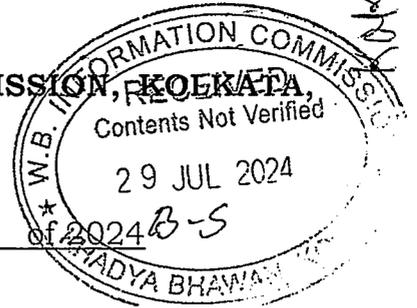


100825/C
30/07/2024

Kakali Mondal

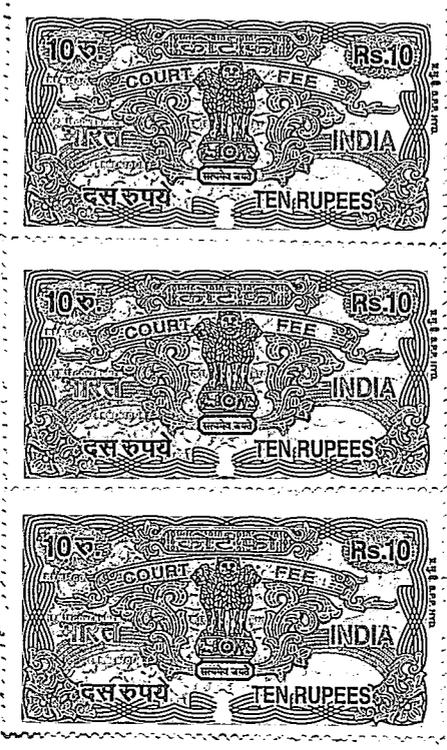
BEFORE THE HON'BLE STATE INFORMATION COMMISSION, KOLKATA,
WEST BENGAL.



RTI COMPLAINT No. _____ of 2024 B-5

In the matter of :-

Being dissatisfied and aggrieved by not receiving appropriate information within the time specified in sub-Section (1) or clause (a) of Sub-Section (3) of Section 7 within 30 days from the expiry of the said period from The Superintendent of Police, Baruipur Police District, by way of an application under Section 6(1) of RTI Act dated 30.04.2024, the Complainant herein preferred this instant complaint under Section 18 of the Right to Information (RTI) Act, 2005 on the following grounds/reasons as follows.



AND

In the matter of :-

SMT KAKALI MONDAL, wife of Pallab Kumar Mondal, presently residing at Jalaberia II, Purba Gabtala, Police Station Kultali, South 24 Parganas.

.....Complainant.

-VERSUS-

THE SUPERINTENDENT OF POLICE OF BARUIPUR POLICE DISTRICT, having its office at Baruipur Police District 1st, 3rd & 4th Floor, Commercial Complex, Zilla Parishad Bhaban Baruipur Kulpi Road, PO & PS- Baruipur, Kolkata- 700 144.

C
W
29/7/24

Kakali Mondal

.....Respondent.

The humble complaint on behalf of the
Complainant above named;

Most Respectfully Sheweth:-

Brief facts leading to the Complaint:-

1. That for the purpose of better understanding the application u/s 6 of the Right to Information Act, 2005 dated 30.04.2024, preferred by the complainant is hereinafter called and referred to as the "said RTI application".
2. Your complainant respectfully submits that it has been requested to the respondent authority to kindly provide the complainant, the "information" in regard to the day to day progress made by the Investigating Officer in regard to the investigation in connection with Kultali Police Station case No. 509 of 2023 initiated by the Officer-in-Charge of Kultali Police Station after receiving an information disclosing cognizable offense under Section 154(1) of the Code of Criminal Procedure, 1973.
3. Your complainant respectfully submits that it has been requested to the respondent authority to kindly provide the complainant, the "information" in regard to the present status of the said investigation in connection with Kultali Police Station case No. 509 of 2023.
4. Your complainant respectfully states and submits that it has been further requested in the said application under Section 6(1) of the Right to Information Act dated 30.04.2024 by the complainant that to kindly provide her, the information in regard to the name, particulars & designation of the present investigating officer who is presently entrusted with the responsibility to investigate the instant criminal case vide Kultali Police Station case No. 509 of 2023.
5. Your complainant respectfully states and submits that vide its RTI application dated 30.04.2024 it has been requested to the respondent authority to inform to provide the information to the complainant in regard to the action taken in accordance to the Code of Criminal Procedure, 1973 by issuance of notice under Section 41A of the Code of

✓ Rakabi Mondal

Criminal Procedure upon the accused person of this instant case for an effective investigation of this instant case in accordance with the direction passed by the Hon'ble Supreme court of India as lead in the case of "Arnesh Kumar vs the state of Bihar".

