

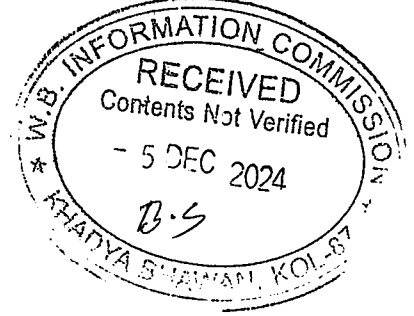
101382/CE
06/12/2024

DURLABH KUMAR AGRAWAL

ADVOCATE
HIGH COURT OF CHHATTISGARH

To

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



Subject: Hardcopy of complaint dated 23/11/2024 against Public Information Officer.

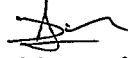
Ref: Online complaint filed on date 23/11/2024 bearing Diary No. 603785

Respected Sir,

With all due respect, I have preferred an online complaint dt. 23/11/2024 before your kind office which is registered as Diary No. 603785. I hereby submit a hardcopy of the complaint along with the documents for your kind perusal.

Raipur, C.G.

Date: 29/11/2024


Yours faithfully,
DURLABH KUMAR AGRAWAL
(ADVOCATE)
Raipur (C.G.)
Durlabh Kumar Agrawal (Advocate),
A-04 Wallfort Ville, Kachna,
Near Heritage Hospital,
Raipur, C.G. - 492007
M: 7697050165

C
20. per spk
7/12/24

DURLABH KUMAR AGRAWAL

ADVOCATE
HIGH COURT OF CHHATTISGARH

Date: 23/11/24

To

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

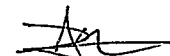
Subject: Complaint against Public Information Officer of Office of Police Commissioner for mala fide and gross misconduct of refusing to receive application preferred by the Applicant under section 6(1) of the Right to Information Act for information without reasonable cause.

Sir,

I, Adv. Durlabh Kumar Agrawal, aged 25 years, s/o Shri Bijay Kumar Agrawal, at - A 04, Wallfort Ville, Kachna, Raipur, C.G. - 492007 is submitting this complaint before your kind office against the Public Information Officer (SPIO) at the Office of Police Commissioner, West Bengal Police, 325, Nabanna, Sarat Chatterjee Road, Shibpur, Howrah for gross misconduct.

It is respectfully submitted that the present I, the Complainant as an Applicant has preferred an application under section 6(1) of the Right to Information Act before the SPIO seeking information with respect to action taken on a complaint preferred before appropriate authority. A copy of the application along with documents annexed are marked and annexed herewith as **Annexure A/1**.

It is further submitted that the said application was sent to SPIO in a sealed envelope via speed post on 14/11/2024 which was return with remark not known. Thereafter, the application was again served before the SPIO in sealed envelope via speed post on date 22/10/2024 bearing consignment no. EC345457417IN. However, on date 07/11/2024, I received the envelope returned with remark "Receiver refused" with date 26/10/2024 inscribed behind the envelope. A copy of the envelope sent to SPIO containing application is marked and annexed herewith as **Annexure A/2** and a copy of tracking report of consignment no. EC345457417IN is marked and annexed herewith as **Annexure A/3**.



DURLABH KUMAR AGRAWAL

ADVOCATE
HIGH COURT OF CHHATTISGARH


It is submitted that the SPIO being a public authority under Right to Information Act is responsible to receive an application under section 6(1) from person seeking information and shall either provide or reject the application of a person as per grounds provided within the Act. However, in the instant case the SPIO has acted mala fide and committed gross misconduct by refusing to receive the application of the Applicant herein without any reasonable cause and has failed to furnish information sought by the applicant.

It is submitted that the action of the SPIO refusing to receive application is a punishable under section 20 of the Act and regardless of being aware of the consequences, the SPIO has refused to receive the application of the Applicant herein.

Therefore, it is prayed that the esteemed Commission be kind enough to take action on the complaint of the Complainant herein and take strict and appropriate legal and disciplinary action against the erring SPIO for which the complainant shall be ever grateful.

Raipur, C.G.

Date: 23/11/24


Yours faithfully,
DURLABH KUMAR AGRAWAL
(ADVOCATE)
Raipur (C.G.)

