

4056/ (e)
14/11/2022

Dated: 11-11-2022

To,

The Appellate Authority,
The BL & LRO, O/o The BL & LRO
Rajgunj, District-Jalpaiguri.

Complaint under Section 18 of the RTI Act:

BEFORE THE LD. STATE CHIEF INFORMATION COMMISSIONER
WEST BENGAL STATE INFORMATION COMMISSION,
KOLKATTA



Copy To,

The District Magistrate,
O/o The District Magistrate,
Sadar, Jalpaiguri

Subject- (Appeal vide reply to my RTI application dated **28-09-2022** received vide **Docket No.5294** by SPIO & RO, O/o The BL & LRO, Rajganj under **Section 19 (1) of the Right to Information Act 2005** and complaint regarding continuous, intentional and malafide obstruction of information)

1. Full name of the Appellant: Navratan Lakhota s/o Chunni Lal Lakhota.

2. Address: Sobha Chand Lakhota & Co, Naya Bazar, Khalpara, Siliguri-734005.

Contact Nos-9434019327, 9932012167. E-mail :lakhotiacomputers@gmail.com

3. Particulars of the State Public information officer: RO & SPIO, O/o The B.L.L.R.O, Rajgunj, Dist-Jal

4. Date of receipt of the reply appealed against: 03-11-2022

5.The grounds for appeal: In my requisition for information under the proviso of RTI ACT 2005 Dated: 28-09-2022, I had asked for the information, as per attached (**Annexure A1**) This has been replied by the RO & SPIO, vide Memo No-**3698/BLRO/RAJ/2022** Dated-**21-10-2022** (**Annexure A2**)

- i) That the information vide point " 1 - 4 " as per information requested were **malafidely obstructed seemingly with the intention to hide the material facts for the reasons best known to them.** I am made to feel as to the officials had crossed all the limits of nonfeasance and malafide intentions while conducting themselves as a trustee of the society. Only with the one and lone point clandestine agenda as to any how discreate the information and force the citizens practice tortious patience at the expense to detriments of their rights.

Grounds:

- a) That on 14-07-2022 I had made a RTI petition to the same office in regard to the details of the allegedly **illegal mutation proceedings awarded to fallacious persons in respect to our property and that too INTENTIONALLY on the basis of forged Document of Deed No- 2021 of 1960;** which was received vide docket No- 3689 and it was replied vide Memo no- **2652/RTI/BLRO/RAJ/ JAL/2022** dated 25-07-2022 as to "**the case record could not be traced out**".
- b) That upon getting the above reply I made a first appeal before the 1st Appellate Authority. i.e The B.L & L.R.O, Rajgunj. It was replied to me seemingly '**malafidely**' as to "**file the appeal with the appropriate authority**" in spite of **my communication made as to B.L. & L.R.O is the appropriate appellate authority** and proof being also communicated; while my personal visit at the said office in the interest of the 1st appeal.

c) At my own personal level, I somehow collected information about the said **illegal mutation proceedings** and submitted a letter to this office on **05-09-2022** which was received vide **Docket No-4758**; accompanying documentary evidence and proofs in support of my allegation. And thus, I made this subject RTI petition for getting information. And later it was learnt that on **20-9-2022** the opposite party (mutation beneficiaries) attended a hearing in this regard after getting a notice. Besides this they submitted a petition and few forged and fabricated documents to support their alleged claims. I patiently waited for the reply.

d) But to my flabbergast the SPIO out of his excessive audaciousness went on to maliciously and malafidely declare that **"we are searching for the mentioned documents in the office"**. I am shocked at this atrocious reply. The documents submitted on 20-9-2022 are lost within 30 days. Does this not demonstrate the malafide intention and/or the vulnerability of the office or it's officials.

e) That the mutation beneficiaries had submitted forged and fabricated documents to support their false claims ; **and now upon knowing about our awareness about their false and fabricated documents they seem to oust the documents from this office** and/or the SPIO seems to give misleading information to screen their offence; bereft of reasoning trying to discover an excuse of **"missing files"** clandestinely to withhold the information.

ii) The Commission dealt with the issue of 'missing file' in its earlier order dated 29.08.2014 in Omprakash vs. GNCTD vide file no. CIC/DS/A/2013/001788-SA, and stated:

"The defense of missing file cannot be accepted even under the RTI Act"

iii) Central Information Commission in Shahzad Singh vs Department Of Posts on 17 January, 2018 stated :

"7. It is presumed that each department will be diligent in protecting the records..... If malicious destruction of records is proved, it should have penal consequences under Indian Penal Code as causing disappearance of evidence to the offence etc, defined as crime under Section 201 punishable up to 7 years of imprisonment and fine...."

13. If these files are a part of public record and form evidence in any case, its destruction would be a serious crime of evidence destruction. Otherwise also it brings in the liability under Public Records Act 1993 which can extend to imprisonment up to five years & fine of Rs 10,000

17. The claim of 'missing files' indicates possibility of deliberate destruction of records to hide the corruption, fraud or immoral practices of public servants, which is a crime under IPC."

vi) That with due appeal and invocation it is prayed to the appellate authority to arrange to provide genuine and uninterrupted information and the copies of the submitted documents by the mutation beneficiaries on 20-09-2022 during hearing conducted; to unravel the truth and fraud and for the ends of Justice.

a) That when the seriousness of the issue in relation to which production of information is sought (here issue is mutation obtained by playing fraud upon your office). When the likelihood that production of the documents or information will affect the outcome of the case (here the case is a case of fraud detection). And when there is the likelihood of injustice if the documents or information are not produced (here injustice to public would be done if public faith is lost and if such illegal acts are being practiced at the Government Office).

b) In such circumstances denying, obstructing or delaying the information shall prejudice the rights of Larger Public as well as our rights. That the information sought is now pertaining to "public interest immunity" and to instill good Faith on the citizen.

vii) Moreover, since June 2022, I had been trying to get the information in regard to past various instances of corruption, fabrication of false evidence and fraud being committed upon me and my mother; with respect to our landed property; at your good office conspicuously. But till date none of the information were furnished to us to enable us to set the available remedies in motion. The SPIO on each occasion seemingly tried to malafidely obstruct the information and/or seemingly tried to conceal the information as available on record. And/or tried to pave an escape route to flee from the queries sought; by citing irrelevant grounds as to the **"query is not under the preview of RTI Act, 2005"** and some times took recourse of non-availability of documents or records as to **"we are searching for the mentioned."** **"You will be informed accordingly"** But no information was ever given; indefinitely.

