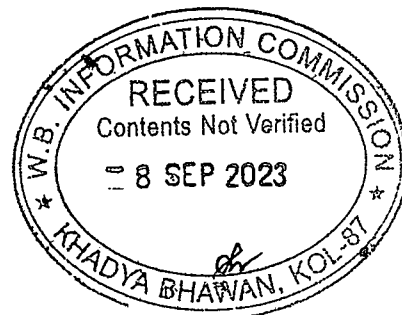


Ramkrishna Banik

3318/(A)
08/09/2023



**2ND APPEAL BEFORE WEST BENCAL
INFORMATION COMMISSION**

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

1. **Name of the Appellant :** Shri. Ramkrishna Banik
2. **Complete postal address :** S/O - Uday Sankar Banik
(A self attested copy of **Present Address:**
one address proof document Ramkrishna Banik
i.e. Aadhar card & Office ID is Flat No. 4C, Dulal Abason
attached herewith) Raja Rammohan Pally
Near Spencer Shopping Mall
Barasat, North 24 Parganas, West Bengal, Pin
Code - 700124
- Office Address:**
of Great Eastern Energy Corporation Ltd.
M-10, ADDA Industrial Estate,
P.O. Ramkrishna Mission, P.S. Asansol
Dist. Burdwan (West). Pin. 713305
3. (a) **Contact No :** Mobile No. - 817002333/ 9836793641
- (b) **E-mail id :** rbanik1984@gmail.com
4. (a) **Date or filing of application for information under RTI Act. :** 09/02/2023 through Registered Post which
(A self attested copy of RTI was delivered on 13/02/2023 vide Postal
application is attached herewith) Consignment Number RW272592997IN
- (b) **Whether application fee paid :** Yes
- i) **If Yes, mode of payment :** Court Fees of Rs. 10/-
- ii) **If no, self attested photocopy of relevant certificate issued by the competent authority should be attached. :** N/A
5. **Name of State Public Information Officer / State Assistant Public Information Officer to whom the application was made and address :** The S.P.I.O./B.L. & L.R.O.
Office of The B.L. & L.R.O. Balurghat Block
Vill. Near Police Line, P.O. B.T. Park,
P.S. Balurghat, Dist. - Dakshin Dinajpur
PIN 733103
- 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 :** N/A
(Please attach copy of transfer memo as above)

6. Gist of the information sought for :

That through the Regd. Sale deed being No. 373 for the year 2015 the owners namely Sujan Kumar Mondal & Dipen Chandra Mondal jointly sold out some properties from their

respective Khatians in favour of Ramkrishna Banik (Applicant) and Sharmistha Banik (Chanda Roy). That through the said deed, Sujan Kumar Mondal sold out 86 decimal out of 173 decimal in L.R. Plot No. 796 from his L.R. Khatian No. 828 of Mouza - Amritakhanda, J.L. No. - 272 and Dipen Chandra Mondal sold out 05 decimal out of recorded 87 decimal out of 173 decimal in L.R. Plot No. 796 and 03 decimal out of recorded 28 decimal out of 133 decimal in L.R. Plot No. 799 from his L.R. Khatian No. 733 of Mouza - Amritakhanda, J.L. No. - 272. That Ramkrishna Banik by virtue of said Regd. Deed of Sale Vide No. 373 for the year of 2015 got 45 ½ decimal (half share of 86 + 05 decimal = 45½ decimal) in L.R. Plot No. 796 and also got 1 ½ decimal (half share of 03 decimal) in L.R. Plot No. 799 and Sharmistha Banik (Chanda Roy) also got the remaining half share in those 2 L.R. Plots and accordingly they became the co-sharer of those 2 Plots and there is no dispute in this regard. Subsequently Sharmistha Banik (Chanda Roy) has recorded her name in the L.R.R.O.R. in respect of her purchased ½ share properly in L.R. Khatian No. 438 and the Ramkrishna Banik's name has also been properly recorded in respect of his purchased ½ share in L.R. Khatian No. 399. During this continuation while Ramkrishna Banik searched online the plot information of the said L.R. Plots, he got surprised that property has been curtailed from his L.R. Khatian in respect of those 2 L.R. plots and instantly he collected the certified copy of the proceeding case through which his name has been curtailed from the L.R.R.O.R. and became more surprised that showing Ramkrishna Banik as a dead person, the property has been curtailed from his Khatian No. 399 and through the Waris Case vide No. WR/2022/1701/781 said property has been recorded in the name of Sharmistha Banik (Chanda Roy) in L.R. Khatian No. 1523 showing herself as the legal heir of the Ramkrishna Banik. So, being an Applicant on 09/02/2023, I have filed a R.T.I. application before The S.P.I.O./B.L. & L.R.O. Balurghat Block asking about the information regarding the following questions:-

- (i) Inform the proceeding case number through which the properties of L.R. plot No. 796 and L.R. Plot No. 799 of Mouza - Amritakhanda, J.L. No. - 272 has been recorded in L.R. Khatian No. 399.
- (ii) Supply the Certified Copy of the Order Sheet of the said Proceeding.
- (iii) Inform the name of the recorded owner or tenant of the said L.R. Khatian No. 399 of Mouza - Amritakhanda, J.L. No. - 272.
- (iv) Supply me the last available certified copy of said L.R. Khatian No. 399 of Mouza - Amritakhanda, J.L. No. - 272.
- (v) Inform the Khatian Number in which the property in respect of L.R. plot No. 796 and L.R. Plot No. 799 of Mouza - Amritakhanda, J.L. No. - 272 has been recorded by curtailing from L.R. Khatian no. 399.
- (vi) Supply the certified copy of Application/Petition filed by the Applicant for Waris Case vide No. WR/2022/1701/781, and also supply me the certified copy of all the documents submitted during Hearing and at the time of filing the case/application which lying with the case record including any death

Ramkrishna Banik

certificate of Ramkrishna Banik and Legal Heir Certificate of Ramkrishna Banik and all other documents lying with the case record of WR/2022/1701/781.

(vii) Supply the certified copy of all the documents, petition/application copy, Hazira, ID cards, Certificates and certified copy of entire case record of case number WR/2022/1701/781.