6. Your complainant respectfully submits that in the said application under Section 6(1) of the Right to Information Act dated 30.04.2024 your complainant sought for information in regard to the steps taken by the Investigating Officer during the course of the investigation by invoking the jurisdiction as delegated by the Officer-in-Charge of Kultali Police Station under Section 157 of the Code of Criminal Procedure, 1973 for ascertaining the facts and circumstance of the case and if necessary, to take measures for the discovery and the arrest of the offender and to conduct search and seizure for the purpose of a fair and proper investigation.

7. Your petitioner/ complainant respectfully submits that the complainant further sought for information through its application dated 30.04.2024 under RTI Act to kindly provide her with the detail information with regard to the reasons of law under Section 7(8) of the RTI Act if the appropriate authority intends to not to provide the specify information as sought in accordance with law.

Photocopy of the said application under Section 6(1) of the Right to Information Act dated 30.04.2024, is annexed herewith and marked as "P-1".

8. That the complainant most humbly states that the SPIO/respondent authority mala-fide denied/refused to provide appropriate information in regard to the RTI application dated 30.04.2024, preferred by the applicant/complainant, through his authorized representative and the respondent/SPIO intentionally refused and neglected to provide the required information for the purpose of taking appropriate action in accordance with law in conducting the investigation in the manner as envisaged in the codified law against the Letter of Complaint dated 30.04.2024 lodged before the Officer-in-Charge of Kultali Police Station.

9. The complainant being aggrieved and dissatisfied by, "Not receiving a decision" begs to prefer this complaint on the following amongst other grounds:

Kulkarni

GROUNDS

- I. FOR THAT the SPIO/Respondent failed/neglected/refused to provide relevant information against the query No. 1, 2 and 3 of the "said RTI application" dated 30.04.2024.
 - II. FOR THAT the SPIO/Respondent intentionally acted escapist to provide your complainant the appropriate information in regard to the steps taken by your authority after receiving the said application under Section 6(1) of the RTI Act dated 30.04.2024 has not taken appropriate steps in accordance with law by providing appropriate information to the complainant.
 - III. FOR THAT the SPIO/Respondent mala-fide denied/refused to disclose the materials on record and otherwise intentionally had certain material on record by commission or omission.
 - IV. FOR THAT the SPIO/Respondent is duty-bound to supply/ provide appropriate information as sought by your complainant.
 - V. FOR THAT the SPIO/Respondent failed to record any cogent reason for not providing the required information to the complainant and failed to dispose the RTI application dated 30.04.2024, under Section 6(1) of the RTI Act as per Sub-Section (1) or clause (a) of Sub-Section (3) of Section 7 within 30 days from the expiry of the said period in accordance with law.
8. This application is made bonafide for the ends of Justice.

In view of the above-mentioned facts and circumstances the Complainant herein prays for certain relief or reliefs as under:-

- a. A direction upon the SPIO to provide/furnishing the appropriate information as sought for in the application under section 6(1) of the Right to Information Act, 2005 dated 30.04.2024.
- b. For imposing a penalty on the SPIO of Two hundred and fifty Rupees per day till the day the information is furnished to the Complainant.

✓Kakab Mondal

Kakab Mondal

And for this act of kindness, your petitioner as in duty bound shall ever pray.

Thanking You,

Kakali Mondal

Signature of the Complainant.

VERIFICATION

I, the Complainant, do verify that the statements made in Paragraphs 1 to 8 are true to my knowledge. Signed this verification on this the 29th day of July, 2024.

Kakali Mondal

MIT GUHA ROY

ADVOCATE
HIGH COURT, CALCUTTA

Member:

Room No. 10
Alipore Bar Association,
Alipore Judges' Court
Kolkata - 700027

Chamber:

680/1, Gem Apartment,
Diamond Harbour Road,
Kolkata - 700063
Phone No. 9903004554

E-mail ID : mitguharoy2023@gmail.com

Ref: RTI/SPBPD/24

Date: 30/04/2024



TO,
THE SUPERINTENDENT OF POLICE,
BARUIPUR POLICE DISTRICT.

