

u/24

**Application Seeking Information under R.T.I Act 2005 , to the SPIO, KMC**

- vi. If answer to the Question (b).vi above is in affirmative, provide a copy of the inspection report for inspection carried out under Rule 24(2).
- vii. As per inspection carried out by KMC under Rule 24 (2) of the Building Rule 2009, whether the Open Space of in the Rear Side of 4553 mm has been kept from the Plinth of the on-going Construction on the rear side of the construction premises ?
- viii. What is the actual Open Space (measured in mm) Kept on the Rear Side, from the Boundary wall to the actual construction of Plinth, on such rear side of the construction premises ?
- ix. For the ongoing construction in the construction premises, whether Open space on all other sides are kept as per the sanctioned plan ?
- x. Whether any illegal construction beyond sanctioned plan has been reported or noted during KMC inspection vide Rule 24(2) or any other Rule of the Building Rule 2009 ?
- xi. What are the actions taken by the Municipal Commissioner if any information has been received by him on construction beyond sanctioned plan in the subject premises ?
- xii. What are the actions taken by the Municipal Commissioner on Complaint of unauthorised construction beyond KMC sanctioned building plan and application for initiation of proceedings under Section 401 / Section 401 A of the KMC Act, received by the Municipal Commissioner on dated 29.12.2023 vide A/121 and A/122 ?

I declare that I am a Citizen and Ordinary Resident in India.

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. A fee of Rs. 60 [Sixty Only] (Rs. 10 for six pages of RTI queries) have been annexed in the form of Court Fee Stamp as per Rule 3 of West Bengal Right To Information Rules,2006 towards RTI fee is attached hereto, in each page of this RTI application.

Place : Kolkata

Signature of Applicant:

Date: 16-April-2024

E-Mail Address: rajanmishra290@gmail.com

Mobile No. 7980985827



and inde-  
 Licensed Building Sur-  
 drainage and water supply  
 to the satisfaction of the Municipal  
 ble under the West B  
 XVIII of 19

Application Seeking Information under R.T.I Act 2005 , to the SPIO, KMC

Application under R.T.I Act 2005 , to the SPIO.

APPLICATION SEEKING INFORMATION



I.D. NO.....(For official use)

Subject: Application Seeking Information under R.T.I Act 2005 , to the SPIO, KMC, Building Dept.

To, The PIO/SPIO

Building Department

Jurisdiction/Area Covered : Matters related to Building Deptt.

State Public Information Officers : Executive Engineer, Borough IV

The Kolkata Municipal Corporation (KMC)

22, Surya Sen Street Kolkata 700 009, India

1. (a) Name of the Applicant : RAJAN MISHRA  
(b) Father's Name : RAJENDRA MISHRA  
(c) Age : 24  
(d) Occupation : BUSINESS

2. Address of Applicant: For Communication / Postal purposes :  
RAJAN MISHRA,  
141 A , MUKTARAM BABU STREET, KOLKATA - 700007

3. Particulars of Information :

- (a) Concerned Department/Section : BUILDING DEPARTMENT [BOROUGH IV],  
22, Surya Sen Street, Kolkata – 700009

KOLKATA MUNICIPAL CORPORATION  
[hereinafter referred to as "KMC"]

(b) Particulars of Information required :

- i. In relation to Sanctioned Building Permit No. 2023040014 dated 14.06.2023 for premises no. 272, Rabindra Sarani, Kolkata 700007 [hereinafter referred to as "construction premises"], whether KMC has sanctioned any amendment to the above plan or not ?
- ii. In relation to the "construction premises", Whether a notice under Rule 24 (1) of KMC Building Rule 2009 [Rule], has been given to the Municipal Commissioner by the applicant, countersigned by Architect / LBS / Other Technical Person as per Schedule X of the Rule aforementioned ?
- iii. If answer to the Question (b).ii above is in affirmative, provide a copy of the notice under Schedule X of the Rule aforementioned.
- iv. Whether a KMC Inspection report under Rule 24(2), has been submitted or not ?
- v. If answer to the Question (b).iv above is in affirmative, whether any deviation was observed by the Officer of KMC duly authorised for the purpose of Inspection under Rule 24(2) ?

