

To,

3127/(A)
28/08/2023

The State Chief 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

Sir,

1. Name of the Appellant: Hiran Kalyan
2. Complete postal address: Sahaganj Main Road, Bakultala, P.O. Sahaganj,
D.T. Hooghly, Pin 712104.
(Annexure 1 Self attested copy of Aadhar Card.)
3. (a) Contact No.: 8910101522
(b) Email ID: hirankalyan.workmail@gmail.com
4. Date of filing of application for information under RTI Act: 20/03/2023
(Annexure 2 Self attested copy of application along with proof of submission)
5. Application Fee Paid: Yes, through Court Fee
6. Name of State Public Information Officer to whom the application was made and
address: The State Public Information Officer, Hooghly Chinsurah
Municipality, Chinsurah.
7. Gist of the information sought for:
 1. That whether the construction being done in the name of Debjani Bhattacharya, Holding No. 266/1, Mallick Jayanti Bag, ward no. 2 under Hooghly Chinsurah Municipality has a sanctioned and authorized building plan, if yes please provide a certified copy of the same in the format convenient to you.
 2. That if the construction is not sanctioned and unauthorized then kindly provide me with the certified copy of report in the format convenient to you detailing what action has been taken against that aforementioned holding no.
 3. That if any complaint has been lodged regarding the construction in the same above-mentioned holding no. then provide a certified copy of the same in the format convenient to you.

8 Have you received any response / information: No

9 Date of filing 1st appeal: 18/05/2023

(Annexure 3 Self attested copy of Appeal along with proof of submission)

10. Authority to whom the first appeal was made with address: The First Appellate Authority, Hooghly Chinsurah Municipality, Chinsurah.

11. Decision of the 1st Appellate Authority, if any, including number and date of the order: 12/06/2023

(Annexure 4 Self attested copy of Reply received from the First Appellate Authority.)

12. Letter dated 21/06/2023 sent to the First Appellate Authority was not answered. (Annexure 5 Self attested copy of Reply received from the First Appellate Authority.)

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

Grounds:

First Appeal dated 18/05/2023 was filed after my RTI Application dated 20/03/2023 was not answered within the time limits specified in the Right to Information Act, 2005.

Therefore, As per Sec 7(6) of the RTI Act, the PIO should now provide me the information "free of charge" since the provision of information has been delayed beyond the mandated 30 days as provided in Sec 7(1) of the Right to Information Act, 2005. But the First Appellate Authority requested fees to be paid in order to receive the information sought after. Clarifying which a reply letter dated 21/06/2023 as mentioned in point no. 12 was sent to the First Appellate Authority which was unanswered hence I am filing this Second Appeal.

Relief Sought:

Please provide the information sought for in my original RTI application free of cost and compensation(as per your kind discretion) for the unethical delay created by the PIOs of Hooghly Chinsurah Municipality

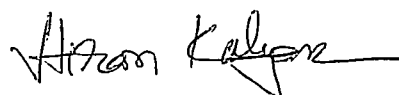
I, Hiran Kalyan, son of Surajit Kalyan, aged 24 yrs, being an Indian citizen do hereby solemnly affirm that:

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.

Thanking You.

Yours faithfully,



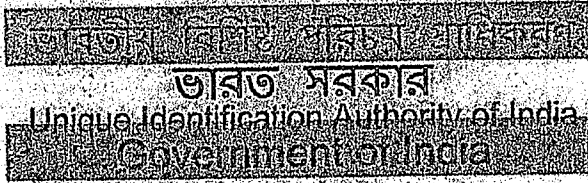
Signature of the appellant

Place : Sahagpur

HIRAN KALYAN

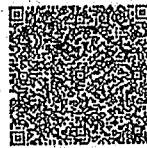
(Name of the appellant)

Date : 28/8/2023



ভালিকাঙ্কিত আই ডি / Enrollment No.: 1040/20585/16232

To
হীরন কল্যান
Hiran Kalyan
SAHAGANJ MAIN ROAD
BAKULTALA
Hooghly Chinsurah (M)
Sahaganj
Chinsurah - Magra Hooghly
West Bengal 712104
79578647
MN795786473FT



আপনার আধার সংখ্যা / Your Aadhaar No. :

2461 7750 1578

আধার - সাধারণ মানুষের অধিকার



ভারত সরকার
Government of India
হীরন কল্যান
Hiran Kalyan
পিতা : সুরজিত কল্যান
Father : Surajit Kalyan
জন্মতারিখ / DOB : 21/05/1999
পুরুষ / Male



2461 7750 1578

আধার - সাধারণ মানুষের অধিকার



- তথ্য
- আধার পরিচয়ের প্রমাণ, নাগরিকত্বের প্রমাণ নয়।
 - পরিচয়ের প্রমাণ অনলাইন প্রমাণীকরণ দ্বারা লাভ করুন।

দ্রষ্টব্য : শিশুর বয়স 15 বছর হলে বায়োমেট্রিক তথ্যের নবীকরণ আবশ্যিক।

INFORMATION

- Aadhaar is proof of identity, not of citizenship.
- To establish identity, authenticate online.