7. Have you received any response / information?
If so, attach a self-attested copy of the same. No
(N/A)
8. Date of Filing 1st Appeal : 12/04/2023
(A self attested copy of 1st Appeal along with proof of submission of the same is attached herewith)
9. Authority to whom the first appeal was made with address : The First Appellate Authority,
District Land & Land Reforms Officer,
Dakshin Dinajpur at Balurghat,
Collectorate Building Campus,
P.O. & P.S. Balurghat,
Dist. Dakshin Dinajpur, PIN. 733101
10. Decision of the 1st Appellate Authority, if any, including number and date of the order :
(A self-attested photocopy of the order of the 1st Appellate Authority is attached herewith) Vide Order No. 03 Dated 10/05/2023, in Connection with RTI Appeal No. 06/2023 U/S - 19 (1) of RTI Act, 2005 the 1st Appellate Authority passed the Following Order:
- 1) As appellant has received the information from the respondent during this hearing, the appeal is no longer exists.
 - 2) The SPIO & BL&LRO, Balurghat is directed to keep vigil in respect of the receive section of his office, so that none of the RTI petitions misplaced otherwise and strictly transmit all the reply to the applicant following the extant provision of Communication within the stipulated time frame as specified in the RTI Act, 2005 and WB RTI Rules, 2006.
11. Grounds for 2nd appeal and the relief sought (specify) :
- i) The S.P.I.O. intentionally declined to provide the desired information within time and during 1st Appeal hearing, the S.P.I.O. through Memo No. 1087/BL&LRO/RTI/Blg Dated 08/05/2023 supplied incomplete information to the Appellant with a plea that the original case record of warish case no- WR/2022/1701/781 is still unavailable and in Reply No. 6 & 7 have mentioned the same but the fact is that the S.P.I.O./B.L. & L.R.O. Balurghat Block is the custodian of the Case Record and it is his duty to store the case record in a proper way and to supply and produce the case record and its information whenever prayed or required and despite of non-supply of the said information, the 1st Appellate authority had not ordered against the S.P.I.O./B.L. &

L.R.O. Balurghat Block to supply the desired informations within stipulated time and even did not penalized the S.P.I.O./B.L. & L.R.O. Balurghat Block @ Rs. 250 per day U/S- 20 of the R.T.I. Act, 2005.

- ii) That the B.L. & L.R.O. Balurgaht Block is the sole authority to maintain the recoding proceeding and also authorized to record the name of a person to a Khatian and for the said reason being the sole authority, the B.L. & L.R.O. Balurghat Block must have the information which the Appellant have asked in his R.T.I. application and intentionally did not provided the actual information and the 1st Appellate authority should have passed an order directing the the S.P.I.O./B.L. & L.R.O. Balurghat Block to supply the information.
- iii) That it is well settled principle of law as well as W.B.L.R. Act, 1955 and L.R. Manual, that before recording any property to any Khatian a Recording Proceeding must be initiated and as such there must should be a proceeding Number by which the property has been recorded and being the recorded owner of the said Khatian, the Appellant entitled to get the certified copy of Application/Petition filed by the Applicant for Waris Case vide No. WR/2022/1701/781, and entitled to get the certified copy of all the documents submitted during Hearing and at the time of filing the case/application which lying with the case record including any death certificate of Ramkrishna Banik and Legal Heir Certificate of Ramkrishna Banik and all other documents lying with the case record of WR/2022/1701/781.
- iv) That the information which was asked regarding the case year 2022 which is not too back dated and being a current matter, the original case record of warish case no- WR/2022/1701/781 should have been traceable and available.
- v) That it becomes the fashion of the S.P.I.O./B.L. & L.R.O. Balurghat Block to reply in a cryptic manner and almost in all matters, S.P.I.O./B.L. & L.R.O. Balurghat Block replying stating that information/original Case record is not available. Being a record keeping authority and custodian of case records, the S.P.I.O./B.L. & L.R.O. Balurghat Block have no authority to reply such a careless manner.
- vi) S.P.I.O./B.L. & L.R.O. Balurghat Block has made the R.T.I. Act as a fun fact and intentionally is not supplying the desired information & document only to save its labour work in searching.
- vii) No documents can be missing from a Govt. office and in this present matter it would not be a believable story that a Vital Case Record is unavailable.
- viii) If this Ld. Appellate authority strictures the S.P.I.O./B.L. & L.R.O. Balurghat Block or impose penalty as per R.T.I. Act only then the S.P.I.O./B.L. & L.R.O. Balurghat Block would supply the desired documents in a gentle responsible manner.
- ix) That as without serving any notice, showing the Appellant, a dead person, property from his Khatian has been curtailed through Waris Case and recorded to the Khatian of Sharmistha Banik (Chanda Roy) so the Appellant intend to file Criminal Case and Complaint to the Police Authority against her and due to non-supply of the said informations and supporting documents lying with the case record, the Appellant failed to file the same. For the said reason the Appellant need the information and documents but despite of non-supply of the same, the 1st Appellate authority has not passed any strict order against the S.P.I.O./B.L. & L.R.O. Balurghat Block.
- x) That as without serving any notice, showing the Appellant, a dead person, property from his Khatian has been curtailed through Waris Case and recorded to the Khatian of Sharmistha Banik (Chanda Roy) so it is the assumption of the Appellant that the

authority of B.L. & L.R.O. Balurghat Block must have involved in this conspiracy and for the said reason in order to save themselves, the S.P.I.O./B.L. & L.R.O. Balurghat Block did not provided the desired documents and made a plea that the original case record of warish case no- WR/2022/1701/781 is still unavailable

- xi) That being the record keeping authority B.L. & L.R.O. Balurgaht Block must should have the information and must should have supplied the desired documents and due to non-supply of the same, the 1st Appellate authority should have passed an order directing the the S.P.I.O./B.L. & L.R.O. Balurghat Block to supply the information and should have penalize the the S.P.I.O./B.L. & L.R.O. Balurghat Block @ Rs. 250 per day U/S- 20 of the R.T.I. Act, 2005.

Under the above circumstances, it is prayed as a relief before your authority:

- (a) Pass an order directing the S.P.I.O./B.L. & L.R.O. Balurghat Block and the 1st Appellate authority to supply the Appellant the certified copy of Application/Petition filed by the Applicant for Waris Case vide No. WR/2022/1701/781, and also supply the certified copy of all the documents submitted during Hearing and at the time of filing the case/application which lying with the case record including any death certificate of Ramkrishna Banik and Legal Heir Certificate of Ramkrishna Banik and all other documents lying with the case record of WR/2022/1701/781.
- (b) Pass an order directing the S.P.I.O./B.L. & L.R.O. Balurghat Block and the 1st Appellate authority to supply the Appellant the certified copy of all the documents, petition/application copy, Hazira, ID cards, Certificates and certified copy of entire case record of case number WR/2022/1701/781.
- (c) Pass an order for penalty against S.P.I.O. / B.L. & L.R.O. Balurghat Block @ Rs. 250 per day U/S- 20 of the R.T.I. Act, 2005 till the supply of desired information and documents.

