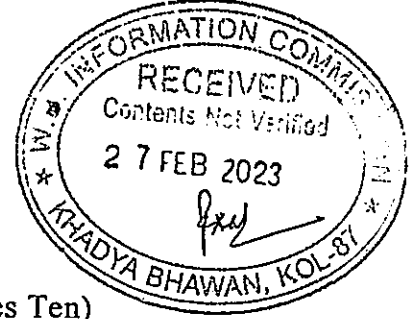


601/(A)
27/02/2023

FORMAT FOR FILING 2ND APPEAL BEFORE WEST BENGAL
INFORMATION COMMISSION
U/S 19 (3) of RTI Act, 2005

(Vide Circular No. 3008-WBIC/Admin-05/13 Dated: 20/08/2019)

- 1] Name of the Appellant : NITAI CHANDRA PAL
- 2] Complete postal address : 50/2, D. P. Mukherjee Road
P.O: Sheoraphuli, Dist.: Hooghly, PIN Code: 712223
(Ward-7)
- 3] (a) Contact No. : 7688089574
(b) e-mail id : ak_laha@yahoo.com
- 4] (a) Date of filing of application for information under RTI Act : 10.11.2022
(b) Whether application fee paid : Yes
(i) If yes, mode of payment : Court Fee of Rs. 10/- (Rupees Ten)
(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 : The State Public Information Officer,
Address: Baidyabati Municipality
Sheoraphuli, Hooghly-712223
- (a) Whether RTI petition is transferred to another SPIO u/s 6(3) of the RTI Act, 2005 : No

A
W
6] Gist of the information sought for :

- Whether the said address 74(50), D. P. Mukherjee Road, P.O: Sheoraphuli, Dist.: Hooghly, PIN Code: 712223, Ward-7 (as per property tax record within your municipality) is now 50, D. P. Mukherjee Road, P.O: Sheoraphuli, Dist.: Hooghly, PIN Code: 712223, Ward-7?
- Please furnish the name of inheritance property owner(s) for the aforesaid addresses in col. (1)
- Whether the holding no. mentioned in col. (1) is a joint property or not? If Joint property, please furnish the name of the joint holders
- Whether any partition / mutation done till the date of this RTI application? If yes, please furnish the name of the assessee against whom the said property being mutated
- Whether the aforesaid addresses in col. (1) has sanctioned any Building Plan and / Revised Building Plan from your municipality till the date of this RTI application? If sanction, please furnish the name of the owner of that Building Plan and also provide me a copy of such Building Plan and / Revised Building Plan as well as assessment & Mutation certificate copies at my own cost
- Whether this municipality take any action against any irregular illegal construction being carried out by the owner violating and deviating the sanctioned municipal Building Plan and / Revised Building Plan?

7] Have you received any response
/ information?

: Yes

8] Date of filing 1st appeal

: 17.12.2022

9] Authority to whom the first appeal : The Appellate Authority
was made with address

Smt. Sujata Ghosh, IAS
Special Commissioner
Department of Urban Development & Municipal Affairs
Nagarayan, DF-8, Sector-I
Salt Lake City, Kolkata-700064

10] Decision of the 1st Appellate
Authority, if any, including number
and date of the order

No. 597/DS/SPIO/MA/RIA-85/22.
: Dated, Kolkata, the 23rd December, 2022.

11] Grounds for 2nd appeal and the relief sought (specify):

1. Any SPIO should ensure about the disposal of request in the specified time as mentioned in Section 7 (1) in the RTI Act.
2. The SPIO of the concerned department reject the RTI application by using careful languages in the first line of the delayed reply letter vide Memo No. - 4115/A-45 dated 18.01.23 (copy attached) after the first appeal was already processed and the SPIO should ensure about request for obtaining information as mentioned in Section 6 (2) and also exemption from disclosure of information as mentioned in Section 8 & 9 in the RTI Act whereas my desired information does not fall in the said category.
3. In the third line and ending of the Memo No. - 4115/A-45 dated 18.01.23 I come to know that this municipality always takes action against Illegal Construction. Now it is fact that one petition was made addressed to the Chairperson, Board of Administrators, Baidyabati Municipality on date 24.08.20 informing about the illegal construction. A formal letter was issued only to the person making illegal construction on the subject removal of encroachment over common passage vide Memo No.- 1763/D-7 dated 12.11.20, after that another petition was made addressed to the Chairperson, Board of Administrators, Baidyabati Municipality repeatedly on date 11.12.20 (all copies attached) but no action was taken by this municipality till now.
4. This is to inform you that on 09.02.21 one 144(2) CrPC was filed in the said holding for which RTI application was made for obtaining information about the holding whose inheritance property owner made to create criminal intimidation by their illegal constructions and disobeying the order of municipal authority and municipal building act (photographs for encroaching common passage by dumping generator set, wooden logs, making sun sheds & platforms, open drain, open foul rain water pipe, encroachment of the passage by building property, etc. with police enquiry reports along with certified copies for the same are enclosed herewith). The concerned municipality did not take any action whereas in RTI reply letter the authority skillfully quoted that "This municipality always takes action against Illegal Construction".