Handwritten signature/initials.

viii) Some Hon'ble Supreme Court observation on **Fraud**

a) That the Supreme Court in 'S.P. Chengalvaraya Naidu V. Jagannath' [1993 (10) TMI 315 - SUPREME COURT] held that

"Act of deliberate deception with the design of securing something by taking unfair advantage of another is 'fraud'. 'Fraud' is a cheating intended to get an advantage. A person whose case is based on falsehood he has no right to seek relief in equity"

b) That in Supreme Court of India has observed in the matter of - Inderpreet Singh Kahlon & Ors vs State of Punjab & Ors on 3 May, 2006 holding that

" (6)(i) The rules of natural justice are not required to be followed in cases of cancellation of selection which is vitiated due to fraud, manipulation, corruption or large-scale irregularities and illegalities committed by those responsible for conducting the selection."

ix) That Right to information Act '2005' was legislated by our law makers to empower the citizens, promote transparency and accountability in the working of the Government, contain corruption, and make our democracy work for the people in real sense. It goes without saying that an informed citizen is better equipped to keep necessary vigil on the instruments of governance and make the government more accountable to the governed. This Act was a big step towards making the citizens informed about the activities of the Government.

x) That the above acts and functioning of the Information Officer has caused us mental agony, irreversible loss of rightful Rights; legal rights and personal freedom. Lastly among many instances, to the level of becoming one of the tools to misguide the Hon'ble Justice at Calcutta High Court Circuit Bench, while hearing my case. As repeatedly brought to your kind knowledge and concern via various communications. And last but not the least from the above unbecoming acts I am made to feel that the designated officials are trying to screen the offenders and hide the alleged offence committed by their above acts.

6. Relief Sought:

- a) Please instruct the SPIO to give the information forthwith **free of cost**.
- b) Recommend to the State Information Commission that a **penalty should be levied** and a **disciplinary action** against the SPIO under **Section 20 of the RTI Act of 2005**, for not providing/obstructing and malafidely denying the information as mandated in the law.

7. Particulars of information-

a) Nature and subject matter of the information required:

Information sought in regard to the hearing conducted on my petition for record correction and documentary evidence submitted to support my allegations on 05-09-2022 ; and then enquiry being initiated by this office; the mutation beneficiaries submitted the false documents and fabricated false evidence with copies of forged documents submitted at this office on 20-9-2022; to support their false claim; *and now upon knowing about our awareness about their false and fabricated documents they seem to oust the documents from this office* and/or the SPIO giving misleading information to screen their offence. The copies of such submitted documents on 20-09-2022 by the mutation beneficiaries are required.

b) Name of the office or department to which the information relates: O/o The BL & LRO , Rajganj, Dist-Jalpaiguri.

8. I am not aware of the fees for appeal. I agree to pay the required fees; if any fees are payable for the purpose of this appeal or getting information.

9. I declare that I am a Bonafede Citizen of India and above given address in point 2 is my permanent address.

Enclosures: 3 (Three) Sheets EXCLUDING FIRST APPEAL PETITION

Annexure A-

A1) Self attested RTI petition dated **28-09-2022** received vide O/o The BLLRO receipt **Docket No.5294** and is self-explanatory. (Page-5-6)

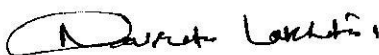
A2) Self-attested reply of the RO & SPIO vide **Memo No-3698/RTI//BLLRO/RAJ** Dated **21-10-2022** And received on **03-11-2022** (Page-7)

A3) SELF ATTESTED ADDRESS PROOF

Place: Jalpaiguri

Date: 11-11-2022

Your's Sincerely,



Navratan Lakhota,
Naya Bazar, Khalpara
Siliguri-734005.
Contact-9932012167
Email- lakhotiacomputers@gmail.com

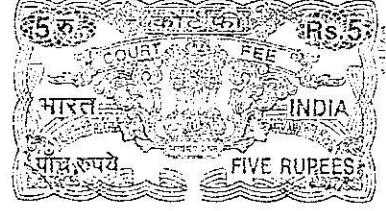
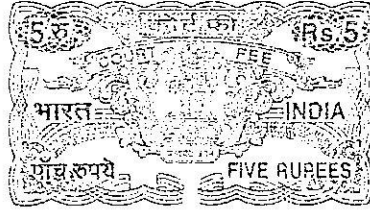
Dated : 28-09-2022

To,

The State Public Information Officer,
O/o The B.L & L.R.O
Rajganj Block,
Dist-Jalpaiguri.

Copy To,

The District Magistrate,
O/o The District Magistrate,
Sadar, Jalpaiguri



(PETITION 2)

Subject : Request for the **INFORMATION** under Right To Information Act, 2005

Dear Sir,

With due respect I would like to request your kind self to furnish me the information in reference to the **matter of the mutation** vide Mutation **Case No-MN/2016/0701/310** which was recorded in LR Khatian vide Khatian No-1138 on the basis of alleged Deed being manufactured on the basis of **forged Deed No- 2021 of 1960**. And the Order of Mutation being executed at **O/o The B.L & L.R.O, Rajganj**

- i) That upon the knowledge of the above mutation on the basis of forged **Deed No-2021 of 1960**. The matter was reported to The B.L. & L.R.O, Rajganj verbally on **06-06-2022**.
- ii) That on demand I also submitted in written complaint/grievances on **16-06-22** vide docket no- **3188** of O/o B.L. & L.R.O, Rajganj Block.
- iii) That I have also submitted a Petition for Record Correction vide Grievance Application vide UPN No- **PTN2022070100043** on the site <https://banglarbhumii.gov.in>, in Public Grievance section. The same was forwarded to The BL & LRO, Rajganj on **31-08-2022** by ADM (L.R) & DL & LRO to initiate proceeding and dispose the matter.
- iv) That on **05-09-2022** a letter accompanying documentary evidence and proofs in support of the allegation was submitted upon the recommendation of The BL & LRO, Rajganj vide **Docket No-4758**.

