

07/02/23
07/02/23



Before The Honourable State Information Commissioner (SIC),
West Bengal Information Commission,
11 A, Mirza Galib Street, Khadya Bhaban, Kolkata-700 087.

Second Appeal Under Section 19(3) read with of Section 18 of the R.T.I. Act, 2005.
(Vide Circular No. 3008-WBIC/Admin-05/13 Dated: 20/08/2019)

(1). Name of the Applicant :

PRASANTA DUTTA ROY, Advocate.

(2). Complete postal address :

6/C, Rani Rashmoni Garden Lane,
(Near Kishore Sangha Club),
P.O. & P.S. Tangra, Kolkata - 700 015.

(A Self Attested Photocopy of Aadhaar Card is attached herewith as address proof).

(3)(a). Contact No. :

98305 48103 / 8240 753686

(3)(b). E-mail id :

prasantaroy881@gmail.com

A
W
(4)(a). Date of filing of application

For information under RTI Act :

26/12/2022

(A self attested photocopy of RTI application dt. 26/12/2022 which was sent through speed post along with the postal registration slip and postal track report as proof of submission of the same are attached herewith).

(b). Whether application fee paid :

Yes

(i). Mode of Payment :

Through Court Fee Stamp of Rs.10/-

(ii).If no, self attested photocopy of relevant certificate issued by the competent authority should be attached :

Not applicable.

(5). Name of the State Public Information

Officer/State Assistant Public Information Officer to whom the application was made and address :

The Medical Superintendent-cum-Vice Principal (M.S.V.P.) & SPIO, Medical College and Hospital, Govt. of West Bengal, 88, College Street, Kolkata – 700 073.

(a). Whether RTI petition is transferred to another SPIO u/s 6(3) of the RTI

Act, 2005 :

Not applicable

If yes, name and address of such authority

(please attach copy of transfer memo as above) :

Not applicable

(6). Gist of the information sought for :

Information regarding the present status of the Tender vide Tender Reference No. and Tender Title: WBHF / MCH / 2022-2024 / RE E – TEN / 2172 as well as Tender ID: 2022 HFW 369790 1 which was Technically Accepted on 09/12/2022 in favour of Paul & Co. having it's Registered Head Office at 29/H/3, Canal South Road, Kol – 700 015, vide Bid No. 2498968 submitted on 26/03/2022. Specific information was sought for as to why after Technical Acceptance of the above referred E-Tender on 09/12/2022 in favour of aforementioned Paul & Co. the subsequent Price Bid has not been uploaded till date? And also specific information as to whether the contract with aforementioned previously enlisted Paul & Co. been terminated and it's Caution

Money returned ? if so when ? and who is undertaking the emergency service of repairing works of steel and wooden furniture after 30/06/2022 till date ?

(7). Have I received any response/Information ? :

If so, attach a self attested copy of the same

Yes I received response vide Letter dated 11/01/2023 under No. MCH/433/1(3)2023 whereby I believe that incomplete, misleading or false information as per Sub Sec. (e) of Section 18 of the RTI Act, 2005 was furnished to me.

(A self attested photocopy of the response vide Letter dated 11/01/2023 under No. MCH/433/1(3)2023 is attached herewith).

(8). Date of filing First Appeal :

(A self attested copy of 1st. appeal along with proof of submission of the same Should be attached)

09/02/2023.

(A self attested photocopy of the First Appeal dated 09/02/2023 which was sent through speed post along with the postal registration slip and postal track report as proof of submission of the same are attached herewith).

(9). Authority to whom the First Appeal

was made with address :

The Appellate Authority & Secretary, Health & Family Welfare Department,
Government of West Bengal, Block – GN-29, Sector – V, Salt Lake Swasthya Bhawan,
Kolkata – 700 091.

(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 should be attached)

No physical hearing was conducted by the 1st. Appellate Authority but a copy of the letter dated 15/02/2023 vide No. HF/O/GA/421/3A-46/23 addressed to the MSVP & SPIO, Medical College & Hospital, Kolkata, 88, College Street, Kolkata – 700 073, was forwarded through speed post to me the applicant/appellant herein, wherefrom it transpires that the said 1st. Appellate Authority had advised the said MSVP & SPIO, Medical College & Hospital, Kolkata, to look into the cause of my (i.e. applicant's/appellant's) dissatisfaction and accordingly furnish specific, unambiguous and complete information, if not exempted from disclosure, as was sought for in the original RTI application to me (i.e. applicant/appellant) **Positively by 28.02.2023.**

(A self attested photocopy of the aforesaid copy of the letter dated 15/02/2023 vide No. HF/O/GA/421/3A-46/23 addressed to the MSVP & SPIO, Medical College & Hospital, Kolkata, 88, College Street, Kolkata – 700 073, as was forwarded through speed post to me the applicant/appellant herein, is attached herewith). In utter disregard to the directions / advise of the aforesaid 1st. Appellate Authority the MSVP & SPIO, Medical College & Hospital, Kolkata, did not furnish specific, unambiguous and complete information, as was sought for in the original RTI application, to me (i.e. applicant / appellant) within the said stipulated date i.e. **by 28.02.2023.** Surprisingly on 11/03/2023 I (i.e. the applicant / appellant), received an envelope sent through speed post addressed to me (i.e. the applicant / appellant) from the 1st. Appellate Authority Swasthya Bhawan, GN-29, Sector – V, Salt Lake City, Kolkata – 700 091 wherefrom it transpires that the said 1st. Appellate Authority vide his cover letter dated 03.03.2023 under No. HF/O/GA/628/3A - 46/2023 have informed me that with reference to my 1st. Appeal dated 09/02/2023, the information, as received from MSVP & SPIO, Medical College Hospital, Kolkata vide memo no. MCH/2201/2023 dated 27.02.2023 is being furnished to me as enclosed/annexed with the said cover letter. The first enclosed/annexed letter was a copy of the aforesaid reply to the 1st. Appellate Authority vide memo no. MCH/2201/2023 dated 27.02.2023 wherefrom it was revealed that they are sticking to and in fact have not changed their initial response to Original RTI application in utter disregard to the order

