' Sebadal Road near Shib
Mandir P.S. Nimta Kolkata 49

.....Appellant

Sir,

I Smt. Ujjala Ray wife of Shri Biswajit Ray daughter of late Nitai Chandra Saha residing at 31 'Brojo Dham' Sebadal Road near Shib Mandir P.S. Nimta Kolkata 49 preferred an application under Right to Information Act 2005 before SPIO, P and AR Department AR cell Government of West Bengal and sought the following informations:

A multi storied building was raised on land measuring 05 cottahs 02 chhittaks xx sqft at Mouza Sahara within JL no. 46 Touzi no. 146 Pargana Anwarpur under Police Station Airport comprising in RS Dag no. 519 corresponding to LR Dag no. 1115 appertaining to RS Khatian no. 964 corresponding to LR Khatian no. 2713, 2712, within the limits of Madhyamgram Municipality in holding no. 152 Swamiji Park ward no 28 in the district of North 24 Parganas Kolkata 700133 and the building was raised pursuance to Development agreement dated 29.10.18 being executed by owners sri Biswanath Saha son of late Netai Chandra Saha and others and Developers Sri Ranjit Kumar Sarkar and others and sanction no. 88/29.12.18. Please supply the extract of sanction letter being no. 88/29.12.18 against plan no, 96/19.11.18.

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3. Whether complaint was made by the owners regarding deficiency of construction of building. If yes, what is the date of complaint?
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5. Whether there is any completion certificate (C.C.) in favor of the development building? If yes what is the date of issue of such completion certificate and memo number? Please supply a copy of extract of such letter.
6. Who is the signing authority of completion certificate of building?
7. If completion certificate is issued then on whose report the said C.C. is issued?
8. Who is the concern Engineer/Officer who submitted the report after inspection of the site and entire building under development for issuance of completion certificate? Please supply the extract of such report.

I pay court fees of Rs10/- and CF was affixed on the top of first page of the application.

Now the said application was forwarded to Madhyamgram municipality with a direction to give the informations to me within statutory period but the concern entrusted officer was indulged not to give any information as sought till date and copy of respective directions are enclosed herewith.

Under the circumstances I pray before appellate authority to direct concern SPIO of Madhyamgram Municipality North 24 Parganas to supply/furnish required informations on the basis of above questions immediately along with imposition of penalty upon the concern officer according to provisions laid down in section 20 of RTI Act 2005.

CF is affixed herein.

Ujjala Ray

UJJALA RAY

Date: 27/02/2023

Mobile No: 9051038491

GOVERNMENT OF WEST BENGAL
Urban Development & Municipal Affairs Department
(Municipal Affairs Branch),
NAGARAYAN,
DF-8, Sector – I, Salt Lake, Kolkata – 700 064.

No. 84/DS/SPIO/MA/RIA-124/22.

Dated, Kolkata, the 6th March, 2023

From: Senior Special Secretary
to the Government of West Bengal & Appellate Authority.

To : The Appellate Authority,
Madhyamgram Municipality,
P.O. - Madhyamgram, Dist. - North 24 Parganas,
Pin: 743275.

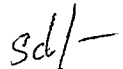
Subject : Appeal of Smt. Ujjala Ray
under the provision of RTI Act, 2005.

Sir.

I am to transfer herewith the original RTI Appeal along with its enclosure No. Nil, dated 27.02.2023 of Smt. Ujjala Ray under Section 6(3) of the RTI Act, 2005 with a request to dispose of the appeal and to provide the required information sought for therein to the applicant directly.

Yours faithfully.

Enclosure: As stated above


Senior Special Secretary
to the Government of West Bengal & Appellate Authority

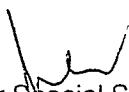
No. 84/1/DS/SPIO/MA/RIA-124/22.

Dated, Kolkata, the 6th March, 2023

✓ Copy forwarded for information to:

Smt. Ujjala Ray, 31. Brojo Dham, Sebadal Road,
Near Shib Mandir, P.S.- Nimta, Kolkata- 700049.

(She is requested to contact with the Appellate Authority of Madhyamgram Municipality and if not satisfied with information may prefer 2nd appeal before West Bengal Information Commission, Khaddya Bhavan, 11/A, Mirza Ghalib Street, Kolkata-700 087. S.P.I.O. or Appellate Authority of this Department cannot provide her any information related to other Public Authority or take any steps in terms of RTI Act, 2005.).


Senior Special Secretary
to the Government of West Bengal & Appellate Authority