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

: 1st Appeal was heard and disposed of on 10/05/2023 and the Appellant was waiting for receiving the order copy from 1st Appellant authority

but despite of waiting for more than 25 days, when the Appellant did not received the copy of Order from 1st Appellant authority, then the Appellant on 05/06/2023 have applied for the certified copy of the order sheet and on 16/08/2023 have received the certified copy of the order sheet and from the back side of last page of the order sheet, the same will be established and as per Section 12 (2) of Limitations Act, 1963 the time period from 05/06/2023 (date of application for certified copy) to 16/08/2023 (date of obtaining the certified copy of the order sheet) should be excluded and as such due to the above mentioned reason and explanation, the Appellant failed to file this 2nd Appeal within 90 days and for the reason mentioned above, the Appellant is praying for admission of the present appeal by condoning the delay as per the Proviso Clause of Section 19 (3) of Right to Information Act, 2005.

Ramkrishna Banik

I Shri. Ramkrishna Banik, Son of Uday Sankar Banik aged 39 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.

Ramkrishna Banik

Signature of the Appellant

Place : Kolkata

Date : 08.09.2023

Shri. Ramkrishna Banik

List of documents Enclosed: -

- a) Self attested copy of address proof document i.e. Aadhar card & Office ID.
- b) Self attested copy of RTI application along with Postal Track Receipt and Delivery Status;
- c) Self attested photocopy of proof of RTI fee payment;
- d) Self attested copy of 1st Appeal;
- e) Self attested copy of Memo No. 1087/BL&LRO/RTI/Blg Dated 08/05/2023 supplied incomplete information by the S.P.I.O. during the 1st Appeal Hearing.
- f) Self attested copy of RTI Appeal Hearing Notice.
- g) Certified Copy of of RTI Appeal Order Sheet
- h) 2nd appeal in the format as above.



भारत सरकार
Government of India

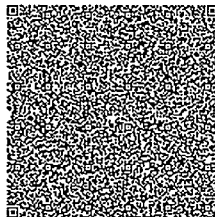
भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

Enrolment No.: 0000/00753/49865

To
RAMKRISHNA BANIK
FLAT NO. - 4C, DULAL ABASAN
RAJA RAMMOHAN PALLY
NEAR SPENCER SHOPPING MALL
BARASAT
Barasat (m)
North 24 Parganas West Bengal - 700124
9836793741

Validity-unknown

Digital Signature
AUTHORITY: UIDAI
Date: 2022-11-17 11:47:23
UTC



आपका आधार क्रमांक / Your Aadhaar No. :

2536 2109 4935

VID : 9161 0286 6488 5920

मेरा आधार, मेरी पहचान



भारत सरकार
Government of India



Issue Date: 30/12/2015



RAMKRISHNA BANIK
Date of Birth/DOB: 02/05/1984
Male/ MALE

2536 2109 4935

VID : 9161 0286 6488 5920

मेरा आधार, मेरी पहचान



Government of India



सूचना

- आधार पहचान का प्रमाण है, नागरिकता का नहीं।
- सुरक्षित QR कोड / ऑफलाइन XML / ऑनलाइन ऑथेंटिकेशन से पहचान प्रमाणित करें।
- यह एक इलेक्ट्रॉनिक प्रक्रिया द्वारा बना हुआ पत्र है।

INFORMATION

- Aadhaar is a proof of identity, not of citizenship.
- Verify identity using Secure QR Code/ Offline XML/ Online Authentication.
- This is electronically generated letter.

- आधार देश भर में मान्य है।
- आधार कई सरकारी और गैर सरकारी सेवाओं को पाना आसान बनाता है।
- आधार में मोबाइल नंबर और ईमेल ID अपडेट रखें।
- आधार को अपने स्मार्ट फोन पर रखें, mAadhaar App के साथ।

- Aadhaar is valid throughout the country.
- Aadhaar helps you avail various Government and non-Government services easily.
- Keep your mobile number & email ID updated in Aadhaar.
- Carry Aadhaar in your smart phone – use mAadhaar App.

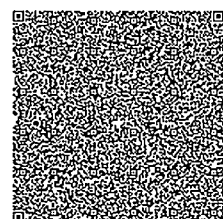


भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India



Address:
FLAT NO. - 4C, DULAL ABASAN, RAJA
RAMMOHAN PALLY, NEAR SPENCER
SHOPPING MALL, BARASAT, Barasat (m),
North 24 Parganas,
West Bengal - 700124

Download Date: 17/11/2022




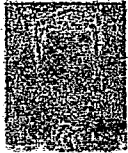
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Ramkrishna Banik

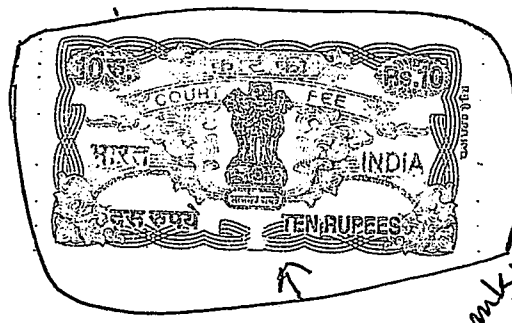
 **GREAT EASTERN ENERGY CORPORATION LTD.**
M-10, ADDA Industrial Estate, Asansol - 713 305 (West Bengal)
Contact +91-341-3029900 www.geeel.com



RAMKRISHNA BANIK
Employee No. 1265 Blood Group : AB+ D.O.B. : 02.05.1984

Ramkrishna Banik

To
The S.P.I.O./B.L. & L.R.O.
Office of The B.L. & L.R.O. Balurghat Block
Vill. Near Police Line, P.O. B.T. Park,
P.S. Balurghat, Dist. - Dakshin Dinajpur
PIN 733103.
Date :- 06/02/2023



Ramkrishna Banik

Sub :- APPLICATION FOR SEEKING INFORMATION U/S 6(1) OF THE RIGHT TO INFORMATION ACT, 2005.