passed by the 1st Appellate Authority and have in fact have informed not to me but to the 1st Appellate Authority that their previous reply i.e. dated 11/01/23, Vide Memo No. MCH/433 along with its annexure i.e. Reply from Tender Inviting Committee, MCH, Kolkata, dated 10.02.23, which are to remain unchanged in respect to reply to the letter of the 1st. Appellate Authority vide Memo No. HF/O/GA/421/3A-46/23 dated 15/02/23. Hence the said MSVP & SPIO, Medical College Hospital, Kolkata have annexed therewith the said letter a verbatim copy of their said previous initial reply dated 11/01/23 to my original RTI Application, which was dissatisfactory on account of being incomplete, misleading or false information as per Sub Sec. (e) of Section 18 of the RTI Act, 2005 and far from being specific, unambiguous and complete information as was directed by the 1st. Appellate Authority.

(A self attested photocopy of the aforesaid reply letter of the 1st. Appellate Authority vide his cover letter dated 03.03.2023 under No. HF/O/GA/628/3A-46/2023 along with all its annexure are being attached herewith).

(11). Ground of 2nd. appeal and the relief sought (Specify) :

Grounds :

- (1) The MSVP & SPIO, Medical College Hospital, Kolkata having replied to the original application under the RTI Act, 2005 and subsequently after the 1st. appeal was preferred, with incomplete, misleading or false information as per Sub Sec. (e) of Section 18 of the RTI Act, 2005.
- (2) The 1st. Appellate Authority did not fix any date for hearing of the matter and/or having not summoned me (i.e. the appellant) to personally be present at the time of such hearing as per the provisions of the RTI Act, 2005.
- (3) The 1st. Appellate Authority having failed to pass necessary final order within the stipulated time as mandated by the RTI Act, 2005 on the contrary the 1st. Appellate Authority having acted as a mere messenger of the MSVP & SPIO, Medical College Hospital by merely forwarding the same and original initial dissatisfactory reply of the MSVP & SPIO, Medical College Hospital to me the

appellant without passing any final speaking order as per the provisions of the RTI Act, 2005.

Relief sought for :

It is therefore most humbly prayed that this Ld. Commission be graciously pleased to pass:

- (a) necessary Order/Orders thereby directing the MSVP & SPIO, Medical College Hospital to furnish specific, unambiguous and complete information, as was sought for in the original RTI application, to me (i.e. applicant / appellant)
- (b) necessary Order/Order thereby imposing penalty upon the MSVP & SPIO, Medical College Hospital as per the provisions of Sub Section (1) of Section 20 of the RTI Act, 2005
- (c) necessary Order/Order thereby recommending for disciplinary action against the MSVP & SPIO, Medical College Hospital as per the provisions of Sub Section (2) of Section 20 of the RTI Act, 2005.
- (d) Necessary Order/Orders as to Cost and Compensation to be paid to me the appellant / applicant
- (e) Any other relief/reliefs that the appellant herein is entitled to in law and equity.

(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 :

The instant Second Appeal has been filed well within the time as stipulated in Sub Sec. (3) of Sec. 19 of the RTI Act, 2005 read with Rule (b) of Sub Sec. (3) of Sec. 10 of the Right to Information Rules 2012.

I, Prasanta Dutta Roy, Advocate, son of Late Ranjit Dutta, aged about 52 years, being an Indian citizen do hereby solemnly affirm that the statements made herein are true to my

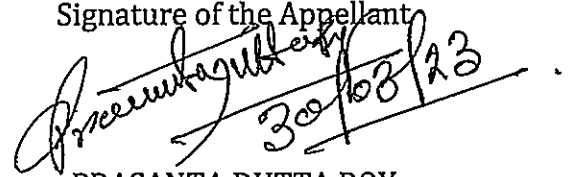
knowledge based on records and the rest are my submissions to the Hon'ble West Bengal Information Commission.

I also declare that this matter is not previously filed with this commission nor is pending with any Court or Tribunal or Authority.

Place: Kolkata

Date: 30/03/2023

Signature of the Appellant

A handwritten signature in black ink, appearing to read 'Prasanta Dutta Roy', is written over a date stamp '30/03/23'.