In relation to the above stated facts please furnish me the information as under :-

- 1) Please indicate if the mutation beneficiary vide Khatian No -1138 have been served notice (u/s 57 of the WBLR Act,1955) in the interest of the case or enquiry?
- 2) If "Yes" please furnish the certified copy of the notice served?
- 3) If "Yes" please furnish the copy of the **documents submitted** by the Khatian Holder vide Khatian No-1138 in support of her claim?
- 4) Please also furnish the copy of the petition or submission made by the Khatian Holder vide Khatian No-1138 in support of her claim?

Received by
 District Collector
 Jalpaiguri

a) I declare that I am a Bonafide Citizen of India and below given address is my permanent address. (**My Voter Id Card Vide Epic No- GLQ4035457**)

b) If information sought is rejected or evasively replied, the PIO has to give the reasons for rejection as required under Section 7(8). Merely quoting the bare clause of the Act does not imply that the reasons have been given. Such rejection amounts to malafide Rejection of information. The SPIO should intimate as to how the exemptions if any under the Act are applicable to the rejection.

d) The information sought involves serious public concerns as it involves a question as to the authority was either defrauded by placing a forged document before him or had intentionally acted beyond its power and in contravention of Laws. Thus, the information sought pertains to larger public interest and immunity. Consequently, the information cannot be withheld as per the immunity of exemption under Section 8 of The Right to Information Act, 2005.

e) Hence, on this behalf I request you to supply me the desired information without prejudice. **As the information sought on the issue(allegation) is very serious in nature.** The production of information will change the outcome of the case at hand. And there is every chance and likelihood of injustice done to public at large if the documents or information are not produced. (As If these high-handed procedures are being followed without due process of law and in contravention of laws. Concealment of the facts will prejudice the public at large; who are in good faith practicing faith upon the public authorities concerned)

f) Hence the information is also expected to be furnished in the light of Sub Section 2 of Section 8 of RTI act; as the disclosure of the information will upheld the public interest . And the information sought are no longer personal and rather are the part of quasi judicial proceeding. And anything within the purview of such proceeding cannot be concealed in the view of principles of Natural Justice.

g) **Any other demand of fees if generated will be deposited as requested by your office.** And also mention the name and address of Appellate authority in reply as per Section 7 and 19 of RTI Act 2005. **Kindly also provide the status on above mentioned questions.**

You are humbly requested to Order for furnishing requested information in terms of **The Right to Information Act, 2005** (as amended up to date), to be **delivered** at the given address or even intimate me to collect it in person.

Thanking You.

Yours Truly,

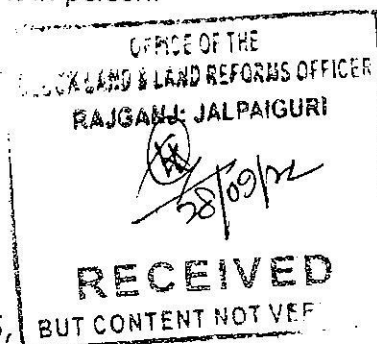
Navratan Lakhotia,

Navratan Lakhotia

c/o Sobha Chand Lakhotia & Co,

Naya Bazar, Khalspara, Siliguri-734005,

Contact Nos- 9932012167, Email: lakhotiacomputers@gmail.com





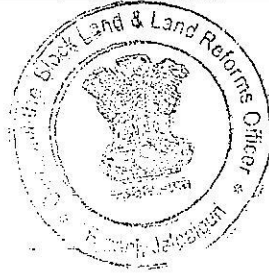
A2-Part 7 of 7

GOVERNMENT OF WEST BENGAL
OFFICE OF THE BLOCK LAND & LAND REFORMS OFFICER
RAJGANJ: JALPAIGURI

Memo No. 3698 /BLLRO/RAJ/2022

Dated:- 21 / 10 /2022

To,
Navratan Lakhotia,
C/o- Sobha Chand Lakhotia & Co,
Naya Bazar, Kalpara,
Siliguri-734005



Navratan Lakhotia

Sub.:- Information sought for under RTI Act. 2005.

Ref.:- This office docket No. 5294 dt. 28/09/2022

With reference to the above mentioned subject this is to inform you that, we are searching for the mentioned documents in the office. You will be informed accordingly..

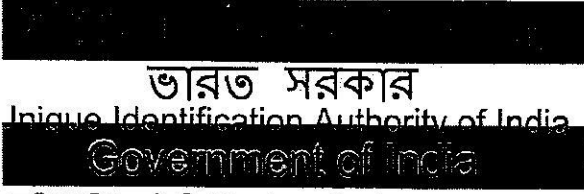
This is for your kind information.

(Signature)
21/10/22

R.O. & SPIO
O/O the Block Land & Land Reforms Officer,
Rajganj, Jalpaiguri.



Government of India



তালিকাভুক্তির আই ডি / Enrollment No.: 1215/91506/12442

To

নবরতন লাকোটীয়া

Navratan Lakhota

S/O: Chunnital Lakhota

SOBHA CHAND LAKHOTIA AND COMPANY NAYA
BAZAR

NEAR GANDHI MAIDAN, KHALPARA WARD NO 8

Siliguri (M. Corp)

Siliguri Bazar

Siliguri Darjeeling

West Bengal 734005

9932012167

09/01/2016
323832810

MA238328105FT



আপনার আধার সংখ্যা / Your Aadhaar No. :

9114 4229 8944

আধার - সাধারণ মানুষের অধিকার

ভারত সরকার
Government of India

নবরতন লাকোটীয়া

Navratan Lakhota

জন্মতারিখ / DOB : 24/01/1979

পুরুষ / Male

**9114 4229 8944**

আধার - সাধারণ মানুষের অধিকার



ঠিকানা:

