

Email

3901(A)  
12/10/2023

105173

State Chief Information Commissioner West Bengal

2nd Appeal u/s 19(3).

**From :** prabhatsingh optometrist <prabhatsingh.optometrist@gmail.com>

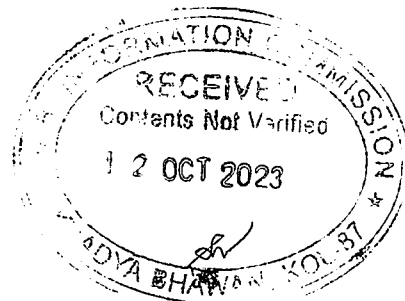
Thu, Oct 12, 2023 08:17 AM

**Subject :** 2nd Appeal u/s 19(3).

1 attachment

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

To  
The information commissioner  
West Bengal information commission  
Khyda Bhavan  
11A Mirza Ghalb street.  
Kol 87.



Respected sir,

Greetings.

I am enclosing here with my prayer u/s 19(3) of RTI Act for your perusal.

Yours Faithfully

Prabhat Kumar Singh

12/10/2023.

Adobe Scan 12 Oct 2023.pdf  
460 KB

A  
W

**FORMAT FOR FILING 2<sup>ND</sup> APPEAL BEFORE WEST BENGAL  
INFORMATION COMMISSION  
U/S 19(3) OF RTI ACT 2005**

(Vide Circular No. 337 Dated 18.01.2017)

1) Name of the Applicant: PAWAN KUMAR SINGH

2) Address: FLAT NO 3/6 CASU LODGE  
24/6 SUDHANSINAGAR ROAD  
DUMDUM CANTTMENT  
P.O. RAJENDRA NAGAR, P.S. DUMDUM  
KOL-65

3) Date of filing of application for information under RTI Act:  
(A self attested copy of RTI application should be attached along with proof of payment of RTI fees i.e. photocopy of the same. In case of BPL category, self attested photocopy of certificate issued by the competent authority should be attached).

27-06-2023

4) Name of State Public Information Officer / State Assistant Public Information Officer to whom the application was made and address: S. P. I. O.

West Bengal Information Commission

5) Gist of the information sought for: Five point question number no 1, 2, 3, 4 & 5  
concerning the name of the person who is the owner of the plot of land situated at  
the RTI location at the RTI location. Question no 5 about the date of the RTI application.  
Question no 6 related to the name of the person who is the owner of the plot of land situated at  
the RTI location. Question no 7 related to the name of the person who is the owner of the plot of land situated at

6) Have you received any response/information?  
If so, attach a self attested copy of the same. Yes

7) Date of filing 1<sup>st</sup> appeal:  
(A self attested copy of 1<sup>st</sup> appeal should be attached).

17/08/2023

8) Authority to whom the first appeal was made with address:  
The Law Officer & 1<sup>st</sup> Appellate Authority  
West Bengal Information Commission  
11 A, Nitya Nibedita Street, KOL-37

9) Decision of the 1<sup>st</sup> Appellate Authority, if any, including number and date of the order:  
(A self attested photocopy of the order of the 1<sup>st</sup> Appellate Authority should be attached).

Appeal rejected

NO 3122/1(2) - WBIC - 2001/123/2023 - Sec. WBIC dt. 27.9.2023

(\*) Five point queries: queries no 1, 2, 3, 4 & 5 to the Commission about the power of issue of senior citizen certificate name of the west-emp (not defendant) arrested for a R.D. dispend time etc. queries 6 related to person registration by Kolkata Police & queries no 7 relating to the removal of the defendant office (not of west-emp) to remove the time to the office against any complaint.





1. To allow some information about the situation

2. To provide

3. To provide

① To provide information about the situation

② To provide

③ To provide information about the situation

④ To provide information about the situation

⑤ To provide information about the situation

⑥ To provide information about the situation

⑦ To provide



WEST BENGAL  
GOVT. OF WEST BENGAL  
POSTAL ORDER  
RTI 10 00R3

PRABHAT KUMAR SINGH  
Flat 3/B, BASU LODGE  
34/6 SUBHASHNAGAR ROAD  
KOL-65  
E-mail - PRABHAT SINGH OPTOMETRIST  
@GMAIL.COM

Date: 29/06/2023

TO  
THE INFORMATION COMMISSIONER  
WEST BENGAL

SUB: SEEKING INFORMATION U/S 6(1) OF R.T.I. ACT.