PRASANTA DUTTA ROY

(Name of the Appellant)

LIST OF DOCUMENTS ENCLOSED

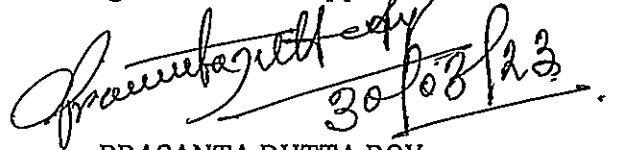
<u>Sl. No.</u>	<u>Details of the self attested Document</u>	<u>Dated</u>	<u>Index No.</u>
(a)	Aadhaar Card of the Appellant		1
(b)	RTI Application along with postal receipt & A/D		
	Along with paid Court Fee Paid Rs.10/-	26/12/2022	2
(c)	Reply of MSVP & S.P.I.O.	11/01/2023	3
(d)	First Appeal along with postal receipt & A/D		
(e)	Along with paid Court Fee Paid Rs.10/-	09/02/2023	4
(f)	Reply of First Appellate Authority	15/02/2023	5
(g)	Reply from the office of the First Appellate Authority	03/03/2023	6

Place: Kolkata

Date:

30/03/2023


Signature of the Appellant



PRASANTA DUTTA ROY

(Name of the Appellant)



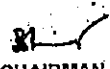
Sl. No:-1.

 **BAR COUNCIL OF WEST BENGAL**
(STATUTORY BODY UNDER THE ADVOCATES ACT 1961)
2 & 3, KIRANSANKAR ROY ROAD, CALCUTTA-700 001
PHONES : 248-8956/7233

IDENTITY CARD

Name.....
PRASANTA DUTTA ROY..... Advocate

Father's/Husband's Name.....
LATE RANJIT DUTTA ROY.....

  
CHAIRMAN EX-COMMITTEE CHAIRMAN


Card No A-7711.....

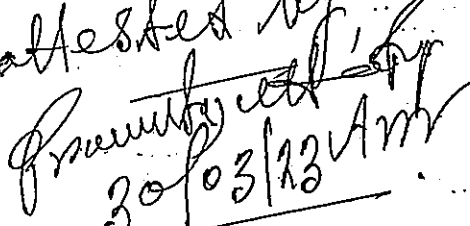
Address Recorded on the Roll..... **6/C, Rani Rashmoni**
Garden Lane, Calcutta-700 015

Present Address **Same as above**

Enrolment No **F-1136/1188/98**

Date of Enrolment **29.05.99** Date of Birth **08.01.68**

Date **26.8.99** 
Secretary/Assistant Secretary

attested by

30/03/23 AM

Prasanta Dutta Roy

S.No:-2

Advocate

(Calcutta High Court Jurisdiction)

Chamber: 6/C, Rani Rashmoni Garden Lane, (Near Kishore Sangha Club), Kolkata – 700 015.

Mobile: 98305 48103 / 8240 753686; Email: prasantaroy881@gmail.com

Ref:

Dated: 26.12.2022

Under Speed Post

To,
The Medical Superintendent-cum-Vice Principal (M.S.V.P.) & SPIO,
Medical College and Hospital,
Government of West Bengal,
88, College Street,
Kolkata – 700 073.



Sir,

Sub: Application Under the Right to Information Act (RTI Act), 2005

1. (a) Name of the Applicant : PRASANTA DUTTA ROY
(b) Father's Name : Late Ranjit Dutta Roy
(c) Age : about 52 years
(d) Occupation : Advocate
2. Address:
(a) Residential / Chamber Address : 6/C, Rani Rashmoni Garden Lane,
Kolkata – 700 015.
(b) Mailing Address for Correspondence: Prasanta Dutta Roy, Advocate
6/1J, Rani Rashmoni Garden Lane,
Kolkata – 700 015.
3. Particulars of Information :
(a) Concerned Department/Section : Health and Family Welfare
Department II, Medical College and
Hospital, Kolkata.

Prasanta Dutta Roy

Advocate

(Calcutta High Court Jurisdiction)

Chamber: 6/C, Rani Rashmoni Garden Lane, (Near Kishore Sangha Club), Kolkata – 700 015.

Mobile: 98305 48103 / 8240 753686; Email: prasantaroy881@gmail.com

Ref:

Dated: 26.12.2022

(b) Particulars of Information required :

Information regarding the present status of the Tender vide Tender Reference No. and Tender Title: WBHF / MCH / 2022-2024 / RE E – TEN / 2172 as well as Tender ID: 2022 HFW 369790 1 which was Technically Accepted on 09/12/2022 in favour of Paul & Co. having it's Registered Head Office at 29/H/3, Canal South Road, Kol – 700 015, vide Bid No. 2498968 submitted on 26/03/2022.

(i) Details of Information required :

(Question No. 1)

Please let me know as to why after Technical Acceptance of the above referred E-Tender on 09/12/2022 in favour of aforementioned Paul & Co. the subsequent Price Bid has not been uploaded till date?

(Question No. 2)

Please let me know as to whether the contract with aforementioned previously enlisted Paul & Co. been terminated and it's Caution Money returned ? if so when ? and who is undertaking the emergency service of repairing works

Prasanta Dutta Roy

Advocate

(Calcutta High Court Jurisdiction)

Chamber: 6/C, Rani Rashmoni Garden Lane, (Near Kishore Sangha Club), Kolkata – 700 015.

Mobile: 98305 48103 / 8240 753686; Email: prasantaroy881@gmail.com

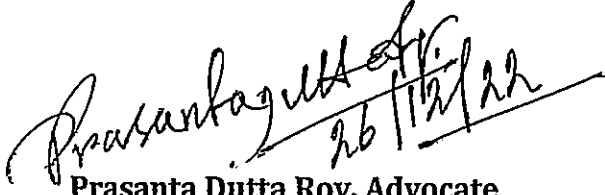
Ref:

Dated: 26.12.2022

of steel and wooden furniture after
30/06/2022 till date?