এস/ও: চুন্নিলাল লাকোটীয়া, শোভা
চাঁদ লাকোটীয়া আন্ড কম্পানি,
নয়া বাজার, গান্ধী মইদানের
পাশে, খালপাড়া, ওয়ার্ড নং ৪,
শিলিগুড়ি (পৌরসভা), দার্জিলিং,
শিলিগুড়ি বাজার, পশ্চিম বঙ্গ,
734005

Address:

S/O: Chunnital Lakhota, SOBHA
CHAND LAKHOTIA AND
COMPANY, NAYA BAZAR, NEAR
GANDHI MAIDAN, KHALPARA,
WARD NO 8, Siliguri (M. Corp),
Darjeeling, Siliguri Bazar, West
Bengal, 734005**9114 4229 8944**1847
1800 300 1947

help@uidai.gov.in

www.uidai.gov.in

Navratan Lakhota

BEFORE
THE LD. STATE CHIEF INFORMATION COMMISSIONER,
WEST BENGAL STATE INFORMATION COMMISSION,
KOLKATTA

In the matter of:

File No- WBIC/RTI/C/103119/3516/2024

To,

**Hon'ble State Information Commissioner,
West Bengal.**

Your Honour,

This humble petition is to bring to your kind notice that I am travelling out of the state along with my family.

That yesterday i.e. 27-12-2024 it had come my knowledge that the above-mentioned hearing notice has reached to my postal address.

That the date for hearing is fixed on 02-01-2025 at 11:30 AM.

That I am not in possession of the relevant documents pertaining to the subject matter of the hearing. Nor I am in the position to attend the hearing.

That I shall return to my home town on 4th January 2025. Hence in the view of my present situation; it is prayed before your Honour to grant me a latter date for hearing of the above appeal. Or any such order(s), direction(s) as to this your Honour may deem fit and proper.

The relief sought for herein, if granted will afford complete justice of your petitioner.

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

Submitted.

Navratan Lakhotia,
s/o Chunni Lal Lakhotia,
Siliguri
Dated: 28-12-2024

Email

State Chief Information Commissioner West Bengal

RTI

From : bllro raj <bllro.raj@gmail.com>

Fri, Jan 10, 2025 03:25 PM

Subject : RTI

1 attachment

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

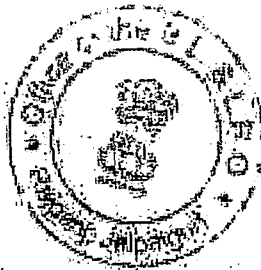
Yours sincerely,

Assistant Director &
Block Land & Land Reforms Officer
Rajganj, Jalpaiguri

M. No. 9046158261
banglarbhumii.gov.in

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40 KB

Heard - 02.01.25
T.R



Office of the Block Land & Land Reforms Officer
Rajganj, Jalpaiguri.

Memo.No. _____/BL&LRO/RAJNAL/2024

Date: _____

To
Navratan Lakhota
S/o Chunni Lal Lakhota,
Sobha Chand Lakhota & Co.,
Naya Bazar, Khalpara,
Siliguri Darjeeling
West Bengal, 734005

Sub: Information sought for under RTI Act, 2005.
Ref: WBIC Complaint Nos: 103117, 103119 & 103120 of 2024.

Aporepos above this is to inform you that, after thoroughly going through your RTI application it comes to light that you are aggrieved with one mutation case bearing number MN/2016/0701/310 which is disposed u/s 50 of WBLR Act 1955.
You are hereby advised to file an appeal u/s 54 of WBLR Act 1955 to the appellate authority i.e DL&LRO Jalpaiguri for such grievances. Ordersheet copy of the said case is attached herewith for your reference.

This is for your kind information.

Encl:- As stated above.

slf
R.O & SPIO
O/O the Block Land Reforms Officer
Rajganj, Jalpaiguri

Memo.No. 126/D/BL&LRO(R)/RAJ/25

Dated: 10/01/2025

Copy forwarded for information to:-
1) The Lt. State Chief Information Commissioner, WBIC Kolkata.

[Signature]
R.O & SPIO
O/O the Block Land Reforms Officer
Rajganj, Jalpaiguri

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 : Navaratan Lakhotia

Public Authority : BL & LRO , Rajganj, Jalpaiguri & WBSEDCL, Jalpaiguri

Dates of RTI Application: 15.06.2021, 20.05.2022, 26.09.2022, 02.09.2022, 28.09.2022

Dates of 1st Appeal : 25.08.2022, 23.08.2022

Dates of 2nd Appeal/ Complaint : 14.11.2022, 17.10.2022, 11.11.2022

Date of hearing : 02.01.2025

(Appeal No. 103122 of 2024, Appeal No.102641 of 2024, Complaint No.103117 of 2024, Complaint No. 103120 of 2024, & Complaint No.103119 of 2024 under the Right to Information Act, 2005)

Appellant : Navaratan Lakhotia

SPIO : 1. SPIO, BL & LRO Rajganj , Jalpaiguri

2. Senior Manager (HR & A, WBSEDCL), Jalpaiguri

Facts on Record & Findings :

Both the SPIOs of the cases concerned are present for the hearing while the applicant remained absent.

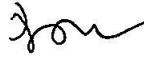
2. There are five cases relating to the same RTI applicant namely Navaratan Lakhotia against Appeal No.103122 of 2024, Appeal No.102641 of 2024, Complaint No.103117 of 2024, Complaint No. 103120 of 2024, & Complaint No.103119 of 2024. Out of these, for four cases the SPIO is BL & LRO Rajganj Block while in Appeal No. 102641 of 2024, the SPIO is Senior Manager (HR & A, WBSEDCL).



3. The appellant has informed the Commission about his inability to attend today's hearing due to his being out of station and that he will be returning only on 04.01.2025. In view of this, hearing scheduled for all the five cases is accordingly deferred and will be taken up after 6 (six) weeks. In the meantime, the SPIOs concerned are required to go through the RTI applications concerned and furnish requisite information if not already furnished and be positively present at the time of the next hearing.