Sub: An Application under Section 6(1) of the Right To Information Act, 2005.

Sir,

I, Mit Guha Roy, Learned Advocate of Smt. Kakali Mondal, Wife of Pallab Kumar Mondal, having office at 680/1 Diamond Harbour Road, Gem Apartment, Kolkata - 700063 do hereby inform to your kind authority that pursuant to a letter of complaint lodged before the Officer in Charge of Kultali Police Station, Kultali police Station Case No. 509 of 2023 dated 11.08.2023 under Section 420/406 of Indian Penal Code was registered. It is further submitted that no information in regard to the day to day steps / progress made by the Investigating officer pursuant to the said criminal proceedings has been informed to the de-facto complainant of this instant case. In view of the aforementioned facts and circumstances, it is requested to kind authority to provide the following information as follows:-

1. Kindly provide me with the 'information' in regard to the day-to-day progress made by the Investigating Officer in regard to the investigation in connection with Kultali Police Station Case No 509 of 2023.

Mit Guha Roy
Advocate

MIT GUHA ROY

ADVOCATE
HIGH COURT, CALCUTTA

Member: .

Room No. 10
Alipore Bar Association,
Alipore Judges' Court
Kolkata - 700027

Chamber:

680/1, Gem Apartment,
Diamond Harbour Road,
Kolkata - 700063
Phone No. 9903004554
E-mail ID : mitguharoy2023@gmail.com

Ref :

Date :

2. Kindly provide me with the 'information' in regard to the present status of the said investigation in connection with Kultali Police Station Case No 509 of 2023.
3. Kindly provide me with the 'information' in regard to the name, designation, and particulars of the present Investigating Officer who is presently entrusted with the responsibility to investigate the instant criminal case vide Kultali Police Station Case No 509 of 2023.
4. Kindly provide me with the 'information' in regard to the action taken in accordance to the Code of Criminal Procedure, 1973 by issuance of a notice under Section 41A of the Code of Criminal Procedure upon the accused person of this instant case for an effective investigation of this instant case in accordance with the direction passed by the Hon'ble Supreme Court of India as laid in the Case of "Arnesh Kumar Vs. State of Bihar."
5. Kindly provide me with the 'information' in regard to the steps taken by the investigating officer during the course of investigation by invoking the jurisdiction as delegated by the Officer in charge of Kultali Police Station under Section 157 of the Code of the Criminal Procedure for ascertaining the facts and circumstances of the case, and if necessary, to take measures for the discovery and arrest of the offender and to conduct search and seizure for the purpose of a fair and proper investigation.
6. Kindly provide me with the detailed information with reasons of law under Section 7(8) of the Right to Information Act, 2005 if your authority intends not to provide the specified information as sought for in accordance with law.

Mit Guha Roy

Advocate

MIT GUHA ROY

ADVOCATE
HIGH COURT, CALCUTTA

Member:

Room No. 10
Alipore Bar Association,
Alipore Judges' Court
Kolkata - 700027

Chamber:

680/1, Gem Apartment,
Diamond Harbour Road,
Kolkata - 700063
Phone No. 9903004554

E-mail ID : mitguharoy2023@gmail.com

Ref :

Date :

Photocopy of the letter of complaint dated 27.07.2023, lodged before the Officer in Charge of Kultali Police Station is annexed herewith and marked as letter "P-1".

Photocopy of the notice dated 29.09.2023 under Section 91 of the Code of Criminal Procedure is annexed herewith and marked as letter "P-2".

I hereby inform that following formalities have been completed by me: -

- That I have deposited the requisite fee of Rs. 10/- by way of Court Fees.
- That I am an Indian Citizen and I am asking for the information as a Citizen.
- I assure that I shall not allow/cause to use/pass/share/display/or circulate the information received in any case and under any circumstances, with any person or in any manner which would be detrimental to the unity and sovereignty or against the interest of India.