4. I state that the information sought does not fall within the restrictions contained in Sections 8 and 9 of the Act and to the best of my knowledge it pertains to your office.
5. A RTI fee of Rs. 10/- (Rupees Ten) only is being paid herewith this application by way of Court Fees Stamp.

Place: Kolkata



Prasanta Dutta Roy, Advocate

(Signature of Applicant)

Date: Dated: 26/12/2022

E-mail : prasantaroy881@gmail.com

Mobile no. : + (91) 98305 48103 / 82407 53686

S.H. No. 2.

भारतीय डाक



EN311048033IN INR:6987311048033

SP KOLKATA GPO <700001>

India Post

Counter No: 9, 26/12/2022, 14:55

To: THE MEDICAL S. 88 COLLEGE ST

PIN: 700073, Chatterjee Avenue 88 Kolkata

From: PRASANTA M. SEALDAH CLIENT C

Wt: 20gms

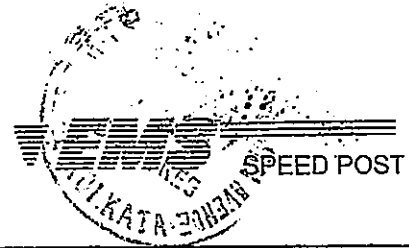
Ast: 29.50 (Cash) Tax: 4.50

(Track on www.indiapost.gov.in)

Dial 18002666888 (Wear Masks, Stay Safe)

S.H. No: 2.

4	Date mailed	5	Time mailed	20	A Despatch charge
Year	Month	Day	Hour	Minutes	21 B Office of Origin
Customs Declaration					
21 Description of contents (Applicable for International EMS Speed Post Only)					



22	Gift	23	Sample of merchandise	24	Value	25	Weight in Kg.
27 Name in print of the person taking delivery of the item							
28 Signature							

29	Date of Delivery	30	Time of delivery	
Year	Month	Day	Hour	Minutes

26 Name and address of sender	
Prasanta Dutta Roy Advocate Sealdah Court Complex Room No-202, 2nd Floor Kolkata	
9	Sender's postal code
710101	

12 Name and address of addressee	
To: The Medical Superintendent cum Vice Principal (M.S.V.P) S.P.O, Medical college and Hospital Government of West Bengal 88, college street Kolkata	
14	Addressee's postal code
710001	

Received with acknowledgment
Signature of Addressee
Medical college and Hospital
88, college street, Kolkata-700

S.I.No: 2



West Bengal Tenders

eProcurement System of Government of West Bengal

Bid Submission Confirmation

Date : 26-Mar-2022 05:44 PM

Print

Bid Information

Bid ID :	2498968
Bidder Name :	PAUL & CO
Organisation Chain :	HEALTH AND FAMILY WELFARE DEPARTMENT MEDICAL COLLEGE AND HOSPITAL KOLKATA
Tender Ref No :	WBHF/MCH/2022-2024/RE E-TEN/2172
Tender ID :	2022_HFW_369790_1
Tender Title :	WBHF/MCH/2022-2024/RE E-TEN/2172
Bid Submitted Date & Time :	26-Mar-2022 05:44 PM

Corporate Tenderer Details

Login ID:	paulco_east@yahoo.co.in	User Type:	Corporate/Bidder
Company Name:	PAUL & CO	Registration Number:	000
Registered Address :	29/H/3 CANAL SOUTH ROAD CALCUTTA	Name of Partners / Directors :	Nil
City :	KOLKATA	State :	West Bengal
Postal Code :	700015	PAN Number:	AAGFP7704G
Company's Establishment Year (yyyy):	2015	Company's Nature of Business:	WORKS CONTRACTOR
Company's Legal Status:	Others	Company Category :	Others
Title :	Mr	Contact Name:	BISWARANJAN JANA
DOB (Date Of Birth):	24-Apr-1953	Designation :	Nil
Correspondence Email:	paul.co_east@yahoo.co.in	Phone :	91 - 91 - 9432672669
Mobile:	91-9432672669		

Bank Response On Payment Details

eProcurement Ref. Number :	7188892498968
Bank / UTR Number :	SBIN422076007712
Bank Name :	ICICI NEFT/RTGS
Status :	Success
Tender Fee in ₹ :	0
EMD Fee in ₹ :	50,000
Total Fee in ₹ :	50,000

Bid Documents

				File Size
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S.No	Packet Type	File Name	Description	(KB)	File Hash
1	Free/PreQual/Technical	BOQIA-PART-1_NIT.pdf	NIT	17932.00	9icxosTo5fMdAMvMgL2QT2M3aSA=
2	Finance	BOQ_718889.xls	BOQ	346.00	lx2AXzYZB3P9mn/N3RSNqqbjxyc=

Bidder Other Important Documents

S.No	Category Name	Sub Category Name	Filename	File Size (KB)
1	CERTIFICATES	Employees State Insurance Certificate	ESIC_REGISTRATION.pdf	1260
	CERTIFICATES	GST Registration Certificate	GST_REGISTRAION.pdf	266
	CERTIFICATES	CERTIFICATES	CERTIFICATES.pdf	3677
2	COMPANY DETAILS	COMPANY DETAILS 1	COMPANY_DETAILS.pdf	24042
3	CREDENTIAL	CREDENTIAL 1	CREDENTIALS.pdf	5898
4	FINANCIAL INFO	PAYMENT CERTIFICATE 1	PAYMENT_CERTIFICATE_1.pdf	2579
	FINANCIAL INFO	PAYMENT CERTIFICATE 2	PAYMENT_CERTIFICATE_2.pdf	9588