Relief sought:-

1. To provide information as mentioned in the original RTI application so that the case may be processed in the appropriate forum in future.
- 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. : Not Applicable

I Nitai Chandra Pal son of Late Parbati Charan Pal aged 70 years old 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: Sheoraphuli
Date: 23.02.2023


Signature of the appellant
(Nitai Chandra Pal)

List of documents to be enclosed: -

- a) Self attested copy of address proof document.
- b) Self attested copy of RTI application;
- c) Self attested photocopy of proof of RTI fee payment or of BPL status;
- d) Self attested copy of response / information received
- e) Self attested copy of 1st appeal along with proof of submission of the same (i.e., Registered Letter submission receipt & tracking status of the same through India Post;
- f) Self attested photocopy of the order of the 1st Appellate Authority;
- g) Self attested copy of all communications / replies received from the public authorities in connection with the instant RTI application;
- h) 2nd appeal in the format as above.
- i) Any other documents in support of the 2nd appeal. (Mentioned above in col. 11)



ভারতের নির্বাচন কমিশন
পরিচয় পত্র
ELECTION COMMISSION OF INDIA
IDENTITY CARD

WB/26/181/378568



নির্বাচকের নাম : নিতাই চন্দ্র পাল

Elector's Name : Nitai Chandra Pal

পিতার নাম : পার্বতী চরণ পাল

Father's Name : Parbati Charan Pal

লিঙ্গ/Sex : পুং M

জন্ম তারিখ
Date of Birth : 03/03/1953

WB/26/181/378568

ঠিকানা:

50/2, ডি. পি. মুখার্জী রোড, বৈদ্যবতি, শেরপুর, হুগলি- 712223

Address:

50/2, D. P. MUKHERJEE ROAD,
BAIDYABATI, SHEORAPHULI,
SERAMPORE, HOOGHLY- 712223

Date: 29/11/2015

187-চাম্পদানী নির্বাচন কেন্দ্রের নির্বাচক নিবন্ধন

আধিকারিকের স্বাক্ষরের অনুলিপি

Facsimile Signature of the Electoral
Registration Officer for

187-Champdani Constituency

নিবন্ধন পরিবর্তন হলে নতুন ঠিকানা জেলের নিচে বাক্সে ও এনই
নম্বরে নতুন নাম পরিবর্তন পত্রের জরুরি ভিত্তিতে নতুন এই
পরিচয়পত্র নথিটি জমা দিতে হবে।

In case of change in address mention this Card No.
in the relevant Form for including your name in the
roll at the changed address and to obtain the card
with same number.

18/03/2016

Nitai Chandra Pal

3716.
A-Ma Jundar (SAE)
D-Sarkar (SAE) / T.Mitru (SAE)

APPLICATION FOR SUPPLYING INFORMATION UNDER RIGHT TO INFORMATION ACT, 2005.

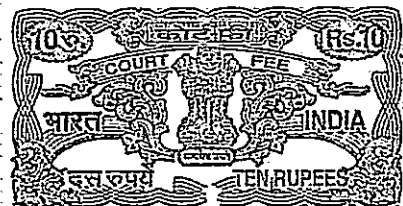
From

Name : NITAI CHANDRA PAL
Address : 50/2, D. P. Mukherjee Road
P.O: Sheoraphuli, Dist.: Hooghly, PIN Code: 712223 (Ward-7)
Contact Details : 7688089574

Dated the 10th November, 2022

To

The State Public Information Officer,
Address: Baidyabati Municipality
Sheoraphuli, Hooghly-712223



Subject – RTI Application u/s 6(1) of the RTI Act, 05; read with W.B. RTI Rules, 06 (Amended and in force till date).
{Prayer seeking information in connection with the Sanctioned Municipal Building Plan and others in the holding no.- 74(50),
D. P. Mukherjee Road, P.O: Sheoraphuli, Dist.: Hooghly, PIN Code: 712223, Ward-7}

Sir / Madam,

With reference to the above mentioned subject, I, Nitai Chandra Pal, being a citizen of Republic of India and with rights conferred in the RTI Act, 05 to its citizens, would like to have the following information from you under section 6 sub-section (1) of the said act.

1. Whether the said address 74(50), D. P. Mukherjee Road, P.O: Sheoraphuli, Dist.: Hooghly, PIN Code: 712223, Ward-7 (as per property tax record within your municipality) is now 50, D. P. Mukherjee Road, P.O: Sheoraphuli, Dist.: Hooghly, PIN Code: 712223, Ward-7?
2. Please furnish the name of inheritance property owner(s) for the aforesaid addresses in col. (1)
3. Whether the holding no. mentioned in col. (1) is a joint property or not? If Joint property, please furnish the name of the joint holders
4. Whether any partition / mutation done till the date of this RTI application? If yes, please furnish the name of the assessee against whom the said property being mutated
5. Whether the aforesaid addresses in col. (1) has sanctioned any Building Plan and / Revised Building Plan from your municipality till the date of this RTI application? If sanction, please furnish the name of the owner of that Building Plan and also provide me a copy of such Building Plan and / Revised Building Plan as well as assessment & Mutation certificate copies at my own cost
6. Whether this municipality take any action against any irregular illegal construction being carried out by the owner violating and deviating the sanctioned municipal Building Plan and / Revised Building Plan?

Sir/ Madam, I have duly pasted Rupees Ten Court Fee Stamp as the RTI Application Fee according to the W.B. RTI Rules, 2006 (Amended and in force till date). If any further RTI Fees are required please let me know that according to the Rules.

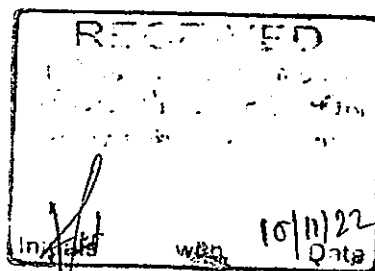
I would like to receive this information in printed format personally from your office.