Sir,

I desire to obtain information Under Section 6(1) of the Right to Information Act, 2005. You are hereby request to provide the same. The detail particulars are furnished Below :-

1. Name of the Applicant - Shri. Ramkrishna Banik
2. Father's Name :- S/O - Uday Sankar Banik
3. Contact No. (Mobile & Land line no.) :- 8170012333
4. Address at which the information is required:-

S/O - Uday Sankar Banik
of Great Eastern Energy Corporation Ltd.
M-10, ADDA Industrial Estate,
P.O. Ramkrishna Mission, P.S. Asansol,
Dist. Burdwan (West). Pin. 713305

5. Particulars of information Required :-

Concerned Department:-

Office of The B.L. & L.R.O. Balurghat Block
Vill. Near Police Line, P.O. B.T. Park,
P.S. Balurghat, Dist. - Dakshin Dinajpur
PIN 733103

b) Petitioner's Right :-

That through the Regd. Sale deed being No. 373 for the year 2015 the owners namely Sujan Kumar Mondal & Dipen Chandra Mondal jointly sold out some properties from their respective Khatians in favour of Ramkrishna Banik (Applicant) and Sharmistha Banik (Chanda Roy). That through the said deed, Sujan Kumar Mondal sold out 86 decimal out of 173 decimal in L.R. Plot No. 796 from his L.R. Khatian No. 828 of Mouza - Amritakhanda, J.L. No. - 272 and Dipen Chandra Mondal sold out 05 decimal out of recorded 87 decimal out of 173 decimal in L.R. Plot No. 796 and 03 decimal out of recorded 28 decimal out of 133 decimal in L.R. Plot No. 799 from his L.R. Khatian No. 733 of Mouza - Amritakhanda, J.L. No. - 272. That Ramkrishna Banik by virtue of said Regd. Deed of Sale Vide No. 373 for the year of 2015 got 45 ½ decimal (half share of 86 + 05 decimal = 45½ decimal) in L.R. Plot No. 796 and also got 1 ½ decimal (half share of 03 decimal) in L.R. Plot No. 799 and Sharmistha Banik (Chanda Roy) also got the remaining half share in those 2 L.R. Plots and accordingly they became the co-sharer of those 2 Plots and there is no dispute in this regard. Subsequently Sharmistha Banik (Chanda Roy) has recorded her name in the L.R.R.O.R. in respect of her purchased ½ share properly in L.R. Khatian No. 438 and the Ramkrishna Banik's name has also been properly recorded in respect of his purchased ½ share in L.R. Khatian No. 399. During this continuation while Ramkrishna Banik searched online the plot information of the said L.R. Plots, he got surprised that property has been curtailed from his L.R. Khatian in respect of those 2 L.R. plots and instantly he collected the certified copy of the proceeding case through which his name has been curtailed from the L.R.R.O.R. and became more surprised that showing Ramkrishna Banik as a dead person, the property has been curtailed from his Khatian No. 399 and through the

Waris Case vide No. WR/2022/1701/781 said property has been recorded in the name of Sharmistha Banik (Chanda Roy) in L.R. Khatian No. 1523 showing herself as the legal heir of the Ramkrishna Banik.

For the aforesaid reason I intend to know the following informations from your end.

- (i) Inform me the proceeding case number through which the properties of L.R. plot No. 796 and L.R. Plot No. 799 of Mouza - Amritakhanda, J.L. No. - 272 has been recorded in L.R. Khatian No. 399.
- (ii) Supply me the Certified Copy of the Order Sheet of the said Proceeding.
- (iii) Inform me the name of the recorded owner or tenant of the said L.R. Khatian No. 399 of Mouza - Amritakhanda, J.L. No. - 272.
- (iv) Supply me the last available certified copy of said L.R. Khatian No. 399 of Mouza - Amritakhanda, J.L. No. - 272.
- (v) Inform me the Khatian Number in which the property in respect of L.R. plot No. 796 and L.R. Plot No. 799 of Mouza - Amritakhanda, J.L. No. - 272 has been recorded by curtailing from L.R. Khatian no. 399.
- (vi) Supply me the certified copy of Application/Petition filed by the Applicant for Waris Case vide No. WR/2022/1701/781, and also supply me the certified copy of all the documents submitted during Hearing and filing the case/application which lying with the case record including any death certificate of Ramkrishna Banik and Legal Heir Certificate of Ramkrishna Banik and all other documents lying with the case record of WR/2022/1701/781.
- (vii) Supply me the certified copy of all the documents, petition/application copy, Hazira, ID cards, Certificates and certified copy of entire case record of case number WR/2022/1701/781.

Form in which the information in required : In the form of writing or documentary copy

Other Details: Not applicable.

6. How the information will be sent: By hand to hand/Through Post.

7. Whether belongs to BPL Category: - NO.

8. Fee affixed: A fees of Rs. 10/- in the form of court fees here by attached with this application and the Applicant is hereby undertaking that all the other expenses including the expenses for obtaining the certified copy shall be deposited by the applicant as required by the authority concerned from time to time as per the provision of RTI Act.

9. The name and address of the Third Party: - Not applicable.

10. That I state that the information sought does not fall within the restrictions contained in section 8 of the RTI Act, 2005 and to the best of my knowledge it pertains to your office.

Place:- Asansol
Date:- 06/02/2023

Yours Sincerely,

Ramkrishna Banik

Enclosure :-

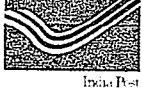
1. Copy of Identity Card of Ramkrishna Banik.
2. Copy of Regd. Sale deed being No. 373 for the year 2015.
3. Copy of Case No. WR/2022/1701/781.
4. Copy of L.R. Plot Information vide No. 796 of Mouza - Amritakhanda, J.L. No. - 272.
5. Copy of Plot wise Mutation status of L.R. Plot Information vide No. 796 of Mouza - Amritakhanda, J.L. No. - 272.