Thanks

Tender Inviting Authority

S.N.No.:- 2



West Bengal Tenders

eProcurement System of Government of West Bengal

Bid Acknowledgement

Date : 26-Mar-2022 05:45 PM

Print

Bid Acknowledgement

Tender No.		HEALTH AND FAMILY WELFARE DEPARTMENT MEDICAL
Tender Title		COLLEGE AND HOSPITAL KOLKATA
Tender Ref No.		MCH/2022-2024/RE E-TEN/2172
Tender Lot		W_369790_1
Tender Title		H/2022-2024/RE E-TEN/2172
Tender Start Date		22 12:00 PM
Tender End Date		22 02:00 PM
Bid ID		
Tender Value		CO
Tender Status		ar-2022 05:44 PM
Tender Lot		5,64,236.101

Thanks

Tender Inviting Authority



Government of West Bengal
Office of the Medical Superintendent & Vice Principal
Medical College Hospital, Kolkata
88, College Street, Kolkata-700073

S.L. No.:- 3.

No. MCH/ 433

2023

Dated, Kolkata, The 11/01/23

To,

Prasanta Dutta Roy

Advocate.

6/C, Rani Rashmoni Garden Lane,

Kolkata-700015

Sub: - Reply of the letter from Prasanta Dutta Roy, received date:-27.13.2022 under RTI Act 2005

In reply to the above mentioned subject matter, sending herewith the copy of the letter from the Tender Committee of Medical College & Hospital date:-11.01.23 which is self explanatory.

Encl:- As Stated Above.

No. MCH/ 433/1 (3) 2023

Copy forwarded for the information & Necessary action:--

1. The Principal Medical College, Kolkata.
2. RTI cell, Medical College & Hospital.
3. Office Copy.

MSVP
MEDICAL COLLEGE HOSPITAL, KOLKATA CUM S.P.I.O
11/01/2023

Dated, Kolkata, The 11/01/23

MSVP
MEDICAL COLLEGE HOSPITAL, KOLKATA CUM S.P.I.O
11/01/2023

S.L.No: 3

Government of West Bengal
Office of the Medical Superintendent Cum -Vice Principal
Medical College & Hospital
Kolkata-700073.

Sub: Replies of Information u/s of RTI Act,2005,Dated:26-12-2022.

In exercise of the provisions u/s of RTI Act,2005,the undersigned is forwarded replies which is stated below:

- (i) **Reply Of Question No-1:** As per Order No.6989 F(Y) above coded e-tender No.MCH/2022-2024/RE-E-TEN/2172 Dated:02-03-2022 regarding repair steel & wooden furniture is sent to Higher Authority for acceptance to the lower bidder, but the Higher Authority do not give administrative approval for acceptance for L-1 bidder .Therefore Financial Bid as well as Price Bid (acceptance) has not uploaded in system. Action will be taken regarding this matter in due course.
- (ii) **Reply Of Question No-2:** Work order of previous enlisted contractor Paul & Co. was not extended after 30-06-2022 as per decision of Tender Committee. Caution Money was not refunded for non-submission of prayer for release the same from the Paul & Co. The authority will release the EMD after getting the release application from the concerned contractor.

Under the above circumstances the tender inviting committee take necessary action as deem fit for repairing the beds including steel & wooden furniture following the austerity measures and additional austerity measures being in vogue in the State for the time being as per opinion of Higher Authority.

Pharmacist Asstt. Superintendent

Dy. Superintendent

Addl. Medical Superintendent.

Accounts Officer.

M.S. Vice Principal

Assistant Superintendent
Medical College & Hospital
Kolkata-700073

Deputy Superintendent
MCH, Kolkata

Additional Medical Superintendent
Medical College & Hospital
Kolkata-700073

Accounts Officer
Medical College & Hospital
Kolkata

Medical Superintendent
Cum Vice Principal
Medical College & Hospital
Kolkata

Prasanta Dutta Roy

① S.H.No:- 4

Advocate

(Calcutta High Court Jurisdiction)

Chamber: 6/C, Rani Rashmoni Garden Lane, (Near Kishore Sangha Club), Kolkata – 700 015.

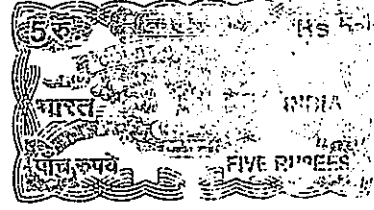
Mobile: 98305 48103 / 8240 753686; Email: prasantaroy881@gmail.com

Ref:

Dated: 09/02/2023

Under Speed Post

To,
The Appellate Authority & Secretary,
Health & Family Welfare Department,
Government of West Bengal,
Block – GN-29, Sector – V,
Salt Lake Swasthya Bhawan,
Kolkata – 700 091.