Respected sir,

Please kindly provide me the following information U/s 6(1) of R.T.I. Act:

- Which department of West Bengal govt issues Senior citizen certificate for the senior citizens of West Bengal.
- What are the process to get senior citizens certificate in west Bengal. Please give me a copy of application form.
- What is the fate of our prayer for registration of our name under PRANAM to Kolkata police (Additional CP-II, Community/policing wing, Kolkata, P-16 Indian exchange place extensions, 7<sup>th</sup> Floor, RTI Building, Kolkata-73) through The Director of Social welfare, GOVT of West Bengal vide letter No-679/SWD, dated 11/04/2023: (copy enclosed for reference).
- What action has been taken by the Respected chief secretary to the GOVT of West Bengal regarding my (Prabhat Kumar Singh, ex M.T. (OPTOMETRY), BARASAT GOVT MEDICAL COLLEGE AND HOSPITAL) prayer DATED 21-02-2023 & 05/04/2023 both are sent by mail (id: ex-westbengal@nic.in: (copy enclosed for reference please). *Ans: B.C.*
- HOW MUCH TIME WILL BE TAKEN BY THE INFORMATION COMMISSION OF WEST BENGAL TO DISPOSED THE R.T.I. PRAYER U/S 19(3), AND WHAT IS THE FATE OF MY PRAYER DATED 04/05/2023, U/S 19(3) OF RTI ACT. *(copy enclosed for reference)*

I am enclosing herewith Rs 10/- postal order (bearing number, 23 F-197213) as RTI. FEE.

YOUR FAITHFULLY,

(PRABHAT KUMAR SINGH)

Flat No 3/B, BASU LODGE, 34/6 SUBHASHNAGAR ROAD, P.S. DUMDUM, P.O. RABINDRANAGAR, KOL-65.

Encl:- as stated above.

No of Encl:- 4 (FOUR): 1 (1) RTI, 1 (1) RTI, 1 (1) RTI, 1 (1) RTI.

*Prabhat Kumar Singh*  
29/06/23



PRASHANT KUMAR SINGH  
FLAT NO 3/B, BASU LODGE  
84/6 SUBHASHNAGAR ROAD  
DUM DUM GARTHEMENT  
P.O. RAJINDRA NAGAR  
P.S. DUM DUM, KOL-66  
E-MAIL ID:- PRASHANT.SINGH@GMAIL.COM  
© GMAIL.COM

To  
The Law Officer of Registrar of Companies  
West Bengal Information Commission  
11A, Ganga Ghatik Street, Kol-87

Sub: Appeal w/o 19/10 of RTI act 2005

Respected Sir,

Greeting for the day.  
With reference to the RTI reply by Mr. Kallabala  
(Section Officer & SPIO, West Bengal Information Commission) no 1939  
10610-2001(10)/169/2005 dated 19.7.2005 relating to my  
request w/o 10 of RTI act 2005 dated 10.7.2005, I have to draw your  
kind attention regarding the following fact which is apparent in  
the above RTI reply w/o 19/10 of RTI act.

During question no 1 & 2 to the information Commission  
which is not responding to SPIO.

In response to my query no 3 & 4 of the SPIO did  
not reply with the w/o 10 of RTI act 2005. The SPIO has to send the  
information department for query no 3 & 4 but he did not follow up  
disparately and is not able to provide the application relating to each  
department which is clear violation of RTI act 2005.

So, I am enclosing herewith the RTI application w/o 10 of  
RTI act 2005 dated 10.7.2005 for your reference.

Therefore, I am requesting you to consider the  
w/o 10 of RTI act 2005 and help me in receiving the information  
with thanks.