Please provide the information sought within time specified under section 7(1) of the said act. I further request that if you, in any circumstances, reject this RTI application, kindly provide the mandatory information u/s 7(8)(i), 7(8)(ii), 7(8)(iii) of the said act.

Yours faithfully,

Nitai Chandra Pal

(NITAI CHANDRA PAL)



Nitai Chandra Pal



☎ 2632-6554
OFFICE: 2632-0443
SATYAJIT ROY BHAWAN: 2632-3605
FAX: 91-33-2632-0443

OFFICE OF THE BOARD OF COUNCILLORS BAIDYABATI MUNICIPALITY
P.O. – SHEORAPHULI, DIST. – HOOGHLY, PIN – 712 223

MEMONO----- 4115/A-25
FROM
EXECUTIVE OFFICER
BAIDYABATI MUNICIPALITY
✓ TO
SRI NETAI CHANDRA PAL
50/2, D.P. MUKHERJEE ROAD
PO:-SHEORAPHULI, WARD NO-7
DIST- HOOGHLY, PIN:-712223.

DATE----- 18/01/2023

SUB:-RTI REPLY OF YOUR APPLICATION
DATED 10/11/22 AND SUBSEQUENTS

SIR,

The Municipality failed to understand about what interest you have with the property bearing Holding no 74(50), D.P. Mukherjee Road, PO:-Sheoraphuli, Dist:Hooghly, Pin:-712223 which you have carefully avoided to visualize.

The Municipality expects that you will disclose clearly your interest before asking the replay. This Municipality always takes action against illegal Construction. In such cases the petitioner will complain to Municipality with supporting documents. How ever the Municipality will take a spot verification after receiving supporting documents.


EXECUTIVE OFFICER
BAIDYABATI MUNICIPALITY

Executive Officer
Baidyabati Municipality

Netai Chandra Pal

ON BAIDYABATI MUNICIPAL SERVICE ONLY

No. 4115/A-45
Dt-18.01.2023

From: BAIDYABATI MUNICIPAL OFFICE, P.O. - Sheoraphuli, Dist. - Hooghly
Phone: 2632-0443, 2632-6554

Nitai Chandra Pal

FIRST APPEAL UNDER SECTION 19(1) OF THE RIGHT TO INFORMATION ACT, 2005.

To
The Appellate Authority
Smt. Sujata Ghosh, IAS
Special Commissioner
Department of Urban Development & Municipal Affairs
Nagarayan, DF-8, Sector-I
Salt Lake City, Kolkata-700064

1. Name of the Applicant : NITAI CHANDRA PAL
2. Address of the Applicant : 50/2, D. P. Mukherjee Road, P.O.:- Sheoraphuli, Dist.:- Hooghly
Pin Code: - 712223 (Ward-7) Contact Details: 7688089574
E-mail ID: - ak_laha@yahoo.com
3. Particulars of the Central/State Public Information Officer :
(a) Name : The State Public Information Officer
(b) Address : Baidyabati Municipality
Sheoraphuli, Hooghly-712223
4. Date of submission of application for seeking information : 10.11.2022
5. Date of receipt of order appealed Against : No order received till date
6. Date on which 30 days from submission of application are over : 09.12.2022
7. Reasons for appeal :

Question No. 1

- (a) No response received within the specified period : Applicable
- (b) Aggrieved by the response received within the specified period : Not Applicable
- (c) Grounds for appeal : No communication received from The State Public Information Officer about the Disposal of request under section (7).

Question No. 2

- (a) No response received within the specified period : Applicable
- (b) Aggrieved by the response received within the specified period : Not Applicable

Nitai Chandra Pal

- (c) Grounds for appeal : No communication received from The State Public Information Officer about the Disposal of request under section (7).

Question No. 3

- (a) No response received within the specified period : Applicable
- (b) Aggrieved by the response received within the specified period : Not Applicable
- (c) Grounds for appeal : No communication received from The State Public Information Officer about the Disposal of request under section (7).

Question No. 4

- (a) No response received within the specified period : Applicable
- (b) Aggrieved by the response received within the specified period : Not Applicable
- (c) Grounds for appeal : No communication received from The State Public Information Officer about the Disposal of request under section (7).

Question No. 5

- (c) No response received within the specified period : Applicable
- (d) Aggrieved by the response received within the specified period : Not Applicable
- (c) Grounds for appeal : (i) No communication received from The State Public Information Officer about the Disposal of request under section (7).
- (ii) Various types of illegal construction take place which seems to disobeying the proper Municipal Sanctioned Building Plan and also encroachments of the common passage by the parts of the newly constructed building.

Question No. 6

- (e) No response received within the specified period : Applicable
- (f) Aggrieved by the response received within the specified period : Not Applicable
- (c) Grounds for appeal : (i) No communication received from The State Public Information Officer about the Disposal of request under section (7).

Nitai Chandra Pal

(ii) What kind of steps taken by the municipality for illegal construction if appealed.

8. Last date for filing the appeal : 08.01.2023

9. Particulars of Information

(a) Information requested :

1. Whether the said address 74(50), D. P. Mukherjee Road, P.O: Sheoraphuli, Dist.: Hooghly, PIN Code: 712223, Ward-7 (as per property tax record within your municipality) is now 50, D. P. Mukherjee Road, P.O: Sheoraphuli, Dist.: Hooghly, PIN Code: 712223, Ward-7?
2. Please furnish the name of inheritance property owner(s) for the aforesaid addresses in col. (1)
3. Whether the holding no. mentioned in col. (1) is a joint property or not? If Joint property, please furnish the name of the joint holders
4. Whether any partition / mutation done till the date of this RTI application? If yes, please furnish the name of the assessee against whom the said property being mutated
5. Whether the aforesaid addresses in col. (1) has sanctioned any Building Plan and / Revised Building Plan from your municipality till the date of this RTI application? If sanction, please furnish the name of the owner of that Building Plan and also provide me a copy of such Building Plan and / Revised Building Plan as well as assessment & Mutation certificate copies at my own cost
6. Whether this municipality take any action against any irregular illegal construction being carried out by the owner violating and deviating the sanctioned municipal Building Plan and / Revised Building Plan?