Thanking You,

<Dial 18002666868> <Wear Mask, Stay Safe>



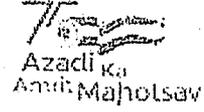
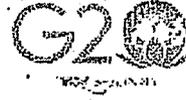
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To:SUPDT OF POLI,BARUIPUR POLICE
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From:MIT GUHA RO,HIGH COURT CALCU
Wt:350ms
Amt:17.70(Cash)Tax:2.70
<Track on www.indiapost.gov.in>

Signature of the applicant

Mit Guha Roy
Advocate
High Court, Calcutta



India Post
Dak Seva Jan Seva



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Track Consignment

Quick help

* Indicates a required field.

* Consignment Number

EW036462163IN

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Alipore HO	30/04/2024 15:51:24	700144	17.70	Inland Speed Post	Baruipur HO	01/05/2024 17:39:05

Event Details For : EW036462163IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
01/05/2024	17:39:05	Baruipur HO	Item Delivered(Addressee)
01/05/2024	11:15:02	Baruipur HO	Out for Delivery
01/05/2024	09:56:02	Baruipur HO	Item Received
01/05/2024	03:57:03	Kolkata NSH	Item Bagged
01/05/2024	01:59:57	Kolkata NSH	Item Received
30/04/2024	18:00:33	Alipore HO	Item Dispatched
30/04/2024	17:56:23	Alipore HO	Item Bagged
30/04/2024	15:51:24	Alipore HO	Item Booked

TO,

THE OFFICER – IN – CHARGE

KULTALI POLICE STATION

Sub: Serious complaint against namely Timir Baran Das proprietor of "Torsha Enterprise" of Nimta, Subhash Pally, Kolkata – 700 049, Police Station Nimta, for committing cheating of a sum of Rs. 8,50,000 /- (Eight Lakhs Fifty thousand) Only from me with fraudulent and dishonest intention.

Respected Sir,

I Smt Kakali Mondal, Wife of Pallab Kumar Mondal, residing at Jalaberia II, Purba Gabtala, Police Station Kultali, proprietress of "Matri Industry" do hereby state to inform your kind authority under a very compelling circumstances, that one Timir Baran Das proprietor of "Torsha Enterprise" of Nimta, Subhash Pally, Kolkata – 700 049, Police Station Nimta, the accused person herein came to our place and has provided to me a quotation dated 24/11/2020, vide its Ref. No. TE/92/2020 under the letterhead of the proprietorship firm of the accused person in the name and style, "TORSHA ENTERPRISE" of Nimta, Subhash Pally, Kolkata – 700 049, On being deceived, from the said inducement, I have paid the accused person a total sum of Rs. 8,50,000 /- on several instalments by way of bank transfer and cash with proper receipts and acknowledgements, provided by the accused person. All the transactions with the accused person took place at Purba Gabtala. But, finally the accused person has failed, refused, and neglected to provide me with the said pieces of machinery as mentioned in the quotation dated 24/11/2020, instead have induced me to deliver him the aforesaid cheated amount through a deception that soon after I make the payment, the accused person shall deliver to me the said machineries.

Kakali Mondal

Under such circumstances, it is informed to your kind authority that I have been cheated and defrauded by the said fraudster namely, Timir Baran Das, in lieu of such business transactions. The intention of the accused person was to cheat me from the very inception of the transactions which I could understand later, when I was late and I paid him Rs. 8,50,000 /- (Eight Lakhs Fifty thousand) Only.

In view of the aforementioned facts and circumstances, I request your kind authority to kindly treat this letter of complaint as a First Information Report as the same reveals disclosure of cognizable offence and register a specific FIR/Criminal Case against the accused person above named and oblige for the ends of justice.

This is for your kind information and necessary action.

Thanking you,

Yours Sincerely,

Kakali Mondal

27/07/2023

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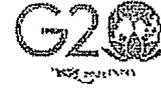
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To:DC,KULTALI PS
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From:KAKALI MONDAL,PURBA GABTALA
Wt:15gms
Amt:41.30(Cash)Tax:6.30
<Track on www.indiacost.gov.in>

[Sign In](#)[Register](#)

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Track Consignment

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* Indicates a required field.