Yours sincerely  
19/10/2005

Yours faithfully  
Prashant Singh  
(Prashant Kumar Singh)

Yours faithfully  
19/10/2005



**WEST BENGAL INFORMATION COMMISSION**

Khetysa Bhawan  
11/A, Mirza Ghalib Street,  
Kolkata - 700 047  
Website : [www.wbic.gov.in](http://www.wbic.gov.in)  
E-mail : [wbic@wbic.gov.in](mailto:wbic@wbic.gov.in)

No. 1924-WBIC-2023 dated 27/06/2023

DTM/1924/2023

From: Ruhul Amin  
Section Officer & SP/O,  
West Bengal Information Commission

To: Shri Prabhakar Kumar Singh,  
Flat No. 3/B, Bagul Lodge,  
34/6 Subhashnagar Road,  
P.O. - Rabindranagar,  
P.S. - Dum Dum,  
Kolkata - 700065

Sub: Your RTI application dated 27/05/2023 received on 27/06/2023

Sir,

With reference to your application under Right to Information Act, 2002 dated 27/05/2023 received on 27/06/2023 bearing docket no. 2/74, please find reply below in reply to your query as follows:-

Reply	
Sl. No.	
(1) (6) (4)	This is to inform you that the Commission after having examined the same has found that information sought by you is related to two or more departments. So, you are requested to file separate RTI applications pertaining to each department.
(5)	The matter lies with the Commission bearing Docket no. 7/ Appeal no. 1347, dated 24.05.2023. Action will be taken Chronologically.

First Appeal against the above reply lies with the Commission as follows:-

The Law Officer & Joint Registrar & Appellate Authority,  
West Bengal Information Commission,  
Khetysa Bhawan,  
11/A, Mirza Ghalib Street,  
Kolkata - 700 047.

Yours faithfully,

Ruhul Amin  
Section Officer & SP/O  
West Bengal Information Commission

Scanned by CamScanner



# WEST BENGAL INFORMATION COMMISSION

Shriyati Bhawan, First Floor  
11A, Mirza Ghalib Street  
Kolkata - 700 087  
Website: [www.wbic.gov.in](http://www.wbic.gov.in)  
E-mail: [wbic@wbic.in](mailto:wbic@wbic.in)

## OUR DEAR

Shri Urabhat Kumar Singh of HAI No. 57B, Bhat Lodge, 34/6, Subhashmarg Road, P.O. Rabindranagar, P.S. - Dum Dum, Kolkata - 700065 submitted one RTI application under Section 6(b) of the RTI Act, 2005 on 27.06.2023 addressed to this Commission seeking five points information.

The SPIO of this Commission replied vide memo No. 1937-WBIC-2001(d)/69/2023-SEC-WBIC dated 19/07/2023.

Shri Singh, expressing his two points dissatisfaction over the reply of the SPIO dated 19/07/23, has preferred an appeal under Section 19(b) of the RTI Act, 2005 on 19/08/2023.

Regarding Point No. 1: The second row of the tabular reply of the SPIO, WBIC dated 19/07/23 contains response in respect of points No. 1, 2, 3 and 4. Hence, argument for not providing information in respect of point No. 1 and 2 is not accepted.

Regarding Point No. 2: The relevant portion of the guideline of DRTI circulated vide its even No. OM dated 12.06.2008 is quoted below.

"A person makes an application to a public authority for information, a part of which is available with that public authority and the rest of the information is scattered with more than one other public authorities. In such a case, the PIO of the public authority receiving the application should give information relating to it and advise the applicant to make separate applications to the concerned public authorities for obtaining information from them. If no part of the information sought is available with that public authority, the PIO should inform the applicant that information is not available with the public authority and that the applicant should make separate applications to the concerned public authorities for obtaining information from them. It may be noted that the Act requires the supply of such information only when it already exists and is held by the public authority or is under the control of the public authority. It is beyond the scope of the Act for a public authority to create information. Collection of information, parts of which are available with different public authorities, would amount to creation of information which a public authority under the Act is not required to do. At the same time, since the information is not related to anyone particular public authority, it is not the case where application should be transferred under sub-section (3) of Section 6 of the Act. It is pertinent to note that sub-section (3) refers to 'another public authority' and not 'other public authorities'. Use of singular form in the Act in this regard is important to note.

In view of above, this argument is also rejected.

With the above decision, the first appeal stands disposed of.