भारतीय डाक
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Ramkrishna Banik

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भारतीय डाक



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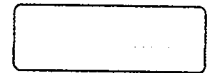
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* Consignment Number

RW272592997IN



Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Balurghat HO	09/02/2023 15:22:12	733103	50.00	Registered Letter	Beltala Park SO	13/02/2023 16:09:28

Event Details For : RW272592997IN

Current Status : Item Delivery Confirmed

Date	Time	Office	Event
13/02/2023	16:09:28	Beltala Park SO	Item Delivery Confirmed
13/02/2023	12:57:21	Beltala Park SO	Out for Delivery
11/02/2023	09:41:01	Beltala Park SO	Item Received
11/02/2023	04:30:07	Malda RMS MA TMO	Item Dispatched
11/02/2023	04:27:37	Malda RMS MA TMO	Item Received
11/02/2023	04:25:10	Malda RMS L2R	Item Dispatched
11/02/2023	04:22:16	Malda RMS L2R	Item Bagged
10/02/2023	22:46:19	Malda RMS L2R	Item Received
10/02/2023	20:07:24	Malda RMS MA TMO	Item Dispatched
10/02/2023	19:50:23	Malda RMS MA TMO	Item Received
10/02/2023	14:54:25	Balurghat HO	Item Dispatched
10/02/2023	11:09:17	Balurghat HO	Item Bagged
10/02/2023	11:08:16	Balurghat HO	Item Bagged
09/02/2023	17:46:41	Balurghat HO	Item Bagged
09/02/2023	15:22:12	Balurghat HO	Item Booked

Ramkrishna Banik

[Home](#)

Ramkrishna Banik

Before The First Appellate Authority,
District Land & Land Reforms Officer, Dakshin Dinajpur at Balurghat,
Collectorate Building Campus, P.O. & P.S. Balurghat,
Dist. Dakshin Dinajpur

First Appeal U/S- 19(1) Of The Right To Information Act, 2005

I.D. No. _____
(For official use)

To
The First Appellate Authority,
District Land & Land Reforms Officer,
Dakshin Dinajpur at Balurghat,
Collectorate Building Campus,
P.O. & P.S. Balurghat,
Dist. Dakshin Dinajpur

1. Name of the Applicant : Shri. Ramkrishna Banik.
2. Address of the Applicant : S/O- Uday Sankar Banik
of Great Eastern Energy Corporation Ltd.
M-10, ADDA Industrial Estate,
P.O. Ramkrishna Mission, P.S. Asansol,
Dist. Burdwan (West), Pin. 713305
Mobile No. - 8944071621
3. Particulars of the S.P.I.O. : The S.P.I.O./B.L. & L.R.O.
Office of The B.L. & L.R.O. Balurghat Block
Vill. Near Police Line, P.O. B.T. Park,
P.S. Balurghat, Dist. - Dakshin Dinajpur
PIN 733103.
4. Date of submission of application for seeking information: Posted on 09/02/2023 & item
Delivered on 13/02/2023.
5. Date on which 30 days from submission of applications are over: 15/03/2023 as the R.T.I.
Application has been sent through Regd. Post and the same has been delivered on 13/02/2023.
6. Reasons for Appeal:
That through the Regd. Sale deed being No. 373 for the year 2015 the owners namely Sujan Kumar Mondal & Dipen Chandra Mondal jointly sold out some properties from their respective Khatians in favour of Ramkrishna Banik (Applicant) and Sharmistha Banik (Chanda Roy). That through the said deed, Sujan Kumar Mondal sold out 86 decimal out of 173 decimal in L.R. Plot No. 796 from his L.R. Khatian No. 828 of Mouza - Amritakhanda, J.L. No. - 272 and Dipen Chandra Mondal sold out 05 decimal out of recorded 87 decimal out of 173 decimal in L.R. Plot No. 796 and 03 decimal out of recorded 28 decimal out of 133 decimal in L.R. Plot No. 799 from his L.R. Khatian No. 733 of Mouza - Amritakhanda, J.L. No. - 272. That Ramkrishna Banik by virtue of said Regd. Deed of Sale Vide No. 373 for the year of 2015 got 45 ½ decimal (half share of 86 + 05 decimal = 45½ decimal) in L.R. Plot No. 796 and also got 1 ½ decimal (half share of 03 decimal) in L.R. Plot No. 799 and Sharmistha Banik (Chanda Roy) also got the remaining half share in those 2 L.R. Plots and accordingly they became the co-sharer of those 2 Plots and there is no dispute in this regard. Subsequently Sharmistha Banik (Chanda Roy) has recorded her name in the L.R.R.O.R. in respect of her purchased ½ share properly in L.R. Khatian No. 438 and the Ramkrishna Banik's name has also been properly recorded in respect of his purchased ½ share in L.R. Khatian No. 399. During this continuation while Ramkrishna Banik searched online the plot information of the said L.R. Plots, he got surprised that property has been curtailed from his L.R. Khatian in respect of those 2 L.R. plots and instantly he collected the certified copy of the proceeding case through which his name has been curtailed from the L.R.R.O.R. and became more surprised that showing Ramkrishna

RECEIVED BUT
Contents Not Verified

12.4.23
Receiving Section
D.L. & L.R. OFFICE

Ramkrishna Banik

Ramkrishna Banik

Banik as a dead person, the property has been curtailed from his Khatian No. 399 and through the Waris Case vide No. WR/2022/1701/781 said property has been recorded in the name of Sharmistha Banik (Chanda Roy) in L.R. Khatian No. 1523 showing herself as the legal heir of the Ramkrishna Banik. So, being an Applicant on 09/02/2023, I have filed a R.T.I. application before The S.P.I.O./B.L. & L.R.O. Balurghat Block asking about the information regarding the following questions:

- (i) Inform me the proceeding case number through which the properties of L.R. plot No. 796 and L.R. Plot No. 799 of Mouza - Amritakhanda, J.L. No. - 272 has been recorded in L.R. Khatian No. 399.
- (ii) Supply me the Certified Copy of the Order Sheet of the said Proceeding.
- (iii) Inform me the name of the recorded owner or tenant of the said L.R. Khatian No. 399 of Mouza - Amritakhanda, J.L. No. - 272.
- (iv) Supply me the last available certified copy of said L.R. Khatian No. 399 of Mouza - Amritakhanda, J.L. No. - 272.
- (v) Inform me the Khatian Number in which the property in respect of L.R. plot No. 796 and L.R. Plot No. 799 of Mouza - Amritakhanda, J.L. No. - 272 has been recorded by curtailing from L.R. Khatian no. 399.
- (vi) Supply me the certified copy of Application/Petition filed by the Applicant for Waris Case vide No. WR/2022/1701/781, and also supply me the certified copy of all the documents submitted during Hearing and at the time of filing the case/application which lying with the case record including any death certificate of Ramkrishna Banik and Legal Heir Certificate of Ramkrishna Banik and all other documents lying with the case record of WR/2022/1701/781.
- (vii) Supply me the certified copy of all the documents, petition/application copy, Hazira, ID cards, Certificates and certified copy of entire case record of case number WR/2022/1701/781.