Note : Children on attaining 15 years of age need to update biometric information.

- আধার সারা দেশে মান্য।
- আধার ভবিষ্যতে সরকারী ও বেসরকারী পরিষেবা প্রাপ্তির সহায়ক হবে।
- Aadhaar is valid throughout the country.
- Aadhaar will be helpful in availing Government and Non-Government services in future.



ভারত সরকার
Unique Identification Authority of India

ঠিকানা:
সাহাগঞ্জ মেন রোড, বকুলতলা,
হুগলী চুড়া (এম), সাহাগঞ্জ,
হুগলী, পশ্চিমবঙ্গ, 712104

Address:
SAHAGANJ MAIN ROAD,
BAKULTALA, Hooghly Chinsurah
(M), Sahaganj, Hooghly, West
Bengal, 712104

2461 7750 1578

1047
1800 300 1047

help@uidai.gov.in

www.uidai.gov.in

Annexure 1

Handwritten signature

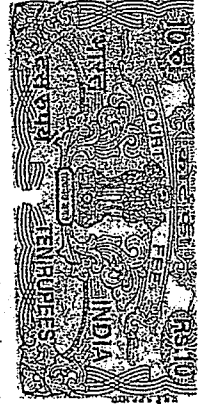


HIRAN KALYAN
ADVOCATE
HOOGHLY JUDGE'S COURT

Sahaganj Main Road
Bakultala, Hooghly

8910101522 ☎

hirankalyan.workmail@gmail.com ✉



The State Public Information Officer,
Hooghly-Chinsurah Municipality,
Chinsurah Hooghly.

Sir/Madam,

Sub:- Information required U/S 6(1) Right to Information Act, 2005

Kindly provide me with the following information requested under the purview of the Right to Information Act, 2005

1. That whether the construction being done in the name of Debjani Bhattacharya, Holding No. 266/1, Mallick Jayanti Bag, ward no. 2 under Hooghly Chinsurah Municipality has a sanctioned and authorized building plan, if yes please provide a certified copy of the same in the format convenient to you.
2. That if the construction is not sanctioned and unauthorized then kindly provide me with the certified copy of report in the format convenient to you detailing what action has been taken against that aforementioned holding no.
3. That if any complaint has been lodged regarding the construction in the same above-mentioned holding no. then provide a certified copy of the same in the format convenient to you.

Your information in this regard will be highly appreciated.

Thanking you.

Yours faithfully,

Hiran Kalyan
Advocate

HIRAN KALYAN
Advocate
Reg No.- FR3052/2809/2022

Date: 20-03-2023

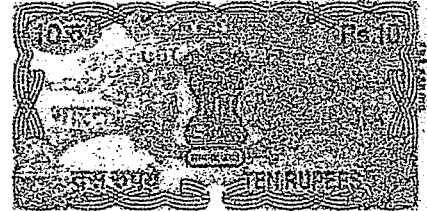


Annexure 2



HIRAN KALYAN
ADVOCATE
HOOGHLY JUDGE'S COURT

Sahaganj Main Road
Bakultala, Hooghly
9874414817 / 8910101522
hirkalyan.workmail@gmail.com



To,
The First Appellate Authority,
Hooghly-Chinsurah Municipality,
Chinsurah Hooghly.

Sir/Madam,

Sub:- First Appeal under Sec 19(1) Right to Information Act, 2005

I would like to make a **FIRST APPEAL** under Section 19(1) of the Right To Information Act, 2005, as per the following details:

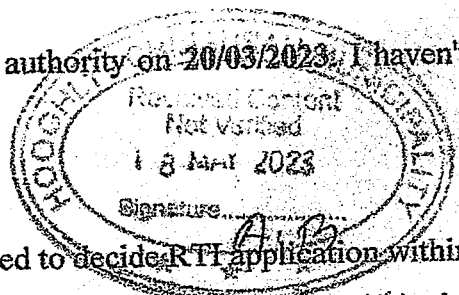
1. Name and Details of PIO appealed against: State Public Information Officer,
Hooghly-Chinsurah Municipality, Chinsurah
2. Reference of the Original RTI Application: RTI Application dated 20/03/2023, received by concerned authority on 20/03/2023, Copy of the same is annexed herewith.

I had applied to the State Public Information Officer for seeking information, under the RTI Act 2005, as per my attached RTI application reference. The application was accompanied by proper application fees as prescribed in the RTI Act.

The RTI application was received by the concerned authority on 20/03/2023. I haven't received any reply of the RTI Application till date.