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

Date : 02.01.2025

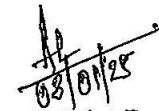

(Naveen Prakash)
State Information Commissioner
West Bengal

No. 65 - WBIC/RTI/C/103120/3517/2024
66 - WBIC/RTI/C/103119/3516/2024
67 - WBIC/RTI/C/103117/3515/2024
68 - WBIC/RTI/A/102641/3514/2024
69 - WBIC/RTI/A/103122/3513/2024

DATE : 03.01.2025

Copy forwarded for information and necessary action to:-

1. The SPIO & B.L & L.R.O, O/O THE B.L & L.R.O, RAJGANJ BLOCK, DIST. - JALPAIGURI
2. The S.P.I.O & SR. MANAGER (H.R.&A), WBSEDCL, O/O THE REGIONAL MANAGER JALPAIGURI, REGIONAL OFFICE W.B.S.E.D.C.L JALPAIGURI
3. The S.P.I.O., O/O THE S.D.L & L.R.O SADAR JALPAIGURI
4. The First Appellate Authority, O/O THE ZONAL MANAGER SILIGURI, ZONAL OFFICE W.B.S.E.D.C.L., 2nd MILE, SEVOK ROAD, SILIGURI – 734001
5. The First Appellate Authority, O/O THE S.D.L & L.R.O, SADAR JALPAIGURI
6. Navratan Lakhotia, S/o - Chunni Lal Lakhotia, Sobha Chand Lakhotia & Co., Naya Bazar, Khalpara, Siliguri – 734005, West Bengal, DARJEELING, 734005


Law Officer & Joint Registrar
West Bengal Information Commission

Email**State Chief Information Commissioner West Bengal**

Hearing on 24-07-2025

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

Thu, Jul 17, 2025 12:45 PM

 1 attachment

Subject : Hearing on 24-07-2025

To : bllroraiganj <bllroraiganj@gmail.com>

Cc : lakhotiacomputers <lakhotiacomputers@gmail.com>

Please find the attachment, for further details visit our website

West Bengal Information Commission



WBIC-RTI-C-103119-3516-2024 HN.pdf

16 KB

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 : Navaratan Lakhotia

Public Authority : BL & LRO , Rajganj, Jalpaiguri & WBSEDCL, Jalpaiguri

Dates of RTI Application: 15.06.2021, 26.09.2022, 02.09.2022, 28.09.2022

Dates of 1st Appeal : 25.08.2022

Dates of 2nd Appeal/ Complaint : 14.11.2022, 17.10.2022, 11.11.2022

Date of hearing : 24.7.2025

(Appeal No. 103122 of 2024, Complaint No.103117 of 2024, Complaint No. 103120 of 2024, & Complaint No.103119 of 2024 under the Right to Information Act, 2005)

Appellant : Navaratan Lakhotia

SPIO : SPIO, BL & LRO Rajganj , Jalpaiguri

Facts on Record & Findings :

Neither the appellant nor the SPIO of the case are present for the hearing.

2. Due to non-availability of both the parties during hearing, the matter is deferred and next date of hearing be fixed after 6 (six) weeks.

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

Date : 24.7.2025

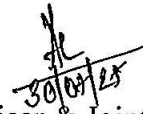

(Naveen Prakash)
State Information Commissioner
West Bengal

No. 4567 - WBIC/RTI/C/103117/3515/2024
4568 - WBIC/RTI/C/103119/3516/2024
4569 - WBIC/RTI/C/103122/3513/2024
4570 - WBIC/RTI/A/103120/3517/2024

Date: 30.07.2025

Copy forwarded for information and necessary action to:-

1. The State Public Information Officer & B.L. & L.R.O, O/O THE B.L & L.R.O, RAJGUNJ BLOCK, DIST. – JALPAIGURI
2. The State Public Information Officer, O/O THE S.D.L & L.R.O, SADAR JALPAIGUR
3. The First Appellate Authority, O/O THE S.D.L & L.R.O, SADAR JALPAIGURI
4. Navratan Lakhotia, S/o - Chunni Lal Lakhotia, Sobha Chand Lakhotia & Co., Naya Bazar, Khalpara, Siliguri – 734005, West Bengal, DARJEELING, 734005


Law Officer & Joint Registrar
West Bengal Information Commission

Email**State Chief Information Commissioner West Bengal**

Hearing on 11-09-2025

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

Mon, Sep 08, 2025 04:57 PM

 3 attachments

Subject : Hearing on 11-09-2025

To : bllro raj <bllro.raj@gmail.com>

Cc : lakhotiacomputers <lakhotiacomputers@gmail.com>

Please find the attachment, for further details visit our website

West Bengal Information Commission



WBIC-RTI-C-103120-3517-2024 HN.pdf

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WBIC-RTI-C-103119-3516-2024 HN.pdf

16 KB



WBIC-RTI-C-103117-3515-2024 HN.pdf

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In the matter of COMPLAINT No: 103120 of 2024 (02-09-2022), COMPLAINT No: 103117 of 2024 (26-09-2022), COMPLAINT No: 103119 of 2024 (28-09-2022)

NOTICE OF HEARING & REQUEST FOR ADJOURNMENT / ALTERNATIVE RELIEF

1. The Complainant/Appellant received intimation via email dated **08/09/2025** regarding the scheduled hearing on **11-09-2025**, which came to his notice only on **10/09/2025**.
2. In the interest of justice and fair opportunity to place comprehensive written submissions before this Hon'ble Commission — and considering the complexity, gravity, and multi-layered prejudice suffered by the Complainant — it is respectfully prayed that:

➤ ***This Hon'ble Commission may kindly adjourn the hearing to a later date, so as to enable the Complainant to submit full written arguments, supporting documents, and proposed affidavits for respondents; OR, in the alternative,***

➤ ***This Hon'ble Commission may direct the Respondents (SPIO & Appellate Authority, O/o BL & LRO, Rajganj) to file a short point-wise reply within 7 days to the following core contentions raised herein, so that the matter may proceed meaningfully even if heard today.***