u/24

**Application Seeking Information under R.T.I Act 2005 , to the SPIO, KMC**

- vi. If answer to the Question (b).vi above is in affirmative, provide a copy of the inspection report for inspection carried out under Rule 24(2).
- vii. As per inspection carried out by KMC under Rule 24 (2) of the Building Rule 2009, whether the Open Space of in the Rear Side of 4553 mm has been kept from the Plinth of the on-going Construction on the rear side of the construction premises ?
- viii. What is the actual Open Space (measured in mm) Kept on the Rear Side, from the Boundary wall to the actual construction of Plinth, on such rear side of the construction premises ?
- ix. For the ongoing construction in the construction premises, whether Open space on all other sides are kept as per the sanctioned plan ?
- x. Whether any illegal construction beyond sanctioned plan has been reported or noted during KMC inspection vide Rule 24(2) or any other Rule of the Building Rule 2009 ?
- xi. What are the actions taken by the Municipal Commissioner if any information has been received by him on construction beyond sanctioned plan in the subject premises ?
- xii. What are the actions taken by the Municipal Commissioner on Complaint of unauthorised construction beyond KMC sanctioned building plan and application for initiation of proceedings under Section 401 / Section 401 A of the KMC Act, received by the Municipal Commissioner on dated 29.12.2023 vide A/121 and A/122 ?

I declare that I am a Citizen and Ordinary Resident in India.

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. A fee of Rs. 60 [Sixty Only] (Rs. 10 for six pages of RTI queries) have been annexed in the form of Court Fee Stamp as per Rule 3 of West Bengal Right To Information Rules,2006 towards RTI fee is attached hereto, in each page of this RTI application.

Place : Kolkata

Signature of Applicant:

Date: 16-April-2024      E-Mail Address:      rajanmishra290@gmail.com

Mobile No.      7980985827



and inde-  
 Licensed Building Sur-  
 drainage and water supply  
 to the satisfaction of the Municipal  
 ble under the West B  
 XVIII of 19

Application Seeking Information under R.T.I Act 2005 , to the SPIO, KMC

Application under R.T.I Act 2005 , to the SPIO.

APPLICATION SEEKING INFORMATION



I.D. NO.....(For official use)

Subject: Application Seeking Information under R.T.I Act 2005 , to the SPIO, KMC, Building Deptt.

To, The PIO/SPIO

Building Department

Jurisdiction/Area Covered : Matters related to Building Deptt.

State Public Information Officers : Executive Engineer, Borough IV

The Kolkata Municipal Corporation (KMC)

22, Surya Sen Street Kolkata 700 009, India

1. (a) Name of the Applicant : RAJAN MISHRA  
(b) Father's Name : RAJENDRA MISHRA  
(c) Age : 24  
(d) Occupation : BUSINESS

2. Address of Applicant: For Communication / Postal purposes :  
RAJAN MISHRA,  
141 A , MUKTARAM BABU STREET, KOLKATA - 700007

3. Particulars of Information :

- (a) Concerned Department/Section : BUILDING DEPARTMENT [BOROUGH IV],  
22, Surya Sen Street, Kolkata – 700009

KOLKATA MUNICIPAL CORPORATION  
[hereinafter referred to as "KMC"]

(b) Particulars of Information required :

- i. In relation to Sanctioned Building Permit No. 2023040014 dated 14.06.2023 for premises no. 272, Rabindra Sarani, Kolkata 700007 [hereinafter referred to as "construction premises"], whether KMC has sanctioned any amendment to the above plan or not ?
- ii. In relation to the "construction premises", Whether a notice under Rule 24 (1) of KMC Building Rule 2009 [Rule], has been given to the Municipal Commissioner by the applicant, countersigned by Architect / LBS / Other Technical Person as per Schedule X of the Rule aforementioned ?
- iii. If answer to the Question (b).ii above is in affirmative, provide a copy of the notice under Schedule X of the Rule aforementioned.
- iv. Whether a KMC Inspection report under Rule 24(2), has been submitted or not ?
- v. If answer to the Question (b).iv above is in affirmative, whether any deviation was observed by the Officer of KMC duly authorised for the purpose of Inspection under Rule 24(2) ?