Sir,

Sub: Appeal before the First Appellate Authority under Section 19(1) of the RTI Act, 2005 against furnishing of incomplete information as was sought for from The Medical Superintendent-cum-Vice Principal (M.S.V.P.) & SPIO, Medical College and Hospital, Kolkata, Govt. of West Bengal vide RTI Application dated 26.12.2022. under illegal and improper pretext, as envisaged vide reply letter issued by aforementioned SPIO vide his reply letter dated 11.01.2023 under No. MCH/433/1(3) 2023.

1. Name and Address of the Appellant including phone No. :

PRASANTA DUTTA ROY, Adv.
S/o. Lt. Ranjit Dutta Roy,
6/C, Rani Rashmoni Garden
Lane, P.O. & P.S. Tangra,
Kolkata – 700 015.
Mobile No. 9830548103

2. (I) (a) Name and Address of the SPIO against the decision of whom the appeal is preferred:

The Medical Superintendent-cum-Vice Principal (M.S.V.P.)

Prasanta Dutta Roy



Advocate

(Calcutta High Court Jurisdiction)

Chamber: 6/C, Rani Rashmoni Garden Lane, (Near Kishore Sangha Club), Kolkata – 700 015.

Mobile: 98305 48103 / 8240 753686; Email: prasantaroy881@gmail.com

Ref:

Dated: 09/02/2023

& SPIO, Medical College and
Hospital, Kolkata,
Government of West Bengal,
88, College Street, Kolkata –
700 073.

(b) Date of filing of Application along with
the copy of the RTI application on which
appeal is made:

26th. December, 2022.
(photocopy of the RTI
Application annexed herewith)

(c) Date of Reply by the SPIO:

Reply Letter dated
11.01.2023. issued to the
applicant under No.
MCH/433/1(3)2023.
(photocopy of the said Reply
Letter dt. 11.01.2023 which
was received by the Applicant
herein on 13.01.2023 is
annexed herewith)

(d) Date of deemed refusal:

11.01.2023.

(e) Particulars of deposition of the fee:

Court Fee stamp of Rs.10/-
was attached with the RTI
Application dated 26.12.2022
as aforesaid.

3. Particulars of the order including number, if any,
against which the appeal is referred:

Order dated 11.01.2023.
issued to the applicant under
No.MCH/433/1(3)2023.
(photocopy of the said letter dt.

Prasanta Dutta Roy

①

Advocate

(Calcutta High Court Jurisdiction)

Chamber: 6/C, Rani Rashmoni Garden Lane, (Near Kishore Sangha Club), Kolkata – 700 015.

Mobile: 98305 48103 / 8240 753686; Email: prasantaroy881@gmail.com

Ref:

Dated: 09/02/2023

05.05.2016 is annexed
herewith)

4. Brief facts leading to the appeal Last date for filing
an appeal if condonation for delay is sought:

Non furnishing of the full
information as was sought for
within prescribed statutory
period and for that matter till
date.

5. Prayers or relief Sought:

Issuance of full Information
as was sought for vide RTI
Application dated 26.12.2022
along with true copy of
supporting documents
(photocopy as annexed
herewith) and any other
relief/reliefs as the Applicant
is entitled to as per law.

6. Grounds for the Prayer or Relief:

Non furnishing of the full
information as was sought
for vide RTI Application
dated 26.12.2022 (photocopy
whereof is annexed herewith),
within prescribed statutory
period and for that matter till
date.

7. Any other information necessary for deciding
the appeal:

Photocopy of the Tender vide
Tender Reference No. and

Prasanta Dutta Roy

Advocate

(Calcutta High Court Jurisdiction)

Chamber: 6/C, Rani Rashmoni Garden Lane, (Near Kishore Sangha Club), Kolkata – 700 015.

Mobile: 98305 48103 / 8240 753686; Email: prasantaroy881@gmail.com

Ref:

Dated: 09/02/2023.

Tender Title: WBHF / MCH / 2022-2024 / RE E – TEN / 2172 as well as Tender ID: 2022 HFW 369790 1 which was Technically Accepted on 09/12/2022 in favour of Paul & Co. having its Registered Head Office at 29/H/3, Canal South Road, Kolkata – 700 015, vide Bid No. 2498968 submitted on 26/03/2022 is the bone of contention which is required to be ascertained in the interest of justice.

8. List of enclosures, if any:

(1) Attested Copy of the RTI Application dated 26.11.2022. addressed to The Medical Superintendent-cum-Vice Principal (M.S.V.P.) & SPIO, Medical College and Hospital, Kolkata, Government of West Bengal, 88, College Street, Kolkata – 700 073.

(2) Attested Copy of the Letter of Reply/Order dated 11.01.2023 as has been issued by The Medical Superintendent-cum-Vice Principal (M.S.V.P.) & SPIO, Medical College and Hospital, Kolkata, Government of West Bengal, 88, College Street,

Prasanta Dutta Roy

①

Advocate

(Calcutta High Court Jurisdiction)

Chamber: 6/C, Rani Rashmoni Garden Lane, (Near Kishore Sangha Club), Kolkata – 700 015.