30<sup>th</sup> Appeal against this decision lies with this Commission within 90 days from the date on which the order was made or was actually received. It may be addressed to -

19/08/23

700087

Sd/-  
Legal Officer & Appellate Authority  
West Bengal Information Commission

No.3122/1(2)-WBIC-2000/1(12)/23/2023-SEC-WBIG

DATE: 27.09.2023

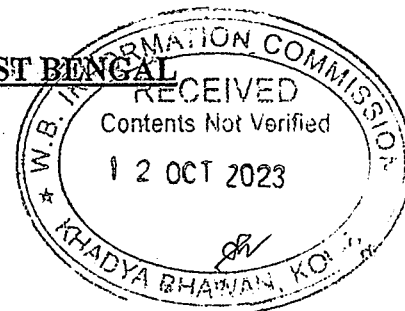
Copy forwarded for information and necessary action to

1. ✓ Shri Prabhakar Kumar Singh, Flat No.5/B, Basu Lodge, 34/6, Subhasnagar Road, P.O. Rabidranagar, P.S. - Dum Dum, Kolkata - 700065.
2. The Section Officer and SPIO, West Bengal Information Commission.

  
Legal Officer & Appellate Authority  
West Bengal Information Commission

ALL-19  
TA-18  
28/9/23

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



( Vide Circular No. 337 Dated 18.01.2017 )

1] Name of the Applicant: PABHAT KUMAR SINGH.

E mail :- PABHAT SINGH - OPTOMETRIST @ gmail.com

2] Address: FLAT NO 3/B , BASU LODGE.  
34/6 SUBHASHNAGAR ROAD  
DUMDUM CANTONMENT  
P.O. RABINDRANAGAR , P.S. DUMDUM  
KOL-65. / M - 9432651501 or 7686005151

3] Date of filing of application for information under RTI Act  
(A self attested copy of RTI application should be attached along with proof of payment of RTI fees i.e. photocopy of the same. In case of BPL category, self-attested photocopy of certificate issued by the competent authority should be attached).

27-06-2023.

4] Name of State Public Information Officer / State Assistant Public Information Officer to whom the application was made and address:

S. P. I. O.  
West Bengal information Commission

5] Gist of the information sought for: Five point queries. Question no ①, ②, ⑤ to the Commission about the process of Senior citizen certificate name of the department authorities for RTI disposal time etc, Query no ③ about the fee of PRANAM Registration Appeal & Question no ④ related to Honorable Chief Secretary's office about to know the action taken by him regarding my complaint (See over leaf under mark \*)

6] Have you received any response / information?

If so, attach a self-attested copy of the same.

Yes

7] Date of filing 1<sup>st</sup> appeal:

(A self attested copy of 1<sup>st</sup> appeal should be attached).

19/08/2023.

8] Authority to whom the first appeal was made with address:

The Law Officer & Jt. Registrar & Appellate Authority.  
West Bengal information Commission  
11 A Minza Ghalib Street, Kol-87.

9] Decision of the 1<sup>st</sup> Appellate Authority, if any, including number and date of the order:  
(A self-attested photocopy of the order of the 1<sup>st</sup> Appellate Authority should be attached).

Appeal rejected.

no 3122/1(2) - WBIC - 20011(12)/23/2023 - SEC - WBIC dt. 27.9.2023.



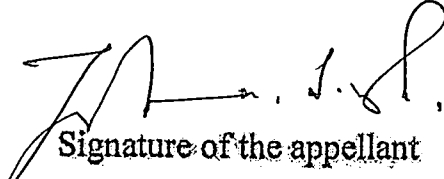
(\*) Five point queries. Queries no ①, ② & ⑤ to the Commission about the process of issue of Senior citizen certificate & name of the West Bengal Govt department assigned for a RTI disposal time etc. Queries ③ related to PROXAM Registration by Kolkata Police & queries no ④ related to the Honorable Chief Secretaries office (Govt of West Bengal) to know the <sup>what</sup> action taken by his office against my complaint.