Durlabh Kumar Agrawal (Advocate),
A-04 Wallfort Ville, Kachna,
Near Heritage Hospital,
Raipur, C.G. - 492007
M: 7697050165

List of annexures: -

1. Copy of the application along with documents - Annexure A/1
2. Copy of the envelope sent to SPIO containing application - Annexure A/2
3. Copy of tracking report of consignment no. EC345457417IN - Annexure A/3

DURLABH KUMAR AGRAWAL
ADVOCATE
HIGH COURT OF CHHATTISGARH

Date: 14.10.2024

To

The Public Information Officer
Commissioner of Police, West Bengal Police Directorate,
Nabanna, 325, Chatterjee Road, Shibpur, Howrah - 711102

Subject: Application under section 6(1) of Right to Information Act.

Name of Applicant: Durlabh Kumar Agrawal

Father's name: Shri Bijay Kumar Agrawal

Mobile No: 7697050165

Permanent address & address for delivery of information A-04, Wallfort Ville, Kachna, Near Heritage Hospital, Raipur, Chhattisgarh - 492007


Information sought: That, the Applicant has preferred a complaint via email dated 11/08/2024 before the W.B. Police Directorate against police personnel of PS Barasati (copy annexed). Apropos to the complaint, provide the following information:

1. Provide certified copies of notices, replies, investigation report, statements, action taken report with respect to complaint dated 11/08/2024 filed by complainant Durlabh Kumar Agrawal.

It is submitted that the information sought is not exempted from disclosure under Section 8 and 9 of the RTI Act and the present Applicant is the complainant in the complaint annexed herewith.

Whether Applicant BPL: NO

Fee for the information: Rs. 10/- in Postal Order No. 66 F 117264


Sincerely,
DURLABH KUMAR AGRAWAL
(ADVOCATE)
Durlabh Kumar Agrawal (Adv.)
Mob: 7697050165

A-04, Wallfort Ville, Kachna, Near Heritage Hospital, Raipur, Chhattisgarh - 492007
M: 7697050165; 79995-51797 E: adv.dkagrawal@gmail.com

RC386000975IN IVR:8267386000975

RL PANDRI SO <492004>

Counter No:1.14/10/2024.12:22

To:THE PIO..

PIN:711102. Sibour SO

From:DURLABH KU AGRAWAL..

Wt:20gms,REG=17.0

Amt:5.96,PS:20.00Tax:3.96,Amt.Paid:6.00(Cash)

<Track on www.indiapost.gov.in>



India Post

<Dial 18002668868> <Wear Masks. >

EC345457417IN IVR:6967345457417

SP PANDRI SO <492004>

Counter No:1.22/10/2024.12:30

To:THE PIO..

PIN:711102. Sibour SO

From:DURLABH KU AGRAWAL..

Wt:20gms

Amt:41.30.Tax:6.30.Amt.Paid:41.00(Cash)

<Track on www.indiapost.gov.in>



India Post

अधपत्रा COUNTERFOIL

इसे फाड़कर प्रपक अपने पास रख ले।

To be detached and kept
by the Sender.

पोस्टल आर्डर

₹ 10

POSTAL ORDER

किस अदा करना

To whom payable

W.B. Police

किस दफ्तर में

At what Office

क्या इसे क्रॉस किया है

Whether crossed

भेजने की तारीख

Date sent

66F 117264



Durlabh Agrawal <adv.dkagrawal@gmail.com>

Urgent Complaint Regarding Police Misconduct and Human Rights Violations by Police Personnel of PS Barasati

1 message

11 August 2024 at 10:23

Durlabh Agrawal <adv.dkagrawal@gmail.com>

To: policewb@gmail.com, policewb@yahoo.com

Cc: "Bijay. Durlabh1967" <Bijay.durlabh1967@gmail.com>

Sir,

I, Advocate Durlabh Kumar Agrawal, S/o Bijay Kumar Agrawal, residing at A-04, Wallfort Ville, Kachna, Raipur, Chhattisgarh, am writing this complaint seeking your immediate attention on the illegal and criminal activities of police personnel of PS Barasati against my father Bijay Kumar Agrawal, his assistant Abhay Sahu and driver of Truck. These erring and offending officers namely Biplav Biswas and Subhash along with other accompanying officers in vehicle bearing registration No. WB 24 AE 0676 have committed serious human rights violations and criminal offences not limiting to atrocities, assault, criminal intimidation, abuse of power, dereliction of duty and robbery as they stopped in the middle of the night at Near Beliaghata High School between Golabari and Biswanathpur. Furthermore, strict action is called for answering police personnel of Office of the Commissioner of Police, Howrah, for wilful dereliction of duty.