(b) Subject: RTI Application u/s 6(1) of the RTI Act, 05; read with W.B. RTI Rules, 06 (Amended and in force till date). {Prayer seeking information in connection with the Sanctioned Municipal Building Plan and others in the holding no.- 74(50), D. P. Mukherjee Road, P.O: Sheoraphuli, Dist.: Hooghly, PIN Code: 712223, Ward-7}

(c) Period: Within 30 days

Nitai Chandra Pal

Signature of Appellant

E-mail address: ak_laha@yahoo.com

Mob. No.: 7688089574

Place: Sheoraphuli

Date: 17.12.2022

Enclo:-

1. Copy of RTI Application

Nitai Chandra Pal

RMS39935346IN IVR:828753990554

RE RISHRA SO <712248>

Counter No:1.19/12/2022.13:08

To:APPELLATE AUT.SUJATA GHOSH

PIN:700044, Bidhannagar CC Block SO

From:NITAI CH PA.D P NUKHERJEE RD

Wt:20gms

Agst:22.00(Cash)

<Track on www.indiapost.gov.in>

<Dia: 18002466868> <Wear Masks, Stay Safe>



Nitai Chandra Pal

[Sign In](#)[Register](#)[हिन्दी](#)[You are here Home>> Track Consignment](#)

Track Consignment

[Quick help](#)

* Indicates a required field.

* Consignment Number

RW539905346IN

[Track More](#)

Article Type

Delivery Location

Delivery Confirmed On

Registered Letter

Bidhannagr CC Block SO

21/12/2022 16:32:38

Event Details For : RW539905346IN

Current Status : Item Delivery Confirmed

Date	Time	Office	Event
21/12/2022	16:32:38	Bidhannagr CC Block SO	Item Delivery Confirmed
21/12/2022	10:55:59	Bidhannagr CC Block SO	Out for Delivery
21/12/2022	07:44:41	Bidhannagr CC Block SO	Item Received
21/12/2022	05:31:55	KOLAP TMO	Item Dispatched
21/12/2022	05:09:30	KOLAP TMO	Item Received
21/12/2022	05:04:12	KOLAP TMO	Item Received
21/12/2022	03:40:12	Kolkata RMS Mails TMO	Item Dispatched
21/12/2022	03:38:17	Kolkata RMS Mails TMO	Item Received
21/12/2022	03:25:55	Kolkata CRC L1R	Item Dispatched
21/12/2022	02:53:53	Kolkata CRC L1R	Item Bagged
21/12/2022	00:33:35	Kolkata CRC L1R	Item Received
20/12/2022	04:21:32	Kolkata RMS Mails TMO	Item Dispatched
20/12/2022	02:57:54	Kolkata RMS Mails TMO	Item Received
20/12/2022	01:21:30	Howrah Ground Mail Agent	Item Dispatched
20/12/2022	01:20:53	Howrah Ground Mail Agent	Item Received
20/12/2022	01:20:22	Howrah RMS L1R	Item Dispatched
20/12/2022	00:43:49	Howrah RMS L1R	Item Bagged
19/12/2022	23:32:05	Howrah RMS L1R	Item Received
19/12/2022	16:50:53	Rishra SO	Item Dispatched
19/12/2022	16:43:49	Rishra SO	Item Bagged

Nishi Chandra Paul

SPEED POST

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

No. 597/DS/SPIO/MA/RIA-85/22.

Dated, Kolkata, the 23rd December, 2022.

From: The Special Commissioner
to the Government West Bengal & Appellate Authority.

To : The Appellate Authority,
Baidyabati Municipality,
Satyajit Roy Bhawan,
P.O. - Sheoraphuli,
Dist. - Hooghly,
Pin: 712223.

Subject : Appeal of Sri Nitai Chandra Pal
under the provision of RTI Act, 2005.

Sir,

I am to transfer herewith the original RTI appeal along with its enclosure No. Nil, dated 17.12.2022 of Sri Nitai Chandra Pal 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

sd/-

Special Commissioner
to the Government West Bengal & Appellate Authority.

No. 597/1/DS/SPIO/MA/RIA-85/22.

Dated, Kolkata, the 23rd December, 2022.

✓ Copy forwarded for information to:

Sri Nitai Chandra Pal, 50/2, D.P. Mukherjee Road,
P.O. - Sheoraphuli, Ward No. 7, Dist. - Hooghly, Pin: 712223.

(He is requested to contact with the Appellate Authority of Baidyabati 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 him any information related to other Public Authority or take any steps in terms of RTI Act, 2005.).

[Signature]
Special Commissioner

to the Government West Bengal & Appellate Authority.

Nitai Chandra Pal

BY SPEED POST

EXPRESS SPEED POST
EW314784505IN

DEPT. OF THE ARMY
WASHINGTON, D.C. 20315-6008

Nitai Chandra Pal

Netai Chandra Pal

West Bengal Form No. 270

ORDER SHEET

(RULE 129 OF THE RECORDS MANUAL 1917)

Order sheet dated from ----- to -----

District : Hooghly

Nature of Case : U/S-144(2) Cr.P.C.