- 10] Grounds for 2<sup>nd</sup> appeal and the relief sought (specify): To obtain desired information, because I don't know which West Bengal Govt. department issue Senior citizen certificate & its procedure. I will raise my queries no ② related to Pravarana Registration, so the rest four points stand with Commission & Hon'ble Chief Secretary Govt of West Bengal. So Sub-section (3) of Section 6 of the RTI act stand for. (See over leaf under mark \*\*)
- 11] If 2<sup>nd</sup> appeal is filed after 90 days from the date on which the decision of the 1<sup>st</sup> Appellate Authority was received or after 135 days from the date of filing of the 1<sup>st</sup> appeal, explain the reasons for the delay:

not applicable.

Prabhat Kumar Singh Late S.P. Singh  
I ----- son / daughter of ----- aged 60+ 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.

Place : Dum Dum Cant.

  
Signature of the appellant

Date : 12.10.2023.

PRABHAT KUMAR SINGH.  
(Name of the appellant)

List of documents to be enclosed :-

- Self attested copy of RTI application; (Annex "A")
- Self attested photocopy of proof of RTI fee payment or of BPL status; (Annex - "A" TOP Page)
- Self attested copy of 1<sup>st</sup> appeal; (Annex - "B")
- Self attested copy of all communications / replies received from the public authorities in connection with the instant RTI application; (Annex - "C" SP10 reply) & (Annex - "D" order passed by 1<sup>st</sup> appellate authority)
- 2<sup>nd</sup> appeal in the format as above.
- Any other documents in support of the 2<sup>nd</sup> appeal.

Total no of encls :- 4 (four) with the format i.e., "A", "B", "C", "D"

NOTE:

- If incomplete or incorrect information is provided, the 2<sup>nd</sup> appeal is liable to be rejected.
- Separate 2<sup>nd</sup> appeal has to be filed in respect of each RTI application.

\*\* ) To obtain desire information which I did not get from my R.T.I. prayer.

Relief sought :-

① Sir, I really did not know which Govt of west Bengal department issue Senior Citizen certifiical & its procedure. So please help me.

② I withdraw my queries no ③, So the rest four point queries linked with 2 (two) public authorities. So sub-section ③ of Section ⑥ of the <sup>RTI</sup> act help to scattered information from another public authority.

③ RTI act lodge by the Govt to provide information not to discards prayer to find out loop hole of law & grammar. Please up hold the morality of the RTI act & help me to provide my desired information.



उपपत्र COUNTERFOIL

इसे फाइल में रखने पर ध्यान रखें।  
To be detached and kept  
by the Sender.

पोस्टल ऑर्डर

₹ 10.00 RS.

POSTAL ORDER

किसी को भेजना

To whom payable A.O.

Information Commission

West Bengal

किस प्रकार से

At what Office Kolkata

क्या इसे प्राप्त किया है

Whether crossed

केने की तारीख

Date sent

23F 197113

ANNEXTURE - "A"

PRABHAT KUMAR SINGH.

F. No. 3/B. "BASU LODGE."

34/6 SUBHASHNAGAR ROAD

KOL - 65.

E. Mail :- PRABHAT SINGH. OPTOMETRIST

@ G MAIL. COM

Date :- 27/06/2023

TO

THE INFORMATION COMMISSIONER

WEST BENGAL.

SUB :- SEEKING INFORMATION U/S 6(1) OF R.T.I. ACT.

Respected sir,

Please kindly provide me the following information U/s 6(1) of R.T.I. Act.

- Which department of West Bengal govt issues Senior citizen certificate for the senior citizen of West Bengal.
- What are the process to get senior citizens certificate in west bengal. Please give me a copy of application form.
- What is the fate of our prayer For registration of our name under PRANAM to Kolkata police ( Additional CP - II, Community policing wing, Kolkata, P-16 Indian exchange place extensions , 7<sup>th</sup> Floor, KIT Building, Kolkata -73) through The Director of social welfare, GOVT of West Bengal vide letter No 679/SWD, dated 11/04/2023.(copy enclosed for reference). Annex - 'A'
- What action has been taken by the Respected chief secretary to the GOVT of West Bengal regarding my ( Prabhat Kumar Singh, ex M.T.(OPTOMETRY), BARASAT GOVT MEDICAL COLLEGE AND HOSPITAL) prayer DATED 21-02-2023 & 05/04/2023 both are sent by mail id :- cs-westbengal@nic.in ( copy enclosed for reference please). Annex - "B" & "C"
- HOW MUCH TIME WILL BE TAKEN BY THE INFORMATION COMMISSION OF WEST BENGAL TO DISPOSED THE R.T.I. PRAYER U/S 19(3). AND WHAT IS THE FATE OF my PRAYER DATED.04/05/2023, U/S 19(3) OF RTI ACT. (Copy enclosed) Annex - "D"

I am enclosing herewith Rs 10/- postal order ( bearing number. 23 F."197113") as R.T.I. FEE.