BRIEF FACTUAL MATRIX & CONTENTIONS

3. The Complainant filed multiple RTI applications invoking the **life-and-liberty proviso under Section 7(1) of the RTI Act, 2005**, in view of:
 - A pending arrest warrant in an SC & ST Atrocity Case;
 - A simultaneously pending Quashing Petition before the Hon'ble High Court in **CRR 141 of 2022**;
 - The urgent need to secure land records relating to **LR Khatian No. 982** and **LR Plot No. 1107**, allegedly tampered with and mutated fraudulently after the death of his mother.
4. Specific RTIs were filed on:
 - **02-09-2022** → Docket Nos. 4703, 4704, 4705, 4706 (Pages 5, 12, 19, 27)
 - **26-09-2022** → Docket Nos. 5232, 5233 (Pages 34, 41)
 - **28-09-2022** → Docket No. 5293
5. Despite invoking the **48-hour emergency disclosure rule**, replies were deliberately withheld until **after** the critical High Court hearing on **14-09-2022**, thereby rendering the Complainant defenseless. He was falsely branded a "trespasser" — and his quashing petition dismissed — due to lack of documentary support caused entirely by the Public Authority's delay and evasion.

-
6. Even subsequent RTIs filed post-High Court order (to challenge it within limitation) were met with **identical vague, cryptic, non-responsive replies** — causing the 30-day appeal window to lapse, and foreclosing any legal remedy against what appears to be an order obtained by suppression and fraud.
 7. A formal complaint under Section 18 was filed before this Hon’ble Commission on **11-11-2022** (India Post Docket No. EW927673597IN, dispatched 12-11-2022), with copies served upon the Appellate Authority and District Magistrate, Jalpaiguri.
 8. After receiving no response, a reminder email was sent to this Hon’ble Commission on **01-12-2022**, captioned:
“Complaint under Section 18 of the RTI Act 2005 against SPIO and related officials O/o BL & LRO, Rajganj...”
 9. Shockingly, only on **17-12-2022** (via India Post Docket RW585714919IN dated 15-12-2022), did the Appellate Authority issue a reply — bearing Memo Nos. [3973/1, 3975/1, 3983/1... etc.] /BLLRO/RAJ/2022 — **purportedly dated 23-24-28.09.2022**, i.e., *before the complaint was even filed*.
 10. The reply merely stated:

“This is to inform you that the applicant is to apply to the appropriate authority.”

— despite the fact that **the BL & LRO, Rajganj IS the designated appellate authority** under the RTI Act for such matters.

LEGAL INFERENCE & GROUNDS FOR INTERVENTION

11. This conduct raises serious concerns:

*i) The suffix “/1” in memo numbers and backdated signatures suggest **deliberate fabrication and procedural fraud** to create a false paper trail.*

*ii) The circular, nonsensical reply (“apply to appropriate authority”) — issued by the very authority statutorily obligated to respond — reflects **willful contempt of the RTI Act** and institutional bad faith.*

*iii) Viewed integrally, the pattern of responses indicates a **premeditated design to obstruct disclosure of land records pertaining to Plot 1107/Khatian 982** — possibly to conceal illegal mutation or forged entries.*

12. The Complainant has suffered **double prejudice**:

- First, in the High Court — due to delayed RTI replies.
- Second, in appellate remedy — due to evasive replies post-order.

This amounts to **denial of justice through administrative sabotage**.

PRAYER / RELIEFS SOUGHT

In light of the above, the Complainant most respectfully prays that this Hon'ble Commission may be pleased to:

(A) Adjourn the hearing scheduled for **11-09-2025** to a later date, to allow filing of detailed written submissions and proposed affidavits;

OR IN THE ALTERNATIVE

(B) Direct the Respondents (SPIO & Appellate Authority, O/o BL & LRO, Rajganj) to file, within **7 days**, a **short, point-wise, sworn affidavit-reply** specifically addressing:

- Why the 48-hour mandate under Section 7(1) was ignored despite life-and-liberty grounds;
- Why replies were issued only after the High Court hearing on 14.09.2022;
- Why all replies remained vague, cryptic and non-compliant with Section 7(8);
- Explanation for backdating of memo numbers (suffix "/1") and issuance of memos prior to receipt of complaint;
- Clarification on whether any inquiry was conducted into alleged forgery in LR Khatian 982 / Plot 1107;
- Whether original land records have been preserved or tampered with.

(C) Further direct the Respondents to provide **complete, certified, point-wise replies** to all 8 RTI applications within **48 hours** of filing said affidavit.

(D) Initiate penalty proceedings under **Section 20(1)** against the SPIO and Appellate Authority for willful denial and delay.

(E) Recommend disciplinary action under service rules.

(F) Issue preservation order for all records relating to **LR Khatian No. 982 and LR Plot No. 1107** pending further orders.

(G) Consider suo moto cognizance of possible forgery/fraud under IPC Sections 465, 468, 471, and/or SC/ST Act provisions, if warranted.

CONCLUSION

The Complainant does not seek mere information — he seeks **restoration of justice denied, accountability for institutional sabotage**, and **protection of constitutional rights** when they mattered most — at the gates of the High Court.

He places his trust in this Hon'ble Commission — the last guardian of transparency — to pierce through bureaucratic smokescreens and deliver substantive, not symbolic, justice.

Respectfully submitted,

Navratan Lakhotia

Siliguri

[9932012167]

[Date: 11/09/2025]

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 : Navratan Lakhotia

Public Authority : Sub Divisional L & LR Officer, Sadar Jalpaiguri & BL & LRO, Rajganj

Date of RTI Application : 15.06.2021, 02.09.2022, 28.09.2022

Date of 1st Appeal : 25.08.2022, 26.09.2022

Date of 2nd Appeal : 11.11.2022

Date of hearing : 11.09.2025

(Appeal No. 103122 of 2024, 103117 of 2024, 103119 of 2024 & 103120 of 2024 under the Right to Information Act, 2005)

Appellant : Navratan Lakhotia

SPIO : 1. SPIO, Sub Divisional L & LR Officer, Sadar Jalpaiguri
2. SPIO, BL & LRO, Rajganj

Facts on Record & Findings :

SPIO & BL & LRO Rajganj and the appellant of the case are present for the hearing in virtual mode while representative of SPIO & SDLLRO, Sadar, Jalpaiguri is present in physical mode.