NGR(S)NO : 70

2020 2021

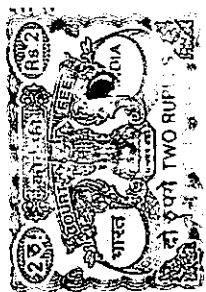
petition
re: Chandra Pal

OP
Debasish Pal

Sl. No. & Date of Order	Order & Signature of Officer	Name of action taken Order
<u>09/02/21</u>	<p>Ld. Advocate on behalf of the petitioner is present and files a petition U/S. 144(2) Cr.P.C. Perused the petition. Petitioner states that the O.P. member is forcibly and illegally trying to block the common passage by dumping saw dust bag and transformer.</p> <p>The petitioner tried to resist the activities of O.P. But the O.P. in turn used abusive language and threatened with dire consequences. The petitioner is apprehending serious breach of peace in the area over the issue.</p> <p>In such Circumstances, as it appears that there is every possibility of breach of peace and tranquility in the area, therefore the <u>I/c Serampore</u> is directed to keep a close vigil over the area to maintain law and order.</p> <p>Moreover, <u>I/c Serampore</u> and <u>BL & IRO</u> is directed to send Separate enquiry report regarding the matter by the next date of hearing fixed on <u>2/3/21</u>.</p> <p>The O.P. is directed to submit Show-cause reply and be present on the next date of hearing. A copy of the order shall be served to all concerned. OP members are directed to ensure that no encroachment of common passage takes place and that it should be freely accessible by all. <u>I/c Serampore</u> to comply.</p>	

P-11571
10/8/21

Debasish Pal
09/02/21
Nitin Chandra Pal



Nitai Chandra Pal

01.03.21 Records put up & perused.

No report received from EC Serampore
P.S. EC Serampore P.S. is further
directed to send a, enquiry report
regl. the matter.

Next date on hearing. 13.4.21

02.03.21

13.4.21 - Record is put up and perused
w/s-144(4) exp. time is over
so this case may be dropped

P-11521
10/8/21

13.4.21

Nitai Chandra Pal

certified to be true copy

compare by me

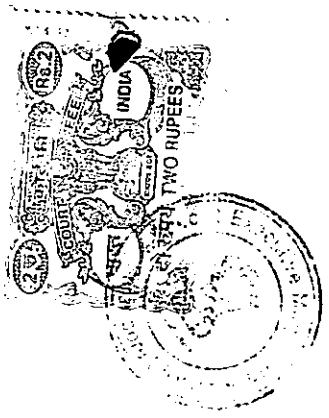
B/D

John



Petition fees -	03/-
075 fees	- 04/-
others fees -	02/-
<u>Total -</u>	<u>13/-</u>

Nitai Chandra Pal



To
The Ld. Special Executive Magistrate
Serampore, Hooghly

Ref: NGR (S) No 70/21 u/s 144 (2) Cr PC

Sub: Enquiry Report

Petitioner: Sri Netai Chandra Pal s/o Lt. Parbati Charan Pal of 50/2 D.P
Mukherjee Road, Sheoraphuli, PS-Serampore, Hooghly
== Vs ==

Opposite Party: Sri Debasis Pal s/o Lt. Mahadeb Chandra Pal of 50 D.P
Mukherjee Road, Sheoraphuli, PS-Serampore, Hooghly

Scheduled property: LR Dag No 10 & 11, J.L No 6, Sheoraphuli, Holding No
50/2, Sheoraphuli, PS-Serampore, Hooghly

Sir,

In obedience to your kind order dated 09.02.21 in c/w above referred case and as endorsed by I.C Serampore PS I had been to scheduled property and enquired into the matter locally and submit report that - during enquiry I have consulted with both the party members as well as local disinterest witnesses and learnt that petitioner and OP are residing adjacent to each other, there is common road used by both the party member. It is fact that O.P making obstruction of said road by dumping wood, log etc, besides O.P making pucca shed adjacent his plot without living any space of the said road. On demand O.P could not produce any document of such construction. Over this issue dispute has arisen.

On demand neither the petitioner nor OP produced any document of land in question. As per statement of local witnesses it revealed that act of OP i.e dumping of wood/log and construction of pucca shed obstructing petitioner. During local enquiry I could not found any possibility of breach of peace in the locality over this issue.

Under the above fact and circumstances I pray before your Honour court that an order may kindly be accorded as the Ld. Court deem fit.

Yours faithfully,

~~Ataf Hossain Hazari~~
(Sri Ataf Hossain Hazari)
Sheoraphuli T.O.P, PS-Serampore
Chandannagore PC,
Date: 01-06-2021

Forwarded

Amr
2-6-21

OP-2705

Netai Chandra Pal

মাননীয়

পৌরপ্রশাসক মহাশয়

বৈদ্যবাটি পৌরসভা

বৈদ্যবাটি, হুগলী



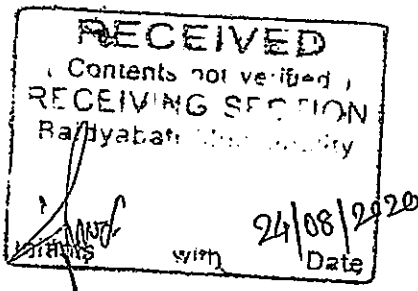
বিষয়:- অবৈধ নির্মাণকার্যের (Illegal Construction) বিরুদ্ধে অভিযোগ জানিয়ে আবেদনপত্র