Mobile: 98305 48103 / 8240 753686; Email: prasantaroy881@gmail.com

Ref:

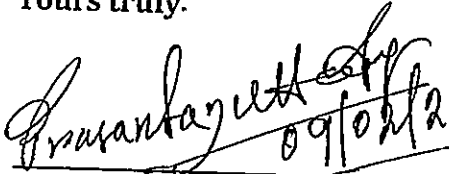
Dated: 09/02/2023

Kolkata - 700 073, to the
Applicant, under No.
MCH/433/1(3) 2023

(3) Attested Copy of the
Tender vide Tender
Reference No. and Tender
Title: WBHF / MCH / 2022-
2024 / RE E - TEN / 2172 as
well as Tender ID: 2022 HFW
369790 1 which was
Technically Accepted on
09/12/2022 in favour of Paul
& Co. having its Registered
Head Office at 29/H/3, Canal
South Road, Kolkata - 700
015, vide Bid No. 2498968
submitted on 26/03/2022.

9. If this Appeal does not pertain to your department then please be kind enough to forward the same to the appropriate Appellate Authority with intimation of the same to me the Appellant herein.
10. A fee of Rs.10/- (Rupees Ten) only for appeal is being paid herewith by way of Court Fee Stamp which is affixed herewith this Appeal.

Thanking you,
Yours truly.


09/02/23

PRASANTA DUTTA ROY

Advocate

(APPELLANT)

Prasanta Dutta Roy

①

Advocate

(Calcutta High Court Jurisdiction)

Chamber: 6/C, Rani Rashmoni Garden Lane, (Near Kishore Sangha Club), Kolkata – 700 015.

Mobile: 98305 48103 / 8240 753686; Email: prasantaroy881@gmail.com

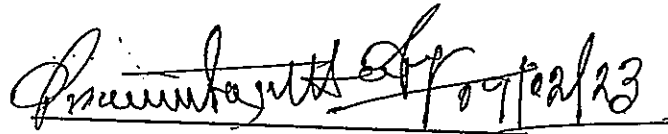
Ref:

Dated: 09/02/2023

VERIFICATION

I, Prasanta Dutta Roy, Advocate, S/o. Late Ranjit Dutta Roy, being the Appellant, resident of 6/C, Rani Rashmoni Garden Lane, P.O. & P.S. Tangra, Kolkata – 700 015 do hereby verify that the contents of the above appeal filed by me are true to the best of my knowledge and belief.

Verified today the 09th day of the month of February, 2023 at Kolkata.



PRASANTA DUTTA ROY

Advocate

(APPELLANT)

S. No. - 4

भारतीय डाक



EW14628731IN IVR:69870146287

3 SANKRANTHA SD <700012>

Counter No:1,07/02/2023,12:11

TO:APTELATE AMN,BLANK -GN 27, SE

PIN:700091, Sech Bhanan SD

From:PRASANTA IN,SEALDAH COURT CO

Wt:81gms

Am:41.50(Cash)/ax:0.50

<Track on www.indiapost.gov.in>

<Dial 18002666000> <Wear Masks, Stay Safe>

S.K.No:- 4



Sign In

Register



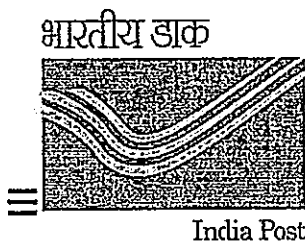
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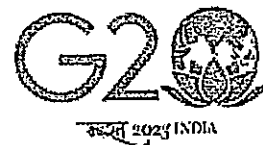
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Department of Posts
Ministry of Communications
Government of India



You are here Home>> Track Consignment

Track Consignment

Quick help

* Indicates a required field.

* Consignment
Number

EW014626951IN



Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Sankaritola SO	09/02/2023 12:15:33	700091	41.30	Inland Speed Post	Sech Bhawan SO	10/02/2023 16:14:15

Event Details For : EW014626951IN

Current Status : Item Delivery Confirmed

Date	Time	Office	Event
10/02/2023	16:14:15	Sech Bhawan SO	Item Delivery Confirmed
10/02/2023	11:23:03	Sech Bhawan SO	Out for Delivery
10/02/2023	09:53:40	Sech Bhawan SO	Item Received
09/02/2023	19:21:33	Kolkata NSH	Item Received
09/02/2023	18:41:20	KOL AP TMO	Item Dispatched
09/02/2023	18:17:26	KOL AP TMO	Item Received
09/02/2023	14:30:17	Sankaritola SO	Item Dispatched
09/02/2023	14:22:52	Sankaritola SO	Item Bagged
09/02/2023	12:15:33	Sankaritola SO	Item Booked

S.L.No:- 5

Government of West Bengal
Department of Health & Family Welfare
G.A. Branch
Swasthya Bhawan; GN-29: Sector-V
Salt Lake City; Kolkata-700091

No:-HF/O/GA/421/3A- 46 /23

Dated, Kolkata 15/2/23

From:-

The Senior Special Secretary & Appellate Authority
to the Government of west Bengal

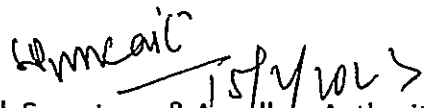
To:-The MSVP & SPIO, Medical College & Hospital, Kolkata, 88, College Street, Kolkata - 700073

Sub:- Appeal preferred by Shri Prasanta Dutta Roy, Ld. Advocate dated 09.02.23 u/s 19(1) of the RTI Act, 2005

Please find enclosed herewith the Appeal petition dated 09.02.23 by Shri Prasanta Dutta Roy, Ld. Advocate alongwith its enclosures. It appears from the said petition that the appellant is not satisfied with the reply provided. In this connection you are advised to look into the causes of his dissatisfaction and accordingly furnish specific, unambiguous and complete information, if not exempted from disclosure, as sought for in the original application to the appellant **positively by 28. 02.2023** with a copy to the undersigned.