On 11.08.2024 at about 01:46 AM, I received a phone call from my father's number – 7987064867, on my phone number - 7697050165. In the call, he informed me that some police personnel at Beliaghata are harassing them and are ready to assault and attack him and have already assaulted and attacked his assistant Abhay Sahu. While he was speaking with me, from the behind I heard someone yelling "Aye, phone idhar de warna kaan ke niche maarunga" thereafter, my father said "aap aisa nahi kar sakte me apne bete se baat kar raha hun" and the phone disconnected. Fearing his life, I contacted him but the calls were unanswered and after few minutes his number was switched off.

Fearing ill actions by police personnels against my father and his assistant, I immediately accessed my father's last available location available using Google's application which was Near Beliaghata High School between Golabari and Biswanathpur, then searched on the internet for the contact number of West Bengal Police Helpline. Upon finding the number I contacted Kolkata Police Headquarters phone No. - 3322505000. On the phone call, I informed them that my father contacted me and informed that some police personnel are harassing and I am afraid that they will assault and attack him and his assistant and also informed them of their last known location. The answering personnel at Kolkata Police advised me to contact the Office of the Commissioner of Police, Howrah and provided the contact number 03326374761 and 03326374762.

Thereafter, I immediately contacted the Office of the Commissioner of Police, Howrah at 03326374761. The answering police personnel was fluent in Hindi and asked the reason for contacting then I informed him of the situation and informed him of the last known location of my father. It was told to the answering police personnel that some police personnel Near Beliaghata High School, between Golabari and Biswanathpur are harassing and threatening to assault my father and his assistant and they have snatched my father's phone. At first the answering police personnel attempted to avoid and escape his legal obligation, however, upon several requests he then sought, had snatched their phones, and we were unable to contact them. After much convincing and pleading, the police personnel asked for my father's phone number to contact him. I provided the answering police personnel with my father's phone No. 7415766549, believing that the police might have returned his phone.

In the meantime, my mother received a call from Abhay Sahu's phone number 6268942451. Upon receiving the call, we were able to speak to my father, who then told us that the police personnel of Barasati Police Station has assaulted and attacked them and are demanding money to let them go and are threatening to arrest them on false charges of pushing police personnel on duty. He also mentioned that his phone was still with one of the police personnel named Biplav Biswas. Upon hearing this I immediately informed the answering police personnel of Office of Police Commissioner 03326374761 that my father's phone was still with the offending officer and requested him to contact my father's assistant on his phone number 6268942451, after which the call with Office of Police Commissioner was disconnected.

I then contacted the Office of the Commissioner at 03326374762 to inquire about my complaint and the safety of my father and others. They assured me that they were contacting my father. However, as we were not able to get any information, I again contacted them and requested for immediate action, but the answering police personnel started to make excuses. Due to the dereliction of duty on the part of the answering police personnel of Office of Police Commissioner, Howrah, I had to state that I will file a complaint before the NHRC. Immediately then the answering police personnel changed his language of communication and began to talk in Bengali despite being fluent in Hindi. I insisted that they speak in either English or Hindi and explained that I am not a native of West Bengal and is not conversant in Bengali, but the answering police personnel of Office of Police Commissioner, Howrah continued to talk in Bengali. I repeatedly requested to speak in either English or Hindi. It is imperative state here that considering the seriousness of the complaint made before the Office of Police Commissioner, the

answering police personnel is obligated to take immediate action and to maintain professionalism but to cover up their blatant disregard for law and process, the answering police personnel continued to speak in Bengali despite being in knowledge of the language barrier and did not transfer the phone call to any other person fluent in English or Hindi.