মহাশয়,

আমি শ্রী নিতাই চন্দ্র পাল আপনার পৌর এলাকার ৭ নং ওয়ার্ডের অন্তর্গত ৫০/২ ডি পি মুখার্জী রোড, পোঃ- শেওড়াফুলি, জেলাঃ- হুগলী, পিনঃ- ৭১২২২৩ ঠিকানার স্থায়ী বাসিন্দা। আমার সম্পত্তির ঠিক পাশের সম্পত্তি হল আমার বড়ভাই স্বর্গীয় মহাদেব চরণ পাল মহাশয়ের ও ঠিকানা ৫০ ডি পি মুখার্জী রোড, পোঃ- শেওড়াফুলি, জেলাঃ- হুগলী, পিনঃ- ৭১২২২৩। উক্ত উভয় সম্পত্তির মধ্যে Partition Deed Plan অনুযায়ী ৫'-০" এর কমন প্যাসেজ থাকবে এবং Partition Deed এর (১০) নং শর্তানুযায়ী "কমন প্যাসেজগুলি সদা সর্বদা ওপেন টু স্কাই থাকিবে" ও (১২) নং শর্তানুযায়ী "কমন প্যাসেজের উপর কোনরূপ ভাবে কোনপক্ষ দরজা বা জানালার পাল্লা বা সানসেট রাখিতে বা অবস্ট্রাকশন জনিত কোনরূপ কার্যাদি করিতে পারিবেন না।" উল্লেখ করা আছে। কিন্তু বর্তমানে আমার বড়ভাই স্বর্গীয় মহাদেব চরণ পাল মহাশয়ের ছোটছেলে শ্রী দেবাশিষ পাল পৌর আইন উলঙ্ঘন করে উল্লিখিত কমন প্যাসেজের মধ্যে সিমেন্ট বালি দিয়ে অবৈধ সানসেটের নির্মাণকার্য নির্দিষ্ট চালায়ে যাচ্ছে। আমি তাকে বারণ করায় ও দলিল পড়ে দেখে কাজ করতে বলায় সে বলে আমার দলিল টলিল নেই তাই পড়বার দরকার নেই আর এটা তো একটা টেম্পোরারি স্ট্রাকচার এই বলে সে তার কাজ করতে থাকে। একথা বলতে বাধ্য হইলাম যে, দলিলই যার নেই বলছে সে পৌর এলাকার মধ্যে নিষেধ করা সত্ত্বেও এধরনের বেআইনি কার্য কি করে করার অধিকার পায়। তাই এমতাবস্থায় আপনার কাছে আমার বিনীত নিবেদন যে আপনি যদি যথোপযুক্ত পৌর আইনের সহায়তায় এই অবৈধ নির্মাণকার্যকে ভাঙানোর ব্যবস্থা করেন তাহলে বাধিত থাকব।

আপনার নিকট সমীচীন বিচারের আশায় রইলাম।

ধন্যবাদান্তে,



বিনীত-----

নিতাই চন্দ্র পাল

(শ্রী নিতাই চন্দ্র পাল)

Mob:- 7688089574

Nitai Chandra Pal



☎ 2632-6554
OFFICE: 2632-0443
SATYAJIT ROY BHAWAN: 2632-3605
FAX: 91-33-2632-0443

OFFICE OF THE BOARD OF ADMINISTRATORS BAIDYABATI MUNICIPALITY
P.O. – SHEORAPHULI, DIST. – HOOGHLY, PIN – 712 223

Memo No. 1763 /D-7

Date 12-Nov-2020

To
Sri Debasish Pal
S/o. Late Mahadeb Charan Pal
50, D.P. Mukherjee Road
Sheoraphuli, Hooghly, 712223


Ref. :- Removal of encroachment over common passage


Sir,

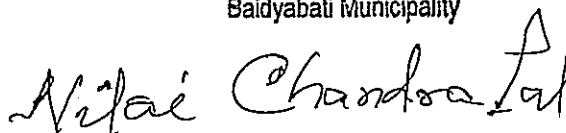
On spot verification as per petition of Sri Netai Ch. Pal resident of 50/2, D.P. Mukherjee Road, Sheoraphuli it is observed that you have constructed 2 nos. Chaja (Sun Shed) measuring about 4'-0" x 1'-6" approximately which encroaches common passage of the co-sharers. This is illegal and not according to Municipal rule.

Hence, you are directed to remove the same immediately after receiving this letter. You are also directed to inform the undersigned accordingly after removing the same as stated.

Yours faithfully,


(Arindam Guin)
Chairperson
Board of Administrators
Baidyabati Municipality


Arindam Guin
Chairperson
Board Of Administrators
Baidyabati Municipality

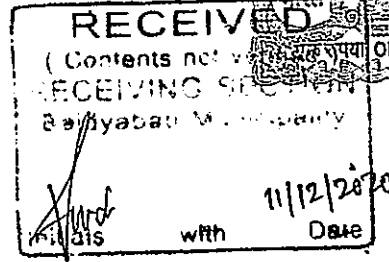


মাননীয়

পৌরপ্রশাসক মহাশয়

বৈদ্যবাটি পৌরসভা

বৈদ্যবাটি, হুগলী



বিষয়:- মিউনিসিপ্যালিটি কর্তৃক প্রেরিত অর্ডারকে অবজ্ঞা করে অবৈধ নির্মাণকার্যকে (Illegal Construction) যথাস্থানে বহাল রেখে দেওয়া ও আরো একটি অবৈধ নির্মাণের উত্থান ঘটানো।

শ্রী নিতাই চন্দ্র পাল

৫০/২, ডি পি মুখার্জী রোড, শেওড়াফুলি, Versus

হুগলী, পিন-৭১২২২৩ (ওয়ার্ড নং-৭)