That The S.P.I.O./B.L. & L.R.O. Balurghat Block despite of elapse of stipulated time period, has not provided the desired information. Hence I am now filing this First Appeal Before your authority for proper disposal in my favour.

7. Grounds for appeal:

- i) The S.P.I.O. intentionally declined to provide me the desired informations.
- ii) That the B.L. & L.R.O. Balurgaht Block is the sole authority to maintain the recoding proceeding and also authorized to record the name of a person to a Khatian and for the said reason being the sole authority, the B.L. & L.R.O. Balurghat Block must have the information which I have asked in my R.T.I. application and intentionally did not provided me the actual information.
- iii) That it is well settled principle of law as well as W.B.L.R. Act, 1955 and L.R. Manual, that before recording any property to any Khatian a Recording Proceeding must be initiated and as such there must should be a proceeding Number by which the property has been recorded and being the recorded owner of the said Khatian, I am entitled to know the said Proceeding Numbers.
- iv) That as without serving any notice, showing me a dead person, property from my Khatian has been curtailed through Waris Case and recorded to the Khatian of Sharmistha Banik (Chanda Roy) so I intend to file Criminal Case and Complaint to the Police Authority against and due to non-supply of the said informations and supporting documents lying with the case record, I failed to file the same. For the said reason I need the informations.

Ramkrishna Banik

Ramkrishna Banik

- v) That being the record keeping authority B.L. & L.R.O. Balurghat Block must should have the information and must should have supplied me the same.
8. **Prayer:**
It is prayed before your authority to be kind enough to admit this Appeal, hear the matter and pass an order in my favour directing the S.P.I.O. / B.L. & L.R.O. Balurghat Block for supply of the desired informations as requested by me (Specifically mentioned in the Information requested column) and also make an order for penalty against S.P.I.O. / B.L. & L.R.O. Balurghat Block @ Rs. 250 per day U/S- 20 of the R.T.I. Act, 2005.
9. **Particulars of Information**
(a) **Information requested:-**
(i) Inform me the proceeding case number through which the properties of L.R. plot No. 796 and L.R. Plot No. 799 of Mouza - Amritakhanda, J.L. No. - 272 has been recorded in L.R. Khatian No. 399.
(ii) Supply me the Certified Copy of the Order Sheet of the said Proceeding.
(iii) Inform me the name of the recorded owner or tenant of the said L.R. Khatian No. 399 of Mouza - Amritakhanda, J.L. No. - 272.
(iv) Supply me the last available certified copy of said L.R. Khatian No. 399 of Mouza - Amritakhanda, J.L. No. - 272.
(v) Inform me the Khatian Number in which the property in respect of L.R. plot No. 796 and L.R. Plot No. 799 of Mouza - Amritakhanda, J.L. No. - 272 has been recorded by curtailing from L.R. Khatian no. 399.
(vi) Supply me the certified copy of Application/Petition filed by the Applicant for Waris Case vide No. WR/2022/1701/781, and also supply me the certified copy of all the documents submitted during Hearing and at the time of filing the case/application which lying with the case record including any death certificate of Ramkrishna Banik and Legal Heir Certificate of Ramkrishna Banik and all other documents lying with the case record of WR/2022/1701/781.
(vii) Supply me the certified copy of all the documents, petition/application copy, Hazira, ID cards, Certificates and certified copy of entire case record of case number WR/2022/1701/781.
10. Court Fee of Rs. 10 for appeal has been deposited in this Appeal Memo

VERIFICATION

The above statements made in this Appeal are true to the best of my knowledge and belief and knowing its contentions I put my signature on this verification.

Ramkrishna Banik
Signature of Appellant

Place: Asansol

Date :

Enclosures:

1. Copy of Identity Card of Ramkrishna Banik.
2. Copy of Regd. Sale deed being No. 373 for the year 2015.
3. Copy of Case No. WR/2022/1701/781.
4. Copy of L.R. Plot Information vide No. 796 of Mouza - Amritakhanda, J.L. No. - 272.
5. Copy of Plot wise Mutation status of L.R. Plot Information vide No. 796 of Mouza - Amritakhanda, J.L. No. - 272.
6. Copy of RTI Application dated 09/02/2023.

Ramkrishna Banik

**GOVERNMENT OF WEST BENGAL
OFFICE OF THE BLOCK LAND & LAND REFORMS OFFICER,
BALURGHAT, DAKSHIN DINAJPUR.**

Memo No.1087 / BL&LRO/RTI/Blg.

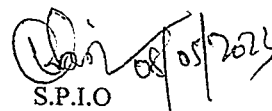
Dated. 08.05.2023.

From : The State Public Information Officer
Office of the Block Land & Land Reforms Officer,
Balurghat, Dakshin Dinajpur,

To : Ramkrishna Banik.
S/O:-Uday Sankar Banik.
Of Great Eastem Energy Corporation Ltd.
M-10,ADDA Industrial Estate,
P.O:-Ramkrishna Mission.
P.S:-Asansol.
Dist:- Burdwan(West).
Pin-713305

Sub : Reply to your application dt.25.04.23
As per provision of RTI. Act. 2005.

1. Vide mutation case no-MN/2015/1701/1621 Dated-26.06.2015 Khatian no-399 of JL no-272 was created.
2. The applicant is requested to apply through existing procedure of the office to get the order sheet of case no-MN/2015/1701/1621.
3. Vide warish case no-WR/2022/1701/781 Dated-25.03.2022 khatian no-399 of JL no-272 was deleted and the same quantum of land was recorded in khatian no-1523 of JL no-272.
4. The undersigned is unable to provide you the last certified copy of the khatian no-399 of JL no-272 as the khatian was deleted from LR computerized record system.
5. Khatian no-1523 of JL no-272 has been recorded over LR plot no-796&799 by curtailing from LR khatian no-399 of JL no-272.
6. After intensive searching the original case record of warish case no-WR/2022/1701/781 is still unavailable by the undersigned. Whenever it will be available the undersigned will provide you the same.
7. Answer of you 7th query is as same as 6th query.


S.P.I.O
&

Block Land & Land Reforms Officer,
Balurghat, Dakshin Dinajpur.