* Consignment Number

EW329239444IN

Track Consignment

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Thakurpukur SO	27/07/2023 12:30:08	743338	41.30	Inland Speed Post	Nimpith Ashram SO	04/08/2023 15:58:35

Event Details For : EW329239444IN

Current Status : Item Delivered(Addressee)

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31/07/2023	14:24:32	Nimpith Ashram SO	Dispatched to BO
31/07/2023	13:12:35	Nimpith Ashram SO	Item Received
28/07/2023	18:33:58	Sealdah RMS TMO	Item Dispatched
28/07/2023	17:44:46	Sealdah RMS TMO	Item Received
28/07/2023	17:40:23	SMO SEALDAH RMS TMO	Item Dispatched
28/07/2023	17:36:10	SMO SEALDAH RMS TMO	Item Received
28/07/2023	17:24:42	Sealdah ICH	Item Dispatched
28/07/2023	16:52:38	Sealdah ICH	Item Bagged
28/07/2023	12:26:12	Sealdah ICH	Item Received
28/07/2023	11:50:27	SMO SEALDAH RMS TMO	Item Dispatched
28/07/2023	11:38:08	SMO SEALDAH RMS TMO	Item Received
28/07/2023	02:51:43	Kolkata NSH	Item Received
28/07/2023	02:15:23	KOL AP TMO	Item Dispatched
28/07/2023	01:26:19	KOL AP TMO	Item Received
27/07/2023	14:29:45	Thakurpukur SO	Item Dispatched
27/07/2023	12:30:08	Thakurpukur SO	Item Bagged
27/07/2023	12:30:08	Thakurpukur SO	Item Booked



सत्यमेव जयते
भारत सरकार



आधार



सत्यमेव जयते
Government of India



AADHAAR

भारत सरकार
Government of India

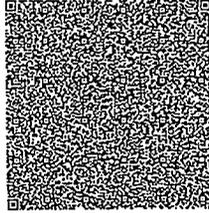
भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

Enrolment No.: 0696/33311/01450

To
Kakali Mondal
C/O: Pallab Kumar Mondal,
JALABERIA II,
PURBA GABTALA,
VTC: Purba Gabtala,
PO: Chhotrishar Hat,
Sub District: Kultaji,
District: South 24 Parganas,
State: West Bengal,
PIN Code: 743338,
Mobile: 9800715789

Signature valid

Digitally signed by Kakali Mondal
DN: cn=Kakali Mondal, o=Unique
Identification Authority of India
Date: 2024.08.31 11:08:31
GMT+05:30



आपका आधार क्रमांक / Your Aadhaar No. :

8357 2929 0055

VID : 9195 9109 3795 1731

मेरा आधार, मेरी पहचान

सूचना / INFORMATION

- ❑ आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं। जन्मतिथि आधार नंबर धारक द्वारा प्रस्तुत सूचना और विनियमों में विनिर्दिष्ट जन्मतिथि के प्रमाण के दस्तावेज पर आधारित है।
- ❑ इस आधार पत्र को यूआईडीएआई द्वारा नियुक्त प्रमाणीकरण एजेंसी के जरिए ऑनलाइन प्रमाणीकरण के द्वारा सत्यापित किया जाना चाहिए या ऐप स्टोर में उपलब्ध एमआधार या आधार क्यूआर कोड स्कैनर ऐप से क्यूआर कोड को स्कैन करके या www.uidai.gov.in पर उपलब्ध सुरक्षित क्यूआर कोड रीडर का उपयोग करके सत्यापित किया जाना चाहिए।
- ❑ आधार विशिष्ट और सुरक्षित है।
- ❑ पहचान और पते के समर्थन में दस्तावेजों को आधार के लिए नामांकन की तारीख से प्रत्येक 10 वर्ष में कम से कम एक बार आधार में अपडेट कराना चाहिए।
- ❑ आधार विभिन्न सरकारी और गैर-सरकारी फायदों/सेवाओं का लाभ लेने में सहायता करता है।
- ❑ आधार में अपना मोबाइल नंबर और ईमेल आईडी अपडेट रखें।
- ❑ आधार सेवाओं का लाभ लेने के लिए एमआधार ऐप डाउनलोड करें।
- ❑ आधार/बायोमेट्रिक्स का उपयोग न करने के समय सुरक्षा सुनिश्चित करने के लिए आधार/बायोमेट्रिक्स लॉक/अनलॉक सुविधा का उपयोग करें।
- ❑ आधार की मांग करते वाले सहमति लेने के लिए बाध्य हैं।
- ❑ Aadhaar is proof of identity, not of citizenship or date of birth (DOB). DOB is based on information supported by proof of DOB document specified in regulations, submitted by Aadhaar number holder.
- ❑ This Aadhaar letter should be verified through either online authentication by UIDAI-appointed authentication agency or QR code scanning using mAadhaar or Aadhaar QR Scanner app available in app stores or using secure QR code reader app available on www.uidai.gov.in.
- ❑ Aadhaar is unique and secure.
- ❑ Documents to support identity and address should be updated in Aadhaar after every 10 years from date of enrolment for Aadhaar.
- ❑ Aadhaar helps you avail of various Government and Non-Government benefits/services.
- ❑ Keep your mobile number and email id updated in Aadhaar.
- ❑ Download mAadhaar app to avail of Aadhaar services.
- ❑ Use the feature of Lock/Unlock Aadhaar/biometrics to ensure security when not using Aadhaar/biometrics.
- ❑ Entities seeking Aadhaar are obligated to seek consent.