DAK / Status / Check DAK Status

**Enter DAK Details**

Diary Number\*

601874

Diary Year

2025

Check

[Cancel \(/Daks-Status/Check-Dak-Status\)](#)**DAK Details**

Diary Number

: 601874

File Number

: WBIC/RTI/C/601874/2585/2024

Diary Date

: 06-27-2024 [View Details \(\)](#)

Display Records

10

[Export to Excel](#)**Dak Progress Records**

| Dak Entry | Scrutiny | Bookmarked | Quality Checked | SH | SH Approved | SH Issue | SH Dispatched | Oder Sheet | Draft Decision | Decision Uploader |
|-----------|----------|------------|-----------------|----|-------------|----------|---------------|------------|----------------|-------------------|
| ✗         | ✓        | ✓          | ✗               | ✗  | ✗           | ✗        | ✗             | ✗          | ✗              | ✗                 |

| S.No | DAK Status                        | Remarks      | User Name       | Send To         | Date & Time      |
|------|-----------------------------------|--------------|-----------------|-----------------|------------------|
| 1.   |                                   | FOR SCRUTINY | LALITA AGARWALA | Piyali Das      | 6/28/24, 2:06 PM |
| 2.   | Scrutiny And Wating For Bookmark. |              | Piyali Das      |                 | 9/12/24, 3:00 PM |
| 3.   | Bookmark Done                     |              | Piyali Das      |                 | 9/12/24, 3:01 PM |
| 4.   |                                   | Submitted    | Piyali Das      | Biswajit Sanyal | 9/12/24, 3:01 PM |

Showing 1 of 1 Pages of 1 Records

[< previous \(\)](#)[next > \(\)](#)

**Copyright © 2020-2024 WBIC (<https://wbic.wb.gov.in/>). All rights reserved.**

DAK / Status / Check DAK Status

**Enter DAK Details**

Diary Number\*

601874

Diary Year

2025

Check

[Cancel \(/Daks-Status/Check-Dak-Status\)](#)**DAK Details**

Diary Number

: 601874

File Number

: WBIC/RTI/C/601874/2585/2024

Diary Date

: 06-27-2024 [View Details \(\)](#)

Display Records

10

[Export to Excel](#)**Dak Progress Records**

| Dak Entry | Scrutiny | Bookmarked | Quality Checked | SH | SH Approved | SH Issue | SH Dispatched | Oder Sheet | Draft Decision | Decision Uploader |
|-----------|----------|------------|-----------------|----|-------------|----------|---------------|------------|----------------|-------------------|
| ✗         | ✓        | ✓          | ✗               | ✗  | ✗           | ✗        | ✗             | ✗          | ✗              | ✗                 |

| S.No | DAK Status                        | Remarks      | User Name       | Send To         | Date & Time      |
|------|-----------------------------------|--------------|-----------------|-----------------|------------------|
| 1.   |                                   | FOR SCRUTINY | LALITA AGARWALA | Piyali Das      | 6/28/24, 2:06 PM |
| 2.   | Scrutiny And Wating For Bookmark. |              | Piyali Das      |                 | 9/12/24, 3:00 PM |
| 3.   | Bookmark Done                     |              | Piyali Das      |                 | 9/12/24, 3:01 PM |
| 4.   |                                   | Submitted    | Piyali Das      | Biswajit Sanyal | 9/12/24, 3:01 PM |

Showing 1 of 1 Pages of 1 Records

[< previous \(\)](#)[next > \(\)](#)