2. There are four number of second appeal cases of the appellant out of which, in the RTI application Dated: 15.06.2021 (Second appeal No. 103122) the SPIO is SDL & LRO, Jalpaiguri and for the other three second appeal cases, the SPIO is BL & LRO, Rajganj. All the four RTI applications are based on the self-same matter regarding apparent mis-recording of name in a parcel of land which was in appellant's mother's name earlier and in the view of the appellant, the same has been fraudulently recorded in some other name.

The land concerned is in Rajganj Block of Jalpaiguri District. It also appears that subsequently, mutation has also done in somebody else's name based on apparent forged documents.

Second Appeal No. 103122 of 2024:

The appellant filed an RTI application on 15.06.2021 seeking a copy of final order passed in miscellaneous appeal case No. 13-B/ 04 of 2013 or present status, if any final order was not passed and other related issues. A curt reply was sent to the appellant informing him that a copy of the same can only be issued by the office of the ADM & DL & LRO Jalpaiguri. Dissatisfied, the appellant filed 1st appeal before the 1st Appellate Authority on 25.08.2022 and 2nd appeal before the Commission on 11.11.2022.

II. From the reply furnished by the SPIO, it is clear that the RTI application was neither transferred to authority which had the relevant information under Section 18 (3) of the RTI Act, 2005 nor any information was sought from the said authority under Section 5 (4) of the RTI Act 2005. Merely informing the appellant that the information is available with another authority is not sufficient since under the provisions of the RTI Act, 2005, either the RTI application has to be transferred within five days under Section 6(3) of the RTI Act, 2005 and if not done so, requisite information has to be obtained from the said authority under Section 5 (4) of the RTI Act, 2005 and then is to be furnished to the appellant. In such case, the authority from whom such information is sought under Section 5 (4) of the RTI Act, 2005 will also become deemed SPIO of the case under Section 5 (5) of the RTI Act, 2005.

III. An opportunity is given to the SPIO to obtain requisite information from the authority concerned using his legally vested powers under Section 5 (4) of the RTI Act, 2005 and furnish requisite information to the appellant. The entire exercise shall be completed within next 6(six) weeks. The Commission will thereafter be informed compliance of the same. This matter will be taken up further after expiry of six weeks or compliance report received from the SPIO whichever is earlier.

Second Appeal Nos. 103117 of 2024, 103119 of 2024 & 103120 of 2024:

The common thread of the three RTI applications is seeking details regarding the petition which the appellant had filed before the BL & LRO Rajganj and SPIO on 16.06.2022 and also information related to a mutation case based on an apparent forged deed No. 2021 of 1960. It may be noted that contents of the three RTI Applications are more or less similar. However, even though replies were sent to the appellant against all the three RTI applications, reply Dated: 20.09.2022 stated that the petition filed by the appellant is under process and he will be informed in due course. In reply Dated 21.10.2022, the SPIO mentioned that the queries do not fall under the purview of the RTI Act, 2005 without mentioning any reason for holding so and in the other reply Dated:21.10.2022, the SPIO informed that concerned documents are being searched.

II. From the three replies given by the SPIO it is very clear that the whole objective was to avoid furnishing any information to the appellant and also to somehow not deal with the issue raised by the appellant in his three RTI applications. Merely saying that the information is being searched for or that the petition/ application for which information is sought is being processed and result of the same will be informed in due course, is not in

accordance with provisions of the RTI Act as far as dealing with RTI applications are concerned.

III. It is therefore ordered that the SPIO will go through the contents of all the three RTI applications individually and furnish replies to each of the queries raised in the three RTI applications, on the basis of information/ documents available and accessible to the SPIO under Section 2 (j) of the RTI Act, 2005. Furthermore, copies of the documents available and accessible to the SPIO will have to be furnished unless information/ documents are exempted from being furnished under the provisions of the RTI Act, 2005 in Section 8. The SPIO may not reply to hypothetical queries but factual information/ documents will have to be furnished to the appellant. A time of eight weeks is given to the SPIO to complete this exercise and furnish all requisite information/ documents to the appellant. The appellant is also required to go through the replies received from the SPIO and inform the Commission about dissatisfaction, if any, on the replies so received. A time of eight weeks is given to the SPIO to complete this exercise. A time of four weeks is given to the appellant to inform the Commission as mentioned hereinabove on the replies received.

Decision:

The matter will be taken up after (12) twelve weeks for further hearing.

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

Date : 11.09.2025



(Naveen Prakash)
State Information Commissioner
West Bengal

No. 5450 - WBIC/RTI/C/103120/3517/2024
5451 - WBIC/RTI/A/103122/3513/2024
5452 - WBIC/RTI/C/103119/3516/2024
5453 - WBIC/RTI/C/103117/3515/2024

Date: 15.09.2025

Copy forwarded for information and necessary action to:-

1. The State Public Information Officer, O/O THE B.L & L.R.O, RAJGANJ BLOCK, DIST. – JALPAIGURI
2. The State Public Information Officer, O/O THE S.D.L &L.R.O SADAR, JALPAIGURI
3. The First Appellate Authority, O/O THE S.D.L &L.R.O SADAR JALPAIGURI
4. Navratan Lakhotia, S/o - Chunni Lal Lakhotia, Sobha Chand Lakhotia & Co., Naya Bazar, Khalpara, Siliguri – 734005, West Bengal, DARJEELING, 734005


Law Officer & Joint Registrar
West Bengal Information Commission

D. NO - 4436 (ATR)
29/10/25

Email

State Chief Information Commissioner West Bengal

compliance report regarding Appeal No. 103117,103119,103120 of 2024**From :** bllro raj <bllro.raj@gmail.com>

Fri, Oct 17, 2025 04:45 PM

Subject : compliance report regarding Appeal No.
103117,103119,103120 of 2024

1 attachment

To : State Chief Information Commissioner West Bengal
<scic-wb@nic.in>**Sir/Madam****Please see the attachment****Yours sincerely,
Assistant Director &
Block Land & Land Reforms Officer
Rajganj, Jalpaiguri** **DocScanner 17 Oct 2025 4-29 pm.pdf**
1 MBHeard - 11.09.25
T.R



GOVERNMENT OF WEST BENGAL
OFFICE OF THE BLOCK LAND & LAND REFORMS OFFICER
RAJGANJ, JALPAIGURI

Memo No.: 3778/BLLRO(R)/JAL/25

Dated.: 17/10/2025

To
Navratan Lakhotia
S/o Chunni Lal Lathotia
Sobha Chand Lakhotia & Co.,
Naya Bazar, Khalpara,
Siliguri Darjeeling

Sub: Information sought for under RTI Act, 2005.
This office docket No. 4703 dt. 02/09/2022 with Ref: WBIC
Complaint No: 103117, 103119 & 103120 of 2024

With reference to the above mentioned subject the point wise report is as follows:

1-4) The Said case record is not traceable. So the available ordersheet copy & G.D. copy is attached herewith.