After some time, I received a phone call from my father, who then told me that he had gone to Basirhat to purchase saplings for plantation in his village in Dist. Boudh, Odisha. As loading of saplings took ample amounts of time as well as unavailability of transportation late at night, he was returning to Kolkata in the same truck in which the saplings were loaded, then at about 01:00 AM, some police personnel in a vehicle bearing registration No. WB 24 AE 0676 stopped their truck at Beliaghata. Upon noticing that only their truck bearing Chhattisgarh registration was stopped, while no other trucks were, his assistant began recording the incident on his phone to avoid any foul play or harassment by police officers. Upon seeing this, police personnel, including Biplav Biswas, Subhash and others from Barasati Police Station, assaulted and attacked Abhay Sahu and demanded Rs. 3000 to let them go and when they denied to meet their demands, they threatened to arrest them on false charges of pushing and attacking police officers. To further harass and pressurize them, Biplav Biswas was attempting to falsely allege and yell that the driver has pushed them and he also pushed them. He also stated that when he contacted me, Biplav Biswas threatened and intimidated him to give his phone otherwise he would slap him underneath his car (kaan ke niche maarunga). My father also mentioned that none of the police officers were wearing badges, but they managed to get the name of only two persons namely Biplav Biswas and Subhash. It was also stated that being scared the driver handed Biplav Biswas first Rs 1000 then again gave him Rs 1000, in total Rs 2000 to pacify the offending police personnels. Furthermore, after the entire fiasco, one of the offending police personnel talked to me on phone using my father's phone and alleged that they stopped them because of reckless driving and expiration of some tax token and he also averred thaty father's assistant made video which should not be done.

The actions of the police personnel of PS Barasati Near Beliaghata High School, Beliaghata, between Golabari and Biswanathpur at around 01:00 AM on 11.08.2024, against my father Bijay Kumar Agrawal, his assistant Abhay Sahu, and with the truck driver they were travelling with are extremely unfortunate and highlight the deplorable policing practices of the West Bengal Police Department. The conduct of Biplav Biswas, Subhash, and the other officers involved in this so-called patrolling is a prime example of highway robbery and abuse of police power. Furthermore, the attack on my father's assistant for recording the incident, done with the innocent intention of avoiding foul play, is a violation of his human rights which demands proper investigation by the National Human Rights Commission itself. The atrocities, assault, criminal intimidation, abuse of power, dereliction of duty, illegal and criminal demands, unlawful detention, false imprisonment and robbery inflicted on my father, his assistant, and the driver, are unjustifiable and unforgivable.

The illegal and criminal activities committed by the offending police personnels of PS Barasati demand immediate and strict departmental and criminal action against them as these actions were not carried out in the discharge of their official duties. The actions committed by the offending police personnels seems to be their modus operandi who are operating in the region and are harassing innocent truck drivers and people in the garb of making quick money and considering the harassment and treatment meted to my father, it is entirely possible that others who have fallen victim to their activities were unable to approach and complaint before appropriate authority owing to their poor background and lack of knowledge as well as the criminal intimidation.

Additionally, the conduct of the answering police personnel at the Office of the Commissioner of Police, Howrah, in avoiding and escaping their duty and answering in Bengali despite being fluent in Hindi, despite knowing the language barrier, constitutes a dereliction of duty and warrants a departmental inquiry. It cannot be expected that in matters of serious nature, one averts their duty and feigns ignorance to legitimate complaints in the guise of language barrier.

I request your office to take cognizance of this complaint immediately, as the offenses committed by the erring and offending police personnel are cognizable. Otherwise, I will be compelled to approach the Hon'ble High Court of Calcutta and, if necessary, the Hon'ble Supreme Court for appropriate writs and directions in the matter, for which your office will be solely responsible.

Regards,

Durlabh Kumar Agrawal,

Advocate

B.A. LL.B. (Hons.)

Res: A-04, Wallfort Ville, Kachna, Raipur, C.G.

M: 7697050165 / 7999551797



Speed Post

EMS SPEED POST



EC345457417IN

R.T.I

TO

From,

Durlabh Kumar Agrawal (Adv)

A-04, Wallfort Ville, Kachna,

Near Heritage Hospital,

Raipur, C.G. - 492007

M: 7697050165

TO The PUBLIC INFORMATION
OFFICER

Office of Police Commissioner
West Bengal Police

325, NABANNA.

Sarat Chatterjee Road

SHIRPUR, HOWRAH

Pin-71102, (W.B)

~~✗~~

~~Handwritten mark~~

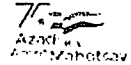
Receiver
refused
p. Paul
26/10/24



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You are here Home>> Track Consignment

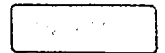
Track Consignment

[Quick help](#)

* Indicates a required field.