This may please be treated as urgent.

Enclosed:- As stated.


Senior Special Secretary & Appellate Authority

No:-HF/O/GA/421/3A-46 /23

Dated, Kolkata 15/02/23

Copy forwarded for information to:-

- ✓ 1) Shri Prasanta Dutta Roy, Ld. Advocate, 6/C, Rani Rashmoni Garden Lane, Kolkata – 700015.


Senior Special Secretary & Appellate Authority

Government of West Bengal
Department of Health & Family Welfare
Office of the Appellate Authority
Swasthya Bhawan; GN-29: Sector-V
Salt Lake City; Kolkata-700091

S.L.No:- 6

APPEAL 003

No:-HF/O/GA/628 /3A-46 /2023

Dated, Kolkata 3.3.23

From:- The Assistant Secretary & SPIO to the Government of west Bengal

✓ To:- Shri Prasanta Dutta Roy, Ld. Advocate, 6/C, Rani Rashmoni Garden Lane, Kolkata – 700015

Sub:- Providing information under RTI Act,2005 against appeal dated 09.02.2023 as received from the MSVP & SPIO, Medical college Hospital, Kolkata

With reference to your aforesaid R.T.I. appeal dated 09.02.2023, the information, as received from the MSVP & SPIO, Medical college Hospital, Kolkata vide memo no. MCH/2201/2023 dated 27.02.2023 is furnished and enclosed herewith.

Enclos:- As stated



Assistant Secretary & SPIO

S.No:-6

R11



Government of West Bengal
Office of the Medical Superintendent & Vice Principal
Medical College Hospital, Kolkata
88, College Street, Kolkata-700073

No. MCH/ 2201

2023

Dated, Kolkata, The 27.02.23

To,

Senior Special Secretary & Appellate Authority.
DoH&FW, G.A.Branch.
Swasthya Bhawan, GN-29.
Sector-V, Salt Lake City.
Kolkata-700091

Sub: - Appeal preferred by Shri. Prasanta Dutta, Ld. Advocate dated:- 9.02.23 u/s 19/1 of the RTI Act, 2005.

Ref:- Letter from Senior Special Secretary & Appellate Authority, DoH&FW, G.A.Branch, Swasthya Bhawan, GN-29, Swasthya Bhawan, GN-29. Sector-V, Salt Lake City, Kolkata-700091, Vide Memo no:- HF/O/GA/421/3A-46/23 dated:-15/02./23

Sir,

In reply to the above mentioned subject matter, this is to inform you that our previous reply i.e. dated:- 11/01/23, Vide Memo No:- MCH/433 along with its annexure i.e. Reply from Tender Inviting committee, MCH, Kolkata, dated:- 10.02.23, which are to be remaining unchanged in respect to the reply to your letter Vide Memo no:- HF/O/GA/421/3A-46/23 dated:-15/02/23. Hence sending herewith our previous reply i.e. reply from Tender Inviting committee, MCH, Kolkata for your kind information & necessary action please.

Encl:- As Stated Above.

MSVP
MEDICAL COLLEGE HOSPITAL, KOLKATA CUM S.P.I.O

No. MCH/ 2201/1 (3) 2023

Dated, Kolkata, The 27.02.23

Copy forwarded for the information & Necessary action:-

1. The Principal Medical College, Kolkata.
2. RTI cell, Medical College & Hospital.
3. Office Copy.

AS & SP/IO

1/3/23

MSVP

Medical Superintendent
Cum Vice Principal
Medical College & Hospital
Kolkata

S.L.No:- 6

Government of West Bengal
Office of the Medical Superintendent Cum -Vice Principal
Medical College & Hospital
Kolkata-700073.

Sub: Replies of Information u/s of RTI Act, 2005, Dated: 26-12-2022.

In exercise of the provisions u/s of RTI Act, 2005, the undersigned is forwarded replies which is stated below:

- (i) Reply Of Question No-1: As per Order No.6989 F(Y) above coded e-tender No.MCH/2022-2024/RE-E- FEN/2172 Dated:02-03-2022 regarding repair steel & wooden furniture is sent to Higher Authority for acceptance to the lower bidder, but the Higher Authority do not give administrative approval for acceptance for L-1 bidder. Therefore Financial Bid as well as Price Bid (acceptance) has not uploaded in system. Action will be taken regarding this matter in due course.
- (ii) Reply Of Question No-2: Work order of previous enlisted contractor Paul & Co. was not extended after 30-06-2022 as per decision of Tender Committee. Caution Money was not refunded for non-submission of prayer for release the same from the Paul & Co. The authority will release the EMD after getting the release application from the concerned contractor.

Under the above circumstances the tender inviting committee take necessary action as deem fit for repairing the beds including steel & wooden furniture following the austerity measures and additional austerity measures being in vogue in the State for the time being as per opinion of Higher Authority.

Pharmacist Asstt. Superintendent Dy. Superintendent Addl. Medical Superintendent Accounts Officer

Assistant Superintendent
Medical College & Hospital
Kolkata

Deputy Superintendent
MCH, Kolkata

Medical Superintendent
Medical College & Hospital
Kolkata-700073

Accounts Officer
Medical College & Hospital
Kolkata

Medical Superintendent
Cum Vice Principal
Medical College & Hospital
Kolkata