YOUR FAITHFULLY.

(PRABHAT KUMAR SINGH)

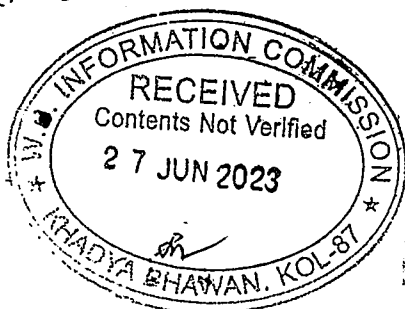
Flat No 3/B, BASU LODGE, 34/6 SUBHASHNAGAR ROAD, P.S.-DUMDUM, P.O. RABINDRANAGAR, KOL- 65.

Encl:- as stated above.

No of Encl:- 4 (FOUR). + 1 (1.P.O) i.e total no. 5 (five).

Attested.

18/06/23



Annex - "B"

PRABHAT KUMAR SINGH.  
FLAT NO 3/B, BASU LODGE  
34/6 SUBHASHNAGAR ROAD  
DUMDUM CANTONMENT  
P.O. RABINDRANAGAR  
P.S. DUMDUM, KOL-65.

E-MAIL ID :- PRABHAT.SINGH.OPTOMETRIST  
@GMAIL.COM.

To  
The Law officer & JT Register & Appellate Authority  
West Bengal Information Commission  
11-A, Mirza Ghalib Street, Kol-87.

Sub:- Appeal u/s 19(1) of RTI act 2005

Respected Sir,

Greetings for the day.  
With reference to the RTI reply by Mr. Rahul Anin  
(Section officer & SP10, West Bengal Information Commission) no 1937-  
WBIC-2021(11)/69/2023 - Sec-WBIC Dated 19.7.2023 relating to my  
Prayer u/s 6(1) of RTI act 2005, dated no 2174, I have to draw your  
kind attention regarding the following fact which is aggrieved me  
to make this petition u/s 19(1) of RTI act.

1) My question SL no 1 & 2 to the information Commission,  
which is not responded by the SP10.

2) Response to my query SL no 3 & 4 of the SP10 did  
not match with Sec 6(3)(1) of RTI act 2005. The SP10 has to take assistance  
from other department for queries no 3 & 4 but he did not help me &  
desperately advice me to file separate RTI application pertaining to each  
department. which is clear violation of RTI act 2005.

Sir, I am enclosing here with both (my RTI Prayer u/s 6(1)  
& SP10's reply letter for your reference.

Appropen above, I am requesting you to consider this  
Prayer u/s 19(1) of RTI act 2005 and help me to receive my desire information  
with thanks.

Dated: Dumdum Cantt  
The 19<sup>th</sup> Aug 2023.

Attested.  
S. Singh  
18/10/23.

yours faithfully.  
Pr. Singh. 19/8/2023.  
(PRABHAT KUMAR SINGH.)

## WEST BENGAL INFORMATION COMMISSION

Khadya Bhaban,  
11A, Mirza Ghalib Street,  
Kolkata - 700 087  
Website : [www.wbic.gov.in](http://www.wbic.gov.in)  
E-mail : [scic-wb@nic.in](mailto:scic-wb@nic.in)

No. 1937-WBIC-20011(11)/69/2023-SEC-WBIC

DATE: 19/07/2023

From: Ruhul Amin  
Section Officer & SPIO,  
West Bengal Information Commission

To: Shri Prabhat Kumar Singh,  
Flat No. 3/B, Basu Lodge,  
34/6 Subhashnagar Road,  
P.O. - Rabindranagar,  
P.S. - Dumdum,  
Kolkata - 700065.

Sub: Your RTI application dated Nil received on 27.06.2023.