মোঃ 7688089574

শ্রী দেবাশিষ পাল

S/o স্বর্গীয় মহাদেব চরণ পাল

৫০, ডি পি মুখার্জী রোড, শেওড়াফুলি,

হুগলী, পিন-৭১২২২৩ (ওয়ার্ড নং-৭)

Ref:- My letter No. - Nil received by your office vide No.-971 dated 24.08.2020 & your office Memo No. - 1763/D-7 dated 12-Nov-2020 (both copies attached herewith)

মহাশয়,

আমি শ্রী নিতাই চন্দ্র পাল গত 24.08.2020 তারিখে আপনার অফিসে উপরে উল্লিখিত বিবাদী পক্ষ শ্রী দেবাশিষ পাল দ্বারা কৃত অবৈধ নির্মাণকার্যের (Illegal Construction) বিরুদ্ধে অভিযোগ জানিয়ে একটি আবেদন করি। উক্ত আবেদনটি পাওয়া মাত্র আপনার অফিসের ভারপ্রাপ্ত ইঞ্জিনিয়ার এসে বিষয়টি পরিদর্শন করেন। এরপর আপনি উক্ত বিবাদী পক্ষ শ্রী দেবাশিষ পালকে কমন প্যাসেজ থেকে মিউনিসিপ্যাল নিয়ম বহির্ভূত বেআইনি Chaja (Sun shed) গুলো অপসারণ করবার জন্য অর্ডার করে দেন এবং তা করে আপনার কাছে রিপোর্ট করবার নির্দেশ দিয়ে দেন। কিন্তু বলা বাহুল্য যে শ্রী দেবাশিষ পাল আপনার নির্দেশ যেমন অমান্য ও অবজ্ঞা করে উক্ত Chaja (Sun shed) গুলো এখনো পর্যন্ত যথাস্থানে বহাল রেখেছেন ই শুধু তাই নয় আপনার অর্ডার কপিটি পাওয়ার সাথে সাথে একটি স্থায়ী Obstruction কমন প্যাসেজের উপর তৈরি করে সর্বক্ষণ একটি গাড়ীকে দাঁড় করিয়ে রেখে দিয়েছেন যেটা Partition Deed এর শর্তানুযায়ী মিউনিসিপ্যাল নিয়মানুগ নয় এবং তা আমার উপরে উল্লিখিত আবেদনপত্রে হাইলাইট করা হয়েছে। আশা রাখি আপনার সঠিক মিউনিসিপ্যাল আইন মোতাবেক আপনি এই সমস্যার যথাবিহিত সমাধান করবেন ও আইনানুগ ব্যবস্থা গ্রহণ করবেন।

আপনার আইনানুগ ব্যবস্থার প্রতি ভরসা আছে তাই আরও একবার আপনার দৃষ্টি আকর্ষণ করবার জন্য এই আবেদনপত্র এবং এই সঙ্গে উক্ত বিষয়ে বিবাদী পক্ষের প্রতি আপনার অফিস কর্তৃক প্রেরিত সমস্ত অর্ডারের এর কপি পাওয়ার জন্যও আবেদনপ্রার্থী ও কৃতজ্ঞ থাকিব। আপনার আইনানুগ পদক্ষেপের আশায় রইলাম।

