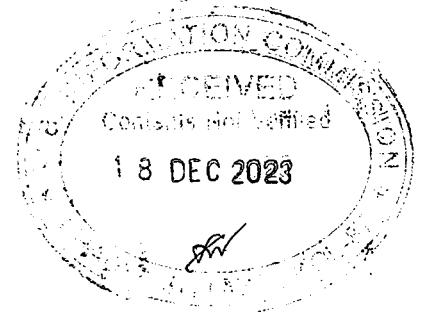


4682/(A)
18/12/2023

Regd. Post

To
The Hon'ble State Chief Information Commissioner,
West Bengal Information Commission
Khadya Bhaban, 11 A, Mirza Galib Street
Kolkata - 700087



Subject : Appeal Petition u/s 19 (3) of R.T.I. Act. 2005.

Appellant / Petitioner :- Sri Sunil Kumar Chakraborty
S/o.- Late Tarapada Chakraborty
R/o. Vill.- Rasunpur, P.O.- Kapista
P.S.- Barabani, Dist.- Paschim Bardhaman
PIN - 713315

Versus

Respondent : 1) State Public Information Officer & Block Land & Land
Reforms Officer, Barabani
At + P.O.- Domohani Bazar, Dist. Paschim Bardhaman
PIN - 713334.

2) To The Additional Secretary & 1st Appellate Authority
under R.T.I. Act to the Government of West Bengal
Department of Land & Land Reforms, Relief, Refuge &
Rehabilitation,
Eastablishment (INF) Branch
Block-V, 1st Floor,
Writer's Buildings, Kolkata- 700001

A
W
Sir,

With most respectfully I beg to state as follows :-

1) That I have submitted an application u/s 06 of R.T.I. Act 2005 on dated 03.10.2023 before the State Public Information Officer and Block Land & Land Reforms Officer, Barabani, seeking/sought for exatly pointwise necessary information upon my asked quaries/questions points No. 01 to 09 as per R.T.I. Act. 2005. But the S.P.I.O. and B.L. & L.R.O. of Barabani did not response the desired information.

2) That, thereafter I have submitted an appeal u/s 19(1) of R.T.I. Act. 2005 before the appellate authority/Additional Secretary Government of West Bengal, Department of Land & Land Reforms and R.R. & R. Eastablishment (Inf) Branch, Writer's Building, Kolkata - 700001, on dated 17.11.2023 in connection with my asked queries/questions for providing desired information.

Contd... p/2
Sunil Kumar Chakraborty
14/12/2023

3) That the Deputy Secretary & S.P.I.O., Government of West Bengal, Department of Land & Land Reforms and R.R. & R., stated vide his letter under No. 4035- Estt. (inf.) IC/ Paschim Bardhaman - 16/22 Dated, the Kolkata, the 1st December 2023, that the petitioner may either apply to D.M. & Collector & D.L. & L.R.O. Paschim Bardhaman or apply 2nd appeal u/s 19 (3) R.T.I. Act. 2005 before the Hon'ble State Chief Information Commissioner, West Bengal Information Commission.

Hence,

I prefer the second appeal under R.T.I. Act, 2005, before your honour chair for taking necessary actions, so that I can get exactly pointwise information upon my asked queries/questions points No. 01 to 09 within specified period under R.T.I. Act, 2005 & oblige.

Dated :- 14/12/2023

Yours faithfully
Sunil Kumar Chakraborty
14/12/2023
(Sunil Kumar Chakraborty)
Vill.- Rasunpur
P.O.- Kapista
P.S.- Barabani
Dist.- Paschim Bardhaman
PIN- 713315

Enclosures :

1. Letter send by Deputy Secretary and S.P.I.O. Govt. of W.B. Land & Land Reforms and R.R. & R Department, under No. 4035-Estt. (inf.)/IC/Paschim Bardhaman - 16/22 Dated, the Kolkata, the 1st December 2023.
2. An application u/s 06 of R.T.I. Act. 2005 on dated 03/10/2023.
3. An appeal Petition under the provision of Section 19(1) of the R.T.I. Act, 2005 on dated 17/11/2023.