Sir,

With reference to your application under RTI Act, 2005 dated Nil received on 27.06.2023 bearing docket no. 2174 please find point wise reply to your queries as follows:-

Sl. No.	Reply
(1) to (4).	This is to inform you that the Commission after having examine the same has found that information sought by you is related to two or more departments. So, you are requested to file separate RTI applications pertaining to each department.
(5).	The matter lies with the Commission bearing Docket no. / Appeal no. 1347, dated 04.05.2023. Action will be taken Chronologically.

First Appeal against the above replies lies with the Commission as follows:-

The Law Officer & Joint Registrar & Appellate Authority,  
West Bengal Information Commission,  
11A, Mirza Ghalib Street,  
Kolkata - 700 087.

Yours faithfully,  
*RA*  
Ruhul Amin  
Section Officer & SPIO  
West Bengal Information Commission



Annex - D

**WEST BENGAL INFORMATION COMMISSION**

Khadya Bhawan, First Floor

11A, Mirza Ghalib Street

Kolkata - 700 087

Website : [www.wbic.gov.in](http://www.wbic.gov.in)

E-mail : [scic-wb@nic.in](mailto:scic-wb@nic.in)

**O R D E R**

Shri Prabhat Kumar Singh of Flat No.3/B, Basu Lodge, 34/6, Subhashnagar Road, P.O. – Rabidranagar, P.S. - Dumdum, Kolkata – 700065 submitted one RTI application under Section 6(1) of the RTI Act, 2005 on 27.06.2023 addressed to this Commission seeking five points information.

The SPIO of this Commission replied vide memo No. 1937-WBIC-20011(11)/69/2023-SEC-WBIC dated 19.07.2023.

Shri Singh, expressing his two points dissatisfaction over the reply of the SPIO dated 19.07.23, has preferred an appeal under Section 19(1) of the RTI Act, 2005 on 19.08.2023.

Regarding Point No.1: The second row of the tabular reply of the SPIO, WBIC dated 19.07.23 contains response in respect of points No. 1, 2, 3 and 4. Hence, argument for not providing information in respect of point No. 1 and 2, is not accepted.

Regarding Point No.2: The relevant portion of the guideline of DoPT circulated vide its even \* No. OM dated 12.06.2008 is quoted below:

*"A person makes an application to a public authority for information, a part of which is available with that public authority and the rest of the information is scattered with more than one other public authorities. In such a case, the PIO of the public authority receiving the application should give information relating to it and advise the applicant to make separate applications to the concerned public authorities for obtaining information from them. If no part of the information sought, is available with it but is scattered with more than one other public authorities, the PIO should inform the applicant that information is not available with the public authority and that the applicant should make separate applications to the concerned public authorities for obtaining information from them. It may be noted that the Act requires the supply of such information only which already exists and is held by the public authority or held under the control of the public authority. It is beyond the scope of the Act for a public authority to create information. Collection of information, parts of which are available with different public authorities, would amount to creation of information which a public authority under the Act is not required to do. At the same time, since the information is not related to anyone particular public authority, it is not the case where application should be transferred under sub-section (3) of Section 6 of the Act. It is pertinent to note that sub-section (3) refers to 'another public authority' and not 'other public authorities'. Use of singular form in the Act in this regard is important to note."*

In view of above, this argument is also rejected.

With the above decision, the first appeal stands disposed of.

2<sup>nd</sup> Appeal against this decision lies with this Commission within 90 days from the date on which the order was made or was actually received. It may be addressed to:—

*[Signature]*  
15/8/23

700087


Sd/-  
Law Officer & Appellate Authority  
West Bengal Information Commission


No.3122/1(2)- WBIC-20011(12)/23/2023-SEC-WBIC

DATE: 27.09.2023

Copy forwarded for information and necessary action to

- ✓. Shri Prabhat Kumar Singh, Flat No.3/B. Basu Lodge. 34/6. Subhashnagar Road, P.O. - Rabidranagar, P.S. - Dumdum, Kolkata - 700065
2. The Section Officer and SPIO, West Bengal Information Commission.

  
Law Officer & Appellate Authority  
West Bengal Information Commission

  
10/10/23