भारत सरकार
Government of India



Aadhaar no. issued: 04/09/2014



Kakali Mondal
Date of Birth/DOB: 01/01/1999
Female/ FEMALE

आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं। इसका उपयोग सत्यापन (ऑनलाइन प्रमाणीकरण, या क्यूआर कोड/ऑफलाइन एक्सएफएल की स्कैनिंग) के साथ किया जाना चाहिए।
Aadhaar is proof of identity, not of citizenship or date of birth. It should be used with verification (online authentication, or scanning of QR code / offline XML).

8357 2929 0055

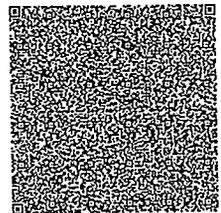
मेरा आधार, मेरी पहचान



भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India



Address:
C/O: Pallab Kumar Mondal, JALABERIA II,
PURBA GABTALA, Purba Gabtala, PO:
Chhotrishar Hat, DIST: South 24 Parganas,
West Bengal - 743338



Details as on: 15/04/2024

8357 2929 0055

VID : 9195 9109 3795 1731

1947 | help@uidai.gov.in | www.uidai.gov.in

Kakali Mondal

Kakali Mondal

"VAKALATNAMA"

IN THE COURT OF LD. State Information Commission at
Kolkata

Case No.

OF 20

Kakali Mondal

- Versus - ... petition - / complaint

Superintendent of Police
Baruipur Police District / Respondent

KNOW ALL MEN by these presents that I, KAKALI MONDAL, WIFE OF PALLAB KUMAR MONDAL, residing at Jalaberi II, Purna Crabala, Purna Crabala, P.O. Chhotishner Hat, West Bengal - 743338 Dist-24 Parganas (S), do hereby constitute and appoint MIT GUHA ROY, true and lawful Advocates to appear and act for the Petitioner in the matter noted above, to defend before the Ld. Court and for that purpose to do all acts and things, whatsoever in that connection including compromise of the above matter, depositing in or withdrawing money from, filing or taking out of papers, documents and payment orders from Court referring the matters in dispute between the parties hereto to arbitration, withdrawing the above matters with liberty to file fresh suit or application, sending properties released from attachment, filing execution or Miscellaneous cases and other petitions, bidding at execution sale, obtaining payment from Court, withdrawing custody and other fees and doing on our behalf such other acts in the above matter as are necessary and proper. We hereby agree to ratify and confirm all acts so done by the said Advocate or advocates as our own acts and as if done by us to all intents and purposes.

MIT GUHA ROY
Advocate
Reg.- WB/1810/2013
680/1, D. H. Road, Kol-63
Cont:- 9903004554
mitguharoy.qui...roy98@gmail.co

Date:- 29/07/2024

HEARING ON 12-03-2026

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

Fri, 20 Feb 2026 12:45:30 PM +0530

To "baruipurpolice"<baruipurpolice@gmail.com>

Cc "mitguharoy2023"<mitguharoy2023@gmail.com>

Please find the attachment, for further details visit our website

West Bengal Information Commission

1 Attachment(s)

WBIC-RTI-C-100825-2199-202...
16.3 KB