Submitted by :
Sunil Kumar Chakraborty
(Sunil Kumar Chakraborty) 14/12/2023

Encl-1

Government of West Bengal
Department of Land and Land Reforms and R.R.and R.
Establishment(Inf.) Branch
Writers' Buildings
Kolkata-700001

No. : 4035-Estt.(Inf)/IC/ Paschim Bardhaman-16/22 Dated,the Kolkata, the 1st December, 2023

From : Deputy Secretary to the Government of West Bengal
And SPIO to this Department

To : Shri Sunil Kumar Chakraborty,
S/O Late : Tarapada Chakraborty,
Village : RasunPur,
P.O. : Kapista, P.S. : Baraboni,
Dist : Paschim Bardhaman,
Pin : 713315

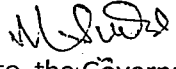
Subject : Information under the R.T.I. Act, 2005

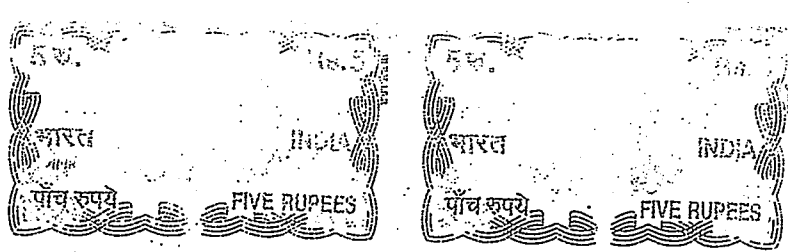
The undersigned is to return herewith his appeal petition dated 17.11.2023 along with its enclosures and to say that as he submitted his RTI application dated 03.10.2023 addressed to the concerned SPIO/ Block Land & Land Reforms Officer, Baraboni, Dist: Paschim Bardhaman, so his concerned First Appellate Authority is the D.M. & collector & D.L. & L.R., O, Paschim Bardhaman, and the both authorities are completely responsible for providing desired information. This Authority can not take any action in this regard as the matter does not relate to this end.

The undersigned is also to say that he may submit the appeal petition either to the D.M. & collector & D.L. & L.R., O, Paschim Bardhaman, or to the 2nd Appellate Authority i.e. the Hon'ble West Bengal Information Commission being aggrieved with non receipt of desired information in respect of his RTI application dated 03.10.2023. Address of the 2nd Appellate Authority is given below,

"The Hon'ble State Chief Information Commissioner, West Bengal Information Commission, Khadya Bhaban, 11 A, Mirza Ghalib Street, Kolkata-700087."

Enco : As stated,


Deputy Secretary to the Government of West Bengal
And SPIO to this Department



Encl-2
Speed Post
-12-

To
The State Public Information Officer/ Block Land & Land Reforms Officer,
Barabani.
At + P.O.- Domohani Bazar, P.S.- Barabani,
District- Paschim Bardhaman, PIN - 713334.

Sub :- An application u/s 06 of R.T.I. Act. 2005.

Sir,

I wish to address you as follows :-

That, you being a Block Land & Land Reforms Officer of Barabani, District- Paschim Bardhaman is knowing well the plot No. 2337 of Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, District- Paschim Bardhaman.

That you being a Block Land & Land Reforms Officer of Barabani is knowing well the Record of Rights in respect of plot No. 2337 of Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, District- Paschim Bardhaman.

In the above scenario I wish to know the following information upon my queries as per R.T.I. Act. 2005.

Queries / Questions

- 1) Whether the Khatian No. 362 is the legal basis of the L.R.R.O.R Khatians No. 897, 1909 & 167 and others in connection with plot No. 2337 of Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, District- Paschim Bardhaman or Not ?
- 2) Who is/was owner of the Khatian No. 362 in connection with plot No. 2337 of Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, District- Paschim Bardhaman or Not ?
- 3) Whether Deeds No. 1676 dated 17.03.1972, 1069 dated 22.02.1988, 3607 dated 24.06.1991, 3606 dated 24.06.1991 were executed by the Sk. Abdul Gofur, S/o. Sk Elahi box R/o- Panuria, P.S.- Barabani, District- Paschim Bardhaman or Not ?
- 4) What was the legal basis of R.S. Khatian No. 1293 in connection with plot No. 2337 of Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, District- Paschim Bardhaman ?