**Copyright © 2020-2024 WBIC (<https://wbic.wb.gov.in/>). All rights reserved.**

**AK Entry Details**

DAK / Status / Check DAK Status

**DAK Entry Details**

DAK received Date : 27-06-2024

Letter Number : NA

Letter Dated : NA

Dairy Number : 601874

**DAK Classification**

Appeal/Complaint No. : NA

Choose Category : NA

**Sender Details**

Sender Belongs to : NA

Name : RAJAN MISHRA

Country : India

State/Ut : West Bengal

City/Village : NA

Telephone : NA

Email ID : rajanmishra290@gmail.com

Remarks : NA

Mode Of Communication : NA

Gender : Male

Address : 141 A MUKTARAM BABU STREET KOI  
700007

District : KOLKATA

Pincode : NA

Mobile No. : 7980985827

Dealing Officer/Registry : Dealing Officer/Registry

**Dak Progress Records**

| Dak Entry | Scrutiny | Bookmarked | Quality Checked | SH | SH Approved | SH Issue | SH Dispatched | Oder Sheet | Draft Decision | Decisi Uploa |
|-----------|----------|------------|-----------------|----|-------------|----------|---------------|------------|----------------|--------------|
| ✗         | ✓        | ✓          | ✗               | ✗  | ✗           | ✗        | ✗             | ✗          | ✗              | ✗            |

| S.No | DAK Status                        | Remarks      | User Name       | Send To         | Date & Time      |
|------|-----------------------------------|--------------|-----------------|-----------------|------------------|
| 1.   |                                   | FOR SCRUTINY | LALITA AGARWALA | Piyali Das      | 6/28/24, 2:06 PM |
| 2.   | Scrutiny And Wating For Bookmark. |              | Piyali Das      |                 | 9/12/24, 3:00 PM |
| 3.   | Bookmark Done                     |              | Piyali Das      |                 | 9/12/24, 3:01 PM |
| 4.   |                                   | Submitted    | Piyali Das      | Biswajit Sanyal | 9/12/24, 3:01 PM |

Showing 1 of 1 Pages of 1 Records

&lt; previous ()

next &gt; ()

**Copyright © 2020-2024 WBIC (<https://wbic.wb.gov.in/>). All rights reserved.**

---

**Hearing on 09-02-2026**

---

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

Fri, 16 Jan 2026 3:25:03 PM +0530

To "eec\_brv"<eec\_brv@kmcgov.in>

Cc "rajanmishra290"<rajanmishra290@gmail.com>

---

Please find the attachment, for further details visit our website

West Bengal Information Commission

---

**1 Attachment(s)**

WBIC-RTI-C-601874-2585-202...

15.9 KB

**WEST BENGAL INFORMATION COMMISSION**  
**Khadya Bhavan, 11A, Mirza Galib Street, Kolkata - 700 087.**  
**Phone No. (033) 2252 0509, 2252 0501**  
**Website :[www.wbic.wb.gov.in](http://www.wbic.wb.gov.in) ; e-mail : [scic-wb@nic.in](mailto:scic-wb@nic.in)**

Complaint nos. 601874, 601873 of 2024 under the Right to Information Act, 2005

RTI Appellant : Rajan Mishra  
SPIO : Shir Amitava Mukherjee, Executive Engineer  
(Building), Br-IV, K.M.C.  
First Appellate Authority : ----  
Date of RTI : 16.04.2024  
Date of First Appeal : --  
Date of Complaint before : 25.08.2025  
the Commission  
Date of hearing : 09.02.2026  
Present for hearing -  
a) SPIO : In person  
b) First Appellate Authority : ----  
c) Complainant : Absent

Ref: i) Hearing Notice no. 252-WBIC/RTI/C/601874/2585/2024 dated 15.01.2026  
ii) Hearing Notice no. 394-WBIC/RTI/A/601873/2364/2024 dated 27.01.2026

Fact on Records:


1. Shri Rajan Mishra (hereinafter referred to as the appellant) submitted two complaints before the commission against one RTI application as noted above filed to the SPIO & Executive Engineer, Borough-IV, K.M.C. seeking the following information;
  - i) In relation to Sanctioned Building Permit No. 2023040014 dated 14.06.2023 for premises no. 272, Rabindra Sarani, Kolkata 700007 (hereinafter referred to as construction premises, whether KMC has sanctioned any amendment to the above plan or not?
  - ii) In relation to the construction premises, whether a notice under Rule 24 (1) of KMC Building Rule 2009 (Rule, has been given to the Municipal Commissioner