ধন্যবাদান্তে,

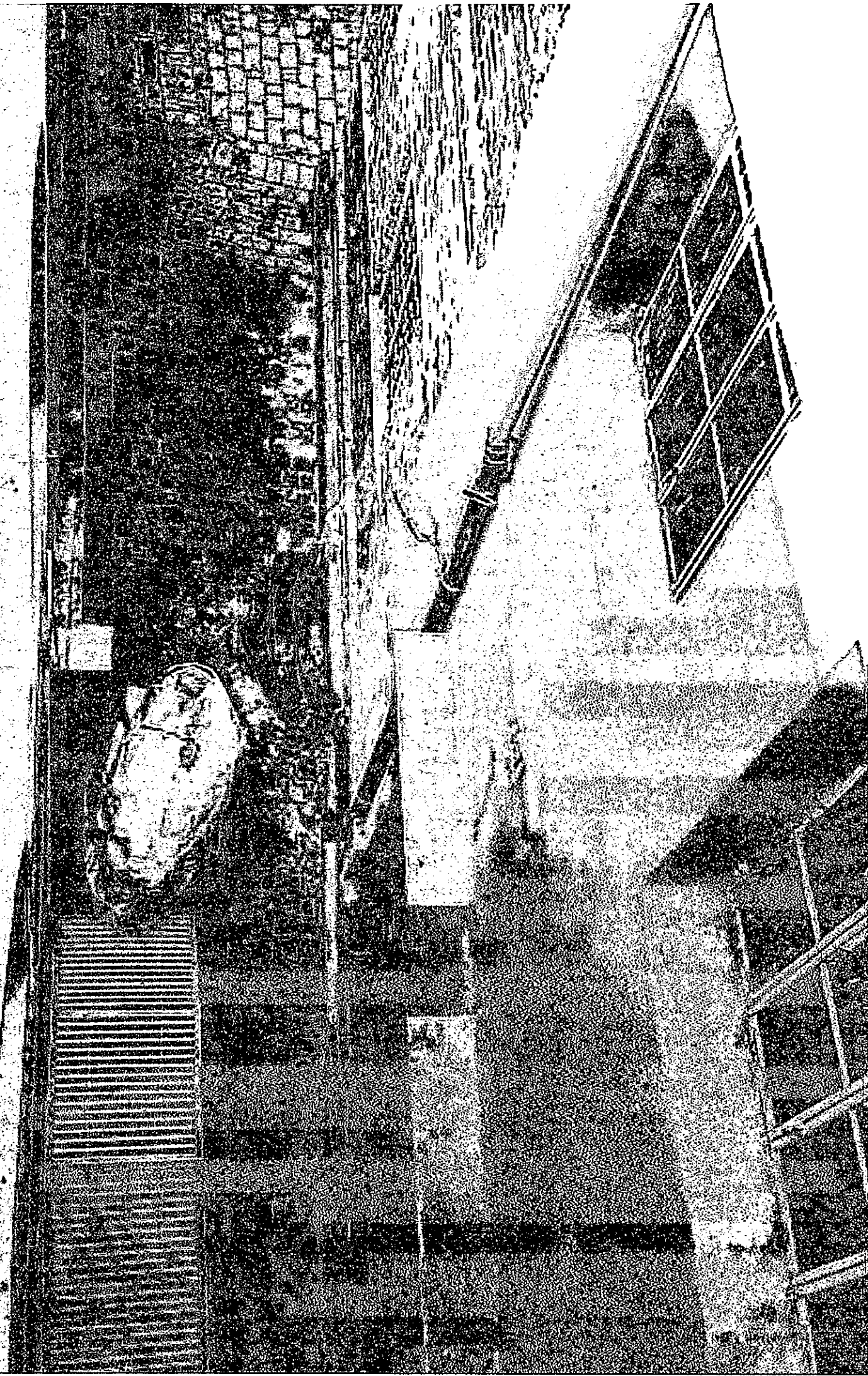
বিনীত----

নিতাই চন্দ্র পাল

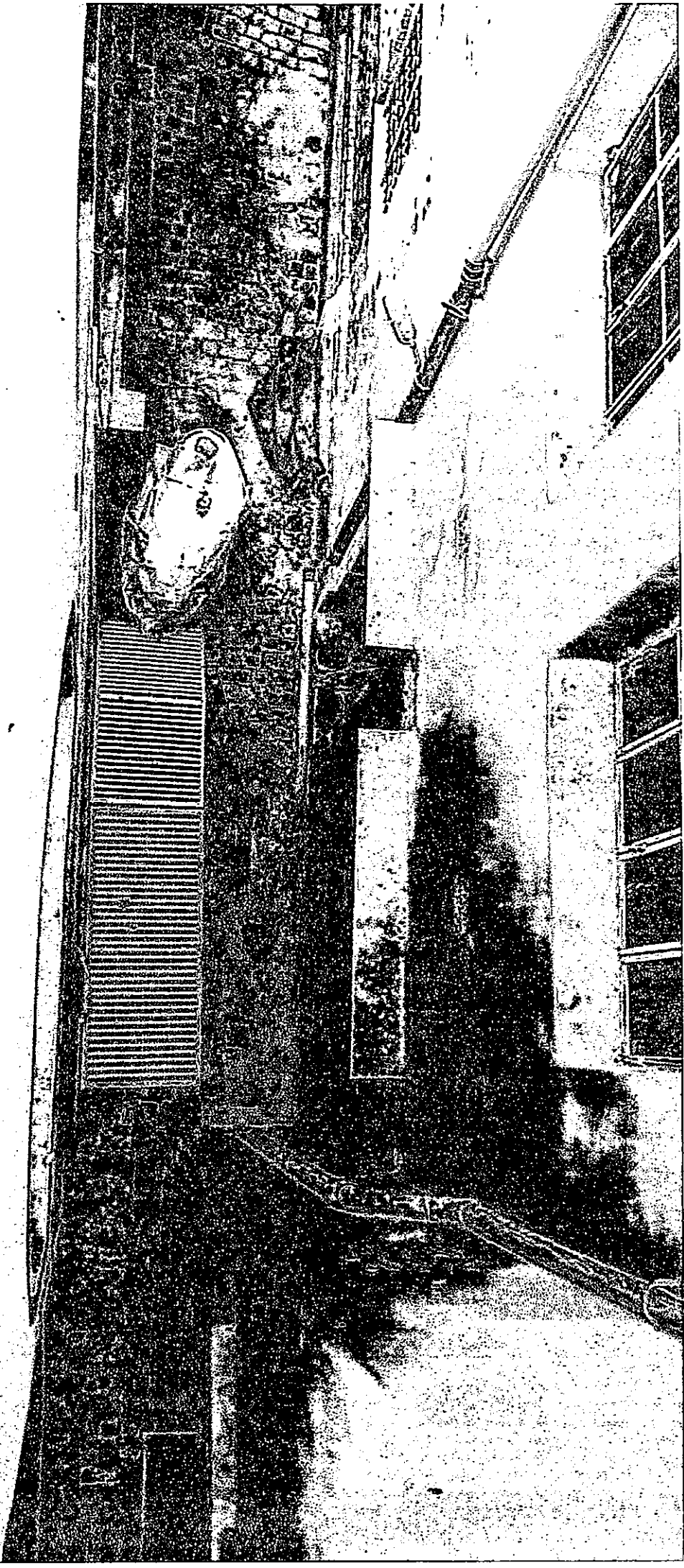
(শ্রী নিতাই চন্দ্র পাল) 11/12-20

মোঃ 7688089574

Nitai Chandra Pal



Nitai Chandra Pal



Place Charles 1st

A

standing vehicle over permanently
constructed platform in common passage.

STANDARD
UNIVERSITY
R

Nishi Chandra Lal