5) What was/is the legal basis of butta plot No. 6021 out of plot No. 2337, Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, Distt- Paschim Bardhaman ?

6) Who was the donee/butted the Plot No. 2337, Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, Distt- Paschim Bardhaman ?

7) If found the said Deeds No. 1676 dated 17.03.1972, 1069 dated 22.02.1988, 3607 dated 24.06.1991 & 3606 dated 24.06.1991 and L.R. Khatians No. 897, 1909, 167 and R.S. Khatian No. 1293 are fakes, whether you being the Block Land & Land Reforms Officer of Barabani (Dist- Paschim Bardhaman) will delete/discards the same OR Not ?

8) Whether the corruption of such Record of Rights were/are done by your department OR Not ?

9) Whether the sale deed vide No. 273/1961 in connection with Plot No. 2337 of Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, Distt- Paschim Bardhaman had been executed by SK. Abdul Gofur S/o. Ellahi Box, R/o. Panuria, P.S.- Barabani, Dist.- Paschim Bardhaman OR Not ?

Please treat it urgent & provide information upon my queries/questions under R.T.I. Act. 2005 at earliest, else I compel to bring/lodge a writ before Hon'ble High Court, Kolkata, for end of justice.

Dated :- 03/10/2023

Encl:

Attached herewith
court fee Rs. 10/-
for the purpose of R.T.I. Fee

Yours faithfully
Sri Sunil Kumar Chakraborty

(Sunil Kumar Chakraborty)

Vill.- Rasunpur

P.O.- Kapista

P.S.- Barabani

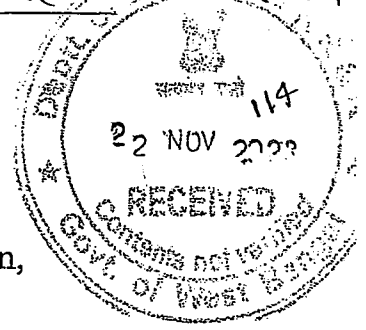
Dist.- Paschim Bardhaman

PIN- 713315



Registered Post

14



Ref. let
M. S. S. D.
29.11.23

Enclott 3

To
The Additional Secretary & 1st Appellate Authority
under R.T.I. Act, to the Government of West Bengal
Department of Land & Land Reforms, Relief, Refuge & Rehabilitation,
Eastablishment (INF) Branch
Block-V, 1st Floor,
Writer's Buildings, Kolkata- 700001

1 Paschim Bdm - 16/22

Date. 17/11/2023

Sub :- Application under the Provision of Section-19(1) of the R.T.I. Act. 2005.

Appellant : Sri Sunil Kumar Chakraborty, S/o. Late Tarapada Chakraborty, R/o-
Village- Rasunpur, P.O.- Kapista, P.S.- Barabani, Dist.- Paschim Bardhaman, PIN-
713315.

Versus

Respondent : The State Public Information Officer & Block Land & Land Reforms
Officer, Barabani. At + P.O.- Domohani Bazar, P.S.- Barabani, Dist.- Paschim
Bardhaman, PIN- 713334.

Sir,

With most respectfully I beg to state as follows that, I have filed a petition u/s. 06
of R.T.I. Act, 2005 on dated 03/10/2023 addressed to the S.P.I.O. & B.L. & L.R.O.,
Barabani, Dist.- Paschim Bardhaman to provide for necessary information upon
my following asked queries/questions as per R.T.I. Act, 2005.

Queries / Questions

- 1) Whether the Khatian No. 362 is the legal basis of the L.R.R.O.R Khatians No. 897, 1909 & 167 and others in connection with plot No. 2337 of Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, Disttict- Paschim Bardhaman or Not ?
- 2) Who is/was owner of the Khatian No. 362 in connection with plot No. 2337 of Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, Disttict- Paschim Bardhaman or Not ?
- 3) Whether Deeds No. 1676 dated 17.03.1972, 1069 dated 22.02.1988, 3607 dated 24.06.1991, 3606 dated 24.06.1991 were executed by the Sk. Abdul Gofur, S/o. Sk Elahi box R/o- Panuria, P.S.- Barabani, Disttict- Paschim Bardhaman or Not ?
- 4) What was the legal basis of R.S. Khatian No. 1293 in connection with plot No. 2337 of Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, Disttict- Paschim Bardhaman ?