GROUND FOR FIRST APPEAL :-

"As per Section 7(1) of the RTI Act, the PIO is required to decide RTI application within 30 days from the date of its receipt. However, the PIO did not decide the application within the stipulated time. The total time available for PIO to supply information is 30 days in terms of Section 7(1) of the RTI Act. However, the PIO neither communicated his decision on my RTI Application nor supplied information within stipulated time limit of 30 days. No response on the part of PIO is a deemed denial of information in terms of Section 7(2) of RTI Act, 2005"



Hiran Kalyan



HIRAN KALYAN
ADVOCATE
HOOGLY JUDGE'S COURT

Sahaganj Main Road
Bakultala, Hooghly
9874414817 / 8910101522
hirankalyan.workmail@gmail.com

MY "PRAYER/PLEA" IN THIS FIRST APPEAL:

1. Instruct the PIO, in writing, to give complete information as requested in my RTI Application.
2. As per Sec 7(6) of the RTI Act, the PIO should now provide me the information "free of charge" since the provision of information has been delayed beyond the mandated 30 days as provided in Sec 7(1) of the RTI Act.

I hope you will look into the matter and try to mitigate it pronto.

Thanking you.

Yours Faithfully,

Annexed: Copy of RTI application

Hiran Kalyan
(Advocate)

HIRAN KALYAN
Advocate
Reg No. - F/3032/2809/2022

Hiran Kalyan



Hooghly-Chinsurah Municipality

Mahendra Mitra Road, Pipulpati, PO & Dist. - Hooghly, Pin-712103, West Bengal.

Tel.: (033) 2680-2899/2319, Fax. (033) 2680-6091

Website: -www.hcm.net.in & E-mail id: -hoogch@yahoo.com

Memo No 22 69 /RTI/2023/HCM

Date 12/6/2023

From:- The Executive Officer & Appellate Authority under RTI, Act, 2005
Hooghly Chinsurah Municipality.

To:- Sri Hiran Kalyan, Advocate
Hooghly Judge's Court,
Sahaganj Main Road, Bakultala, Hooghly

Sub: - Supply of information under RTI Act, 2005.

Ref: - Your RTI Application dated 18/05/2023 & 20/03/2023

Sir,

With reference to the above, you are requested to deposit an amount of Rs.1204.00 (Rupees One thousand two hundred and four only) {Rs.1200.00 for supply of copy of sanction building plan + Rs.04.00 for supply of copy of report and complain lodged regarding the construction} for providing necessary information U/s 4 (1) of West Bengal Right to information Rules, 2006 in form TR-7 under the following details within 15 (Fifteen days) from the date of receipt of this letter.

Head of Accounts: -

"0070-Other Administrative Services 60-Other Services-800-Other Receipts including census-021-Collection of Fees from Information Seeker for the purpose of receiving information-27-Other Receipts".

Head Code: -

"00706080002127"

You are further requested to supply a copy of challan to this office after depositing the fees.

Yours faithfully,

Executive Officer & Appellate Authority under RTI, Act, 2005
Hooghly Chinsurah Municipality

EXECUTIVE OFFICER
HOOGHLY-CHINSURAH MUNICIPALITY
HOOGHLY, W.B.

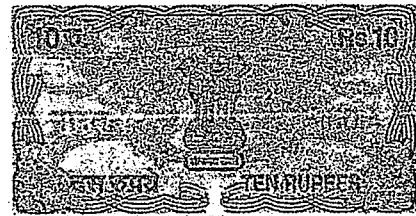
Hiran Kalyan

Annexure 4



HIRAN KALYAN
ADVOCATE
HOOGHLY JUDGE'S COURT

Sahaganj Main Road
Bakultala, Hooghly
9874414817 / 8910101522
hirkalyan.workmail@gmail.com



To,
The Executive Officer & Appellate Authority,
Hooghly-Chinsurah Municipality,
Chinsurah Hooghly.

Sub:- Requesting Information under Right To Information Act, 2005

Ref: Your letter vide Memo no. 2269/RTI/2023/HCM

Sir/Madam,

With reference to your letter vide Memo no. 2269/RTI/2023/HCM, dated 12/06/2023, it is to be conveyed that the First Appeal dated 18/05/2023 was filed after my RTI Application dated 20/03/2023 was not answered within the time limits specified in the Right to Information Act, 2005.

Therefore, As per Sec 7(6) of the RTI Act, the PIO should now provide me the information "free of charge" since the provision of information has been delayed beyond the mandated 30 days as provided in Sec 7(1) of the Right to Information Act, 2005 as mentioned in my Prayer/Plea portion of the First Appeal.

With reference to the above it is requested to provide information asked for in the original RTI application free of charge.

I hope you will look into the matter with diligence and try to mitigate it pronto

Thanking you.

Yours Faithfully,

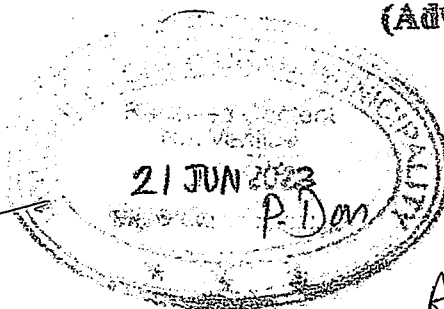
Annexed:

- 1) Copy of RTI Application
- 2) Copy of First Appeal

Hiran Kalyan
(Advocate)

Date:- 21-06-2023

Hiran Kalyan



Annexure 5