- by the applicant, countersigned by Architect/LBS / Other Technical Person as per Schedule X of the Rule aforementioned?
- iii) It answer to the Question (b) above is in affirmative, provide a copy of the notice under Schedule & of the Rule aforementioned.
  - iv) Whether a KMC Inspection report under Rule 24(2), has been submitted or not?
  - v) I answer to the Question (b) above is in affirmative, whether any deviation was observed by the Officer of KMC duly authorised for the purpose of inspection under Rule 24(2)?
  - vi) If answer to the Question (b) vi above is in affirmative, provide a copy of die inspection report for inspection Carried out under Rule 24(2)
  - vii) As per inspection carried out by KMC under Rule 24 (2) of the building Rule 2005, whether the Open Space of in the Bear Side of 4551 mm has been kept from the Plinth of the ongoing Construction on the rear side of the construction premises?
  - viii) What is the actual Open Space (measured in min) Kept on the Rear Side from the Boundary wall to the actual construction of Plinth,
  - ix) For the ongoing construction in the construction premises, whether Open space on allother sides are kept as per the sanctioned plan?
  - x) Whether any illegal construction beyond sanctioned plan has been reported of noted during KMC inspection vide Rule 24(2) or any other Rule of the Building Rule 2009?
  - xi) What are the actions taken by the Municipal Commissioner if any information has been received by him on construction beyond sanctioned plan in the subject premises?
  - xii) What are the actions taken by the Municipal Commissioner on Complaint of unauthorised construction beyond KMC sanctioned building plan and application for initiation of proceedings under Section 401/Section 401 A of the KMC Act, received by the Municipal Commissioner on dated 29.12.2023 vide A/121 and A/122?

2. Ground for complaint was non-response of the SPIO and relief sought for is to provide the information.

#### Deliberation and Decision

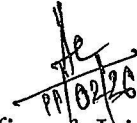
3. The appellant was absent despite the option of virtual hearing. He has neither sent any information nor any representative. He was not contactable on phone either. The SPIO was present in person.
4. It is seen that the SPIO replied to the appellant vide memo no. SPIO (Bldg)/Br-IV & V dated 09-8-2024. The SPIO also submitted that the appellant has been filing multiple RTI applications about different properties in Borough IV & V. The Commission noted that the appellant's one appeal was disposed of by the Commission vide WBIC Order No.5424-WBIC/RTI/A/603376/3296/2024 dated 12-9-2025. The RTI application in that appeal had 26 queries wherein the appellant was seeking information about a building under construction. The RTI application was rejected. However, taking a lenient view, the SPIO was asked to reply to three queries out of 26 queries..
5. The appellant is advised to use his right under RTI Act conscientiously keeping in view the spirit of the RTI Act and judgement of the Hon'ble Supreme Court in Aditya Bandyapadhy vs CBSE wherein it is said that it is not expected that the majority of the employees of the Public Authority will waste majority of their time in replying to RTI applications. The Commission noted that the appellant is adequately replied. The case is closed.
6. The matter is disposed of.

  
Virendra 10/2/26  
State Chief Information Commissioner  
West Bengal

Memo No : 725- WBIC/RTI/e/601874/2585/2024 Date: 11 / 02 /2026  
741- WBIC/RTI/A/601873/2364/2024

Copy forwarded to :-

1. Shir Amitava Mukherjee, SPIO & Executive Engineer, Building Department, Borough-IV, Kolkata Municipality Corporation, 22 Surya Sen Street, College Square, Kolkata- 700009.
2. Shri Rajan Mishra, 141 A, Muktaram Babu Street, Kolkata- 700007

A handwritten signature in black ink, appearing to be 'He', is written over a date stamp '11/02/26'.

Law Officer & Joint Registrar  
West Bengal Information Commission