* Consignment Number

EC345457417IN



Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Pandri SO	22/10/2024 12:30:45	711102	41.30	Inland Speed Post	Sibpur SO	07/11/2024 17:14:44

Event Details For : EC345457417IN

Current Status : Item Delivered [To: address (Addressee)]

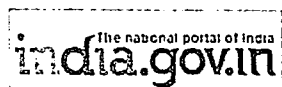
Date	Time	Office	Event
07/11/2024	20:36:26	Saddu SO (Beat Number:8)	Item Delivered [To: address (Addressee)]
07/11/2024	17:14:44	Saddu SO	Item Delivered(Sender)
07/11/2024	11:40:47	Saddu SO	Out for Delivery
07/11/2024	11:33:59	Saddu SO	Item Received
04/11/2024	23:43:27	Raipur NSH	Item Received
29/10/2024	16:21:54	Kolkata NSH	Item Dispatched
29/10/2024	15:31:37	Kolkata NSH	Item Bagged
29/10/2024	12:02:52	Kolkata NSH	Item Received
29/10/2024	11:49:38	Kolkata NSH	Item Received
29/10/2024	11:36:44	KOL AP TMO	Item Dispatched
29/10/2024	11:18:42	KOL AP TMO	Item Received
29/10/2024	04:35:41	KOLKATA TRANSHIPMENT CENTRE	Item Dispatched
29/10/2024	04:34:57	KOLKATA TRANSHIPMENT CENTRE	Item Received
28/10/2024	22:46:51	Howrah Ground Mail Agent	Item Dispatched
28/10/2024	22:46:17	Howrah Ground Mail Agent	Item Received
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28/10/2024	15:26:47	Sibpur SO	Item Dispatched
28/10/2024	15:25:42	Sibpur SO	Item Bagged
26/10/2024	14:26:05	Sibpur SO	Item Returned Refused
26/10/2024	11:02:27	Sibpur SO	Out for Delivery
26/10/2024	09:09:53	Sibpur SO	Item Received
25/10/2024	14:59:56	Howrah Ground Mail Agent	Item Dispatched
25/10/2024	14:57:47	Howrah Ground Mail Agent	Item Received
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24/10/2024	10:03:55	How Ma RMS TMO	Item Received
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23/10/2024	04:40:00	Raipur NSH	Item Bagged
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22/10/2024	16:38:16	Pandri SO	Item Bagged
22/10/2024	12:30:45	Pandri SO	Item Booked

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External Links



National Voter's Service Portal

India Code

Application Security Audit Report



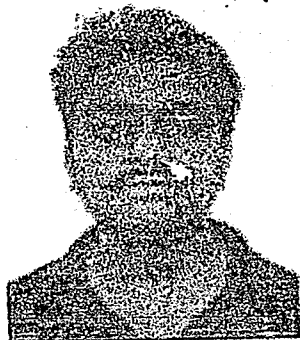
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भारत सरकार
Government of India



Aadhaar no. issued: 28/02/2015



Durlabh Agrawal
Date of Birth/DOB: 05/07/1999
Male/ MALE

आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं।
इसका उपयोग मतदान, जन्मदाह प्रमाणिकरण या क्यूआर कोड/
आधार नम्बर प्रमाणिकरण के माध्यम से 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).

9313 9340 4600

मेरा आधार, मेरी पहचान

*for complaint
before W.B.S.I.C.*



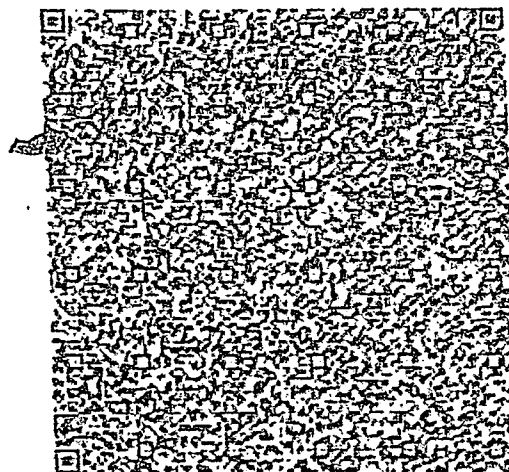
भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India



Address:

G/O Bijay Kumar Agrawal, A 04 wallfort ville,
behind Brahma kumari ashrama, Kachna
road, Near heritage hospital, Kachna,
Kachana, PO: Saddu, DIST: Raipur,
Chhattisgarh - 492007

Details as on: 21/01/2024



9313 9340 4600

VID : 9177 2299 2183 7332



1947



help@uidai.gov.in



www.uidai.gov.in