(Dr. No-628)
24/11/23

Sri Sunil Kumar Chakraborty
17/11/2023

- 5) What was/is the legal basis of butta plot No. 6021 out of plot No. 2337, Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, Disttict- Paschim Bardhaman ?
- 6) Who was the done/butted the Plot No. 2337, Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, Disttict- Paschim Bardhaman ?
- 7) If found the said Deeds No. 1676 dated 17.03.1972, 1069 dated 22.02.1988, 3607 dated 24.06.1991 & 3606 dated 24.06.1991 and L.R. Khatians No. 897, 1909, 167 and R.S. Khatian No. 1293 are fakes, whether you being the Block Land & Land Reforms Officer of Barabani (Dist.- Paschim Bardhaman) will delete/discards the same OR Not ?
- 8) Whether the corruption of such Record of Rights were/are done by your department OR Not ?
- 9) Whether the sale deed vide No. 273/1961 in connection with Plot No. 2337 of Mouza- Jamgram, J.L. No.- 20, P.S.- Barabani, Disttict- Paschim Bardhaman had been executed by Sk. Abdul Gofur S/o. Ellahi Box, R/o. Panuria, P.S.- Barabani, Dist.- Paschim Bardhaman OR Not ?

But the S.P.I.O. & B.L.&L.R.O., Barabani, Dist.- Paschim Bardhaman did not give response to my request for information regarding sought for in the said petition on dated 03.10.2023 and has not furnished information within specified period as per R.T.I. Act. 2005.

Hence,

I prefer this first appeal petition under R.T.I. Act. 2005 addressing to you for necessary steps, so that the information upon my asked quaries (1) to (9) will be exactly provided from his end information of your petitioner within the specified time under R.T.I. Act. 2005 & oblige.

Thanking You,

Yours faithfully
Sunil Kumar Chakraborty
17/11/2023

(Sunil Kumar Chakraborty)

Enclosure :
R.T.I. Application on dated 03.10.2023.

Vill.- Rasunpur
P.O.- Kapista
P.S.- Barabani
Dist.- Paschim Bardhaman
PIN- 713315

WEST BENGAL INFORMATION COMMISSION

Khadya Bhaban

11A, Mirza Ghalib Street

Kolkata-700 087

Phone No. (033)2252-0509

& (033)2252-0501

Website: www.wbic.wb.gov.in

E-mail: scic-wb@nic.in

RTI Applicant : Sunil Kumar Chakraborty

Public Authority : BL & LRO, Paschim Bardhaman

Date of RTI Application : 03.10.2023

Date of 1st Appeal : 17.11.2023

Date of 2nd Appeal : 14.12.2023

Date of hearing : 22.01.2025

(Appeal No. 105232 of 2024 under the Right to Information Act, 2005)

Appellant : Sunil Kumar Chakraborty

SPIO : BL & LRO, Paschim Bardhaman

Facts on Record & Findings :

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

2. The appellant filed an RTI application on 03.10.2023 regarding some queries related to two plots of land in Barabani Police Station Area of Paschim Bardhaman district. Not getting any reply, the appellant filed first appeal before the First Appellate Authority on 17.11.2023 and second appeal before the Commission on 14.12.2023.

3. The appellant has remained absent from today's hearing in spite of prior notice from the Commission and no reason for his absence from hearing has been received in the Commission.

4. The SPIO informed that so far no reply has been sent to the appellant. A perusal of the RTI application indicates that most of the information sought out of the nine queries, is already available in public domain on the Bhuchitra Portal of the L & LR and RR &R Department and there is no need for furnishing the same again to the appellant. However, while replying, the said fact needs to be communicated to the appellant. Furthermore, Query Nos. 7, 8 are hypothetical in nature and no replies need to be given on these. In the remaining queries, the appellant has asked for 'basis' of creation of land records. There is no need to furnish information on the same as this will amount to explaining the process and reason for creation of public records which is not information as defined under section 2 (f) and 2 (j) of the RTI Act, 2005.