Ramkrishna Banik



Government of West Bengal

Office of the District Land & Land Reforms Officer, Dakshin Dinajpur

জেলা ভূমি ও ভূমি সংস্কার আধিকারিকের কার্য, দক্ষিণ দিনাজপুর

&

1st Appellate Authority under RTI Act, 2005Kachhari Road, Dist. Collectorate Building (2nd Floor), P.O. & P.S. : Balurghat, Dist. : Dakshin Dinajpur, PIN - 733101

e-mail Id : blg.dllrodd@gmail.com

Phone No. 03522-25531

Fax No: 03522-255314

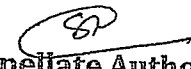
Memo No. 922 /L&LR/RTI/VIII-3/15

Date: 24/04/2023

NOTICE

An Appeal Case is registered being Appeal Case no. 06/2023 U/S - 19(1) of RTI Act, 2005 vide memorandum of appeal submitted by the appellant u/s 19 of the RTI Act 2005 before the First Appellate Authority against the respondent on the following ground :-

1. The Appellant is aggrieved due to non-response of the S.P.I.O & B.L.&L.R.O, Balurghat Block in respect to his petition dtd. 13.02.2023 u/s 6(1) of RTI Act. 2005.
2. The First Appellate Authority agrees to hear the petitioner on 10/05/2023 i.e. Wednesday at 11:30 A.M. in the chamber of ADM (LR) & DL&LRO, Dakshin Dinajpur.
3. The appellant is hereby requested to appear in person and respondent is hereby requested to appear in person or through duly authorized representatives with the documentary evidence in support of their claim.

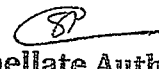

1st Appellate Authority
U/S 19 of the RTI Act 2005 &
District Land & Land Reforms Officer,
Dakshin Dinajpur, Balurghat

Memo No. 922/1(2)/L&LR/RTI VIII-3/15

Date: 24/04/2023

Copy forwarded for information and taking necessary action with a request to attend the hearing on the above mentioned date and time to:-

1. The S.P.I.O & B.L & L.R.O, Balurghat, P.O. & P.S. : Balurghat, Dist : Dakshin Dinajpur.
2. Sri Ramkrishna Banik, S/o, Uday Shankar Banik, of Great Eastern Energy Corporation Ltd., M-10, ADDA Industrial Estate, P.O. - Ramkrishna Mission, P.S. - Asansol, Dist. - Paschim Bardhaman, Pin - 713305.


1st Appellate Authority
U/S 19 of the RTI Act 2005 &
District Land & Land Reforms Officer,
Dakshin Dinajpur, Balurghat

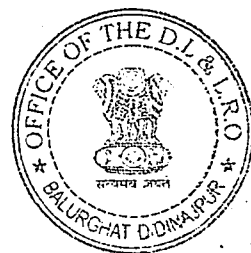
Ramkrishna Banik

ORDER SHEET

(Rule 129 of the Records Manual 1917)

District Dakshin Dinajpur: Appeal Case No. 6/2023

Nature of the Case: Appeal u/s 19 (1) of the RTI Act, 2005



In the matter of -

Ramkrishna Banik ----- (Appellant)

-Vs-

S.P.I.O. & B.L.&L.R.O., Balurghat, Dakshin Dinajpur ----- (Respondent)

Serial Number and date of Order	Order and Signature of Office	Note of action taken on order
01 12.04.2023	Whereas Sri Ramkrishna Banik, S/o, Uday Shankar Banik, of Great Eastern Energy Corporation Ltd., M-10, ADDA Industrial Estate, P.O. - Ramkrishna Mission, P.S. - Asansol, Dist. - Paschim Bardhaman, being aggrieved by the non-response of the SPIO & BL&LRO, Balurghat Block, filed appeal as per provision of Sec. 19 (1) of the RTI Act, 2005 before the undersigned i.e. the First Appellate Authority u/s Sec-19 (1) of RTI Act, 2005 and this instant Appeal Case is initiated. DA, issue notice to all concerned for hearing accordingly. First Appellate Authority u/s 19 (1) of RTI Act, 2005	UDC & DA, RTI Cell is hereby directed to service the order to the relevant corners as per usual practice and the SR shall be kept in file.
02 24.04.2023	Notice is served vide this office memo no. 922/L&LR/RTI/VIII-3/15, dtd. 24.04.2023 by fixing 10.05.2023 (Tuesday) at 11.30 A.M. as date of the hearing of the appeal before the undersigned and S/R is filed with the C/R. First Appellate Authority u/s 19 (1) of RTI Act, 2005	
03 10.05.2023	The appellant is present and filed hazira. Sri Tusar Shuvro Banerjee, Revenue Officer, on behalf of the respondent i.e. the SPIO & BL&LRO, Balurghat is also present and filed hazira. All haziras are attached with C/R. The appellant expressed in his appeal memo that he filed an RTI petition on 09.02.2023 through registered post before the SPIO, Office of the BL&LRO, Balurghat Block for seeking following information - "(i) Inform me the proceeding case number through which the properties of L. R. Plot L. R. Plot No. 799 of Mouza - Amritakhanda, J.L No. 272 has been recorded in L.R. Khatian No. 399.... ... (vii) case number WR/2022/1701/781." Certified to be true Copy 16.08.23	



- but he didn't receive any response from the respondent till the date of filing this appeal.

Appellant submits copy of postal tracking report of his application which was sent to the respondent on 09.02.2023 and the same is made part of this proceeding.

Sri Tusar Shuvro Banerjee, Revenue Officer states that his office yet to receive appellant's application and he shows the original 'receive register' of his office in support of his claim.

But he adds that, upon receiving the copy of the application along with the notice and copy of the appeal memo. of this instant appeal case, the SPIO & BL&LRO, Balurghat disposed of the petition of Sri Banik as per provision of RTI Act, 1955 and he submits a copy of the reply vide memo no. 1087/BL&LRO/RTI/Blg, dated 08.05.2023, in respect to appellant's application and wishes to hand over to the same to the appellant right now before the undersigned. Perused the reply and he is allowed to hand over the same to the appellant.

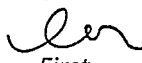
Appellant received the same before the undersigned and a copy of the same, duly acknowledged by the appellant, is made part of this appeal C/R.