5. In view of the above, the SPIO will go through the RTI application and submit requisite replies to the appellant as indicated hereinabove within next four weeks and inform the Commission compliance of the same.

6. In view of the above, there is nothing further to proceed with the second appeal case under consideration and the same is liable to be disposed accordingly.

Decision:

In view of the facts and findings as mentioned hereinabove, the second appeal is accordingly disposed of and closed.

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

Date : 22.01.2025



(Naveen Prakash)
State Information Commissioner
West Bengal

No. 671 - WBIC/RTI/A/105232/3671/2024

DATE : 24.01.2025

Copy forwarded for information and necessary action to:-

1. The SPIO, BL & LRO, Barabani, Office of the Block Land & Land Reforms Officer, Barabani, At + PO - Domohani Bazar, PS - Barabani, Dist. - Paschim Bardhaman, Pin - 713334
2. The First Appellate Authority, O/o the DL & LRO, Barabani, Dist. – Paschim Bardhaman, PIN - 713305.
3. SUNIL KUMAR CHAKRABORTY, S/o - Lt. Tarapada Chakraborty, Vill- Rasunpur, P.O. - Kapista, P.S. - Barabani, Dist. – Paschim Bardhaman, Pin – 713315, West Bengal, PASCHIM BARDHAMAN, 713315

Handwritten signature and date: 24/01/25

Law Officer & Joint Registrar
West Bengal Information Commission

D/NO-379 (Submission)

Line D-108-

23/01/2025

To

The Hon'ble State Information Commissioner
West Bengal Information Commission
Khadya Bhaban
11A, Mirza Galib Street Kolkata - 700087

Sub :- Regarding hearing of Appeal No.- 105232 of 2024.

Sir,

I beg to submit as follows :-

I have received your letter under memo No. 355-WBIC/RTI/A/105232/3671/2024, issued by your honour chair, on delay deliver dated on 23.01.2025 at about 11.30 A.M. by post department.

Your honour hearing date of the case was fixed on 22.01.2025 at about 11.30 A.M.

In the above fact & circumstances, I could not appeared in the above said case hearing, so, it is prayed that you may graciously be pleased to do needful in this matter.

Yours faithfully

Dated : 24.01.2025

Appellant /Complainant :
Sunil Kumar Chakraborty
24/01/2025

Enclo :-

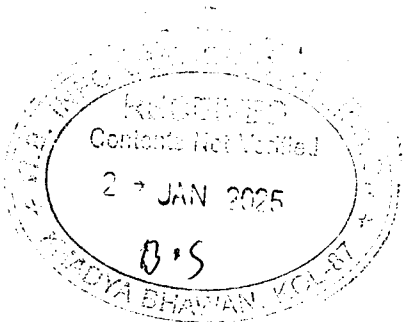
As stated your above Letter

Sunil Kumar Chakraborty

Vill- Rasunpur, P.O.- Kapista

P.S.- Barabani, Dist.- Paschim Bardhaman

PIN - 713315



Subj: RTI/SA
pl link with
relevant file
wg
27/01/25



WEST BENGAL INFORMATION COMMISSION

Khadya Bhaban

11A, Mirza Galib Street Kolkata-700 087

Phone No. (033)2252-0509,(033)2252-0501

Website: www.wbic.wb.gov.in | E-mail: scic-wb@nic.in

Memo No. 355-WBIC/RTI/A/105232/3671/2024

DATE : 15/01/2025

NOTICE FOR HEARING OF APPEAL

APPEAL No: 105232 of 2024

Appellant(s):

**SUNIL KUMAR
CHAKRABORTY**
S/o- Lt. Tarapada Chakraborty,
Vill- Rasunpur, P.O.- Kapista,
P.S.- Barabani, Dist.- Paschim
Bardhaman, Pin- 713315
West Bengal,PASCHIM
BARDHAMAN,713315

Respondent(s):

SPIO :
1. BL & LRO, Barabani
Office of the Block Land &
Land Reforms Officer,
Barabani, At+ PO- Domohani
Bazar, PS- Barabani, Dist.-
Paschim Bardhaman, Pin-
713334.