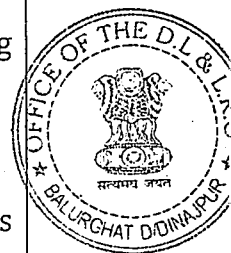
After being satisfied by careful consideration of all the facts and arguments, this First Appellate Authority, is of the opinion that -


- 1) The respondent, i.e. the SPIO & BL&LRO, Balurghat Block, either didn't receive the application of the appellant or otherwise misplaced the received application which is bonafide in nature.*
- 2) But the respondent disposed of the application, dated 06.02.2023, submitted by the appellant, as per provision of the RTI Act, 2005 on 08.05.2023, immediately after receiving the copy of the same along with the notice of this instant Appeal Case which reflects the intention of the SPIO that he is willing to dispose of application filed under RTI Act, 1955 within stipulated timeframe and with utmost care.*
- 3) He provided all the information to the appellant.*
- 4) He provided clarification in respect to the information no. 2, 4, 6 & 7 for which he was unable to deliver the information to the appellant vide RTI Act, 1955 directly.*

Certified to be true Copy

Dictated &
Corrected by
me-


First
Appellate
Authority
u/s 19 (1) of
RTI Act,
2005.

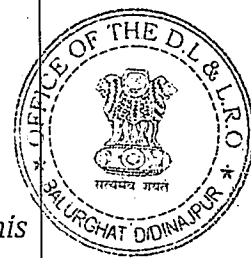


Appeal Case No. 6/2023 u/s 19(1) of RTI Act, 2005
Compared by


Officer authorised u/s 76 of
Indian Evidence act 1872

Therefore, passing the following -

ORDER




- 1) As appellant has received the information from the respondent during this hearing, the appeal is no longer exists.
- 2) The SPIO & BL&LRO, Balurghat is directed to keep vigil in respect to the receive section of his office, so that none of the RTI petitions misplaced otherwise and strictly transmit all the reply to the applicant following the extant provision of Communication system within the stipulated time frame as specified in the RTI Act, 2005 and WB RTI Rules, 2006.

The appeal is hereby disposed of.

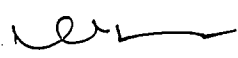
The certified copy of this order sheet may be supplied to all concerned, if prayed for, upon requisite fees.

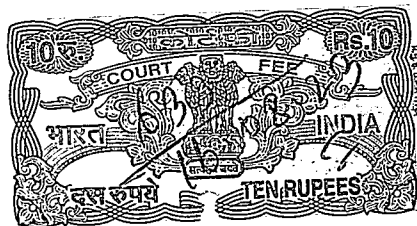
Dictated &
Corrected by
me-

The Appellant may however, at liberty to proceed before the appropriate authority within specified time frame against this order of this Appellate Authority.


First
Appellate
Authority
u/s 19 (1) of
RTI Act,
2005.

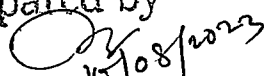
The certified copy of this order sheet may be supplied to all concerned, if prayed for, upon requisite fees.


First Appellate Authority
u/s 19 (1) of RTI Act, 2005.



Certified to be true Copy


16.08.23


15/08/2023

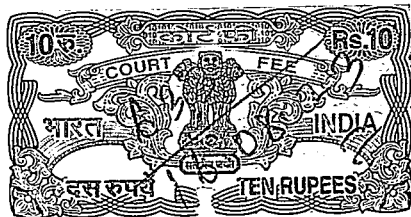
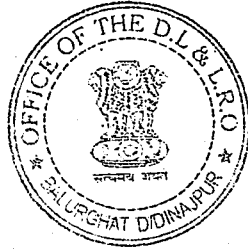
Memo No.: 12/6

Date.: 30/05/23

Copy for information and necessary action to:-

1) The S.P.I.O. & B.L.&L.R.O., Balurghat

First Appellate Authority
u/s 19 (1) of RTI Act, 2005.



Compared by

Certified to be true Copy

Appeal Case No. 6/2023 u/s 19(1) of RTI Act, 2005

Officer authorised u/s 76 of
the Indian Evidence act 1872

Page 4 of 4

Email**State Chief Information Commissioner West Bengal**

Hearing on 04-09-2025

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

Tue, Aug 26, 2025 03:15 PM

 1 attachment

Subject : Hearing on 04-09-2025

To : bllro blg <bllro.blg@gmail.com>, dlrodd@gmail.com

Cc : rbanik1984@gmail.com

Please find the attachment, for further details visit our website

West Bengal Information Commission



WBIC-RTI-A-104996-1395-2025 HN.pdf

17 KB

WEST BENGAL INFORMATION COMMISSION

Khadya Bhaban
11A, Mirza Ghalib Street
Kolkata-700 087
Phone No. (033)2252-0509
& (033)2252-0501
Website: www.wbic.wb.gov.in
E-mail: scic-wb@nic.in

RTI Applicant : Ramkrishna Banik
Public Authority : BL & LRO, Balurghat , Paschim Danajpur
Date of RTI Application : 06.02.2023
Date of 1st Appeal : 12.04.2023
Date of 2nd Appeal : 08.09.2023
Date of hearing : 04.09.2025

(Appeal No. 104996 of 2025 under the Right to Information Act, 2005)

Appellant : Ramkrishna Banik

SPIO : BL & LRO, Balurghat, Paschim Dinajpur

Facts on Record & Findings :

The appellant of the case is present for the hearing in virtual mode while the SPIO remained absent.

2. Issue show cause notice to the SPIO as to the reason of his absence from hearing today. It is also appears that no prior intimation has been received from the SPIO regarding his absence from the hearing. The show cause notice of the SPIO is returnable within 6 (six) weeks from the date of issue of this order.

3. The next date of hearing be fixed after 6 (six) weeks when both the appellant and the SPIO will be required to be present for the hearing.

4. Let the authenticated copies of the order be forwarded to all concerned.

Date : 04.09.2025




(Naveen Prakash)
State Information Commissioner
West Bengal

No. 5394 - WBIC/RTI/A/104996/1395/2025

Date: 10.09.2025

Copy forwarded for information and necessary action to:—

1. The State Public Information Officer, Office of the Block Land & Land Reforms Officer, Balurghat Block, PO – Beltala Park, West Dinajpur, PIN – 733103, Email : bdo.balurghat@gmail.com
2. The First Appellate Authority, Office of the District Land & Land Reforms Officer, Dakshin Dinajpur, Balurghat, West Bengal, PIN - 733130 Email : dlrodd@gmail.com
3. RAMKRISHNA BANIK, S/o - Uday Sankar Banik, Flat No. 4C, Dulal Abason, Raja Rammohan Pally, Near - Spencer Shopping Mall, Barasat, North 24 Parganas, Pin- 700124, West Bengal, 24 PARAGANAS NORTH, 700124


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