Appellate Authority:

FAA,O/o the DL & LRO,
Barabani, Dist.- Paschim
Bardhaman. PIN- 713305

Date of RTI

03-10-2023

**Date of reply,if
any,of SPIO**

-

**Date of 1st Appeal
made,if any**

17-11-2023

**Date of order,if
any,of First AA**

-

1. Take notice that the above appeal/complaint in respect of RTI application dated 03-10-2023 filed by the appellant/complainant has been listed for hearing before **Hon'ble State Information Commissioner Mr. Naveen Prakash** at Venue **VC Address** on **22-01-2025 at 11:30 AM**.

2.The appellant/complainant may present his/her case(s) in person or through his/her duly authorized representative either in physical mode or in virtual mode, as may be suitable to him / her. Details of link for joining in virtual mode are given below.

3.The Public Authorities may attend the hearing physical mode or in virtual mode, as per convenience.

(a) SPIO should personally join the hearing; if for a compelling reason(s) he/she is unable to be present, he/she has to give reasons for the same and shall authorise an officer not below the equivalent rank of SPIO , fully acquainted with the facts of the case and **bring complete file/file(s) with him**.

(b) If the SPIO attending the hearing before the Commission does not happen to be the concerned SPIO; it shall still be his/her responsibility to ensure that the SPIO(s) concerned must attend with complete file concerning the RTI request, the hearing along with him.

4. All the parties may submit their written submission, if any, to the Commission at least 7 days before the date of hearing. A copy of the same shall be served upon opposite party. If any party wishes to make online submission, the same may be sent to the Commission's link only viz., <https://www.wbic.wb.gov.in/online-link-paper-compliance/add>

5. SPIO is also directed to inform the third party, if any, so as to enable it to defend or present its case before the Commission. Third Party may choose to be present before the Commission either in person or through its duly authorized representative for hearing, or they may also file a written submission to the Commission before the hearing.

6. The authorised representative or the officer of the public authority and the appellant/complainant/third party is advised to carry a "proof of identity" along with the authorization letter.

7. Take notice that in default of your appearance on the time and date mentioned aforesaid, the case shall be heard and decided in your absence and that there will be no adjournment and review.

8. The parties concerned should reach the venue at least 30 minutes before the scheduled time of hearing. They are also requested to intimate their telephone/mobile numbers and email address to the undersigned.

9. The concerned appeal / complaint file can be accessed or downloaded from the 'Cause List' available at the Commission's website www.wbic.wb.gov.in link to the cause list is <https://wbic.wb.gov.in/cause-list-reportweb/registry-cause-list>.

You can download your specific document directly by filling up the required fields in categories.

Venue for the hearing
Venue for the Appellant/Complainant

Venue : Khadya Bhawan, 11 A, Mirza Ghalib Street,, Kolkata-700087

Venue for SPIO 1

Link for virtual hearing through Google Meet : meet.google.com/uyy-vxdx-ovd

Reference number of SPIO Reply(if any) :

Memo No: 355-WBIC/RTI/A/105232/3671/2024

DATE : 15/01/2025

Sd/-

Copy Forward To

Raja Sengupta
Section Officer

1. SPIO's, Public Authority

I-BL & LRO, Barabani, Office of the Block Land
& Land Reforms Officer, Barabani, At+ PO-
Domohani Bazar, PS- Barabani, Dist.- Paschim

Bardhaman, Pin- 713334.

2.Appellant/Complainant

SUNIL KUMAR CHAKRABORTY

S/o-Lt. Tarapada Chakraborty, Vill- Rasunpur,

P.O.- Kapista, P.S.- Barabani, Dist.- Paschim

Bardhaman, Pin- 713315 ,West

Bengal,PASCHIM

BARDHAMAN,713315

3. Appellate Authority

FAA,O/o the DL & LRO, Barabani, Dist.-

Paschim Bardhaman. PIN- 713305