Furthermore, after thoroughly going through your RTI application it comes to light that you are aggrieved with one mutation case bearing number MN/2016/0701/310 which was disposed u/s 50 of WBLR Act 1955. You are hereby advised to file an appeal u/s 54 of WBLR Act 1955 to the appellate authority i.e. DL&LRO, Jalpaiguri for such grievances.

This is for your kind information.

R.O. & SPIO
O/o the Block Land & Land Reforms Officer
Rajganj, Jalpaiguri

Memo No.: 3778/10/BLLRO(R)/JAL/25

Dated.: 17/10/2025

Copy forwarded for information to:-

- 1) The Ld. State Chief Information commissioner, WBIC Kolkata.

R.O. & SPIO
O/o the Block Land & Land Reforms Officer
Rajganj, Jalpaiguri



GOVERNMENT OF WEST BENGAL
OFFICE OF THE BLOCK LAND & LAND REFORMS OFFICER
RAJGANJ, JALPAIGURI

Memo No. 377 /BLLRO(R) /JAL/25

Dated. : 17 /10/2025

To
Navratan Lakhota
S/o Chunni Lal Lathotia
Sobha Chand Lakhota & Co.,
Naya Bazar, Khalpara,
Siliguri Darjeeling
West Bengal, Pin-734005

Sub: Information sought for under RTI Act, 2005.
This office docket No. 4703 dt. 02/09/2022 with Ref: WBIC
Complaint No: 103117, 103119 & 103120 of 2024

With reference to the above mentioned subject the point wise report is as follows:

1-5) The said case was allotted to Revenue officer who is no more posted in this office and the said case record is not traceable , So the available ordersheet copy & G.D. copy is attached herewith.

Furthermore, after thoroughly going through your RTI application it comes to light that you are aggrieved with one mutation case bearing number MN/2016/0701/310 which was disposed u/s 50 of WBLR Act 1955. You are hereby advised to file an appeal u/s 54 of WBLR Act 1955 to the appellate authority i.e. DL&LRO, Jalpaiguri for such grievances.

This is for your kind information.

R.O. & SPIO

O/o the Block Land & Land Reforms Officer
Rajganj, Jalpaiguri

Memo No.: 377 /BLLRO(R) /JAL/25

Dated. : 17 /10/2025

Copy forwarded for information to:-

2) The Ld. State Chief Information commissioner, WBIC Kolkata.

R.O. & SPIO

O/o the Block Land & Land Reforms Officer
Rajganj, Jalpaiguri



GOVERNMENT OF WEST BENGAL
OFFICE OF THE BLOCK LAND & LAND REFORMS OFFICER
RAJGANJ, JALPAIGURI

Memo No.: 3780/BLLRO(R) /JAL/25

Dated.: 17/10/2025

To
Navratan Lakhota
S/o Chunni Lal Lathotia
Sobha Chand Lakhota & Co.,
Naya Bazar, Khalpara,
Siliguri Darjeeling
West Bengal, Pin-734005

Sub: Information sought for under RTI Act, 2005.
This office docket No. 4703 dt. 02/09/2022 with Ref: WBIC
Complaint No: 103117,103119 & 103120 of 2024

With reference to the above mentioned subject the point wise report is as follows:

1-3) As per available office record the said case was allotted to Revenue officer who is no more posted in this office and the case record could not be traced. So the available order sheet copy & G.D. copy is attached herewith.

Furthermore, after thoroughly going through your RTI application it comes to light that you are aggrieved with one mutation case bearing number MN/2016/0701/310 which was disposed u/s 50 of WBLR Act 1955. You are hereby advised to file an appeal u/s 54 of WBLR Act 1955 to the appellate authority i.e. DL&LRO, Jalpaiguri for such grievances.

This is for your kind information.

R.O. & SPIO

O/o the Block Land & Land Reforms Officer
Rajganj, Jalpaiguri

Memo No. 3780/112/BLLRO(R) /JAL/25

Dated.: 14/10/2025

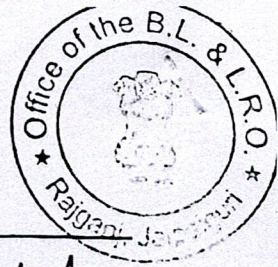
Copy forwarded for information to:-

- 1) The Ld. State Chief Information commissioner, WBIC Kolkata.

R.O. & SPIO

O/o the Block Land & Land Reforms Officer
Rajganj, Jalpaiguri

Office of the Block Land & Land Reforms Officer
Rajganj, Jalpaiguri.



Memo.No. 3701 /BL&LRO/RAJ/JAL/2025

Date: 13/10/2025

To
The Inspector in-Charge
Rajganj Police Station
Dist. Jalpaiguri

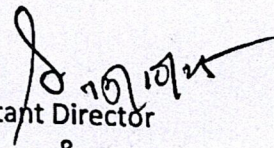
Sub: Lodging of missing diary in respect of original case records pertaining to Mutation case no. MN/2016/0701/310 and Letter received vide Docket No. 3188 on 16/06/2022.

Sir,

With respect to the subject noted above, I, Gopal Biswas, currently serving as the Block Land and Land Reforms Officer, Rajganj Block would like to submit that, the original case records pertaining to mutation case no. and letter mentioned above are not traceable at the office of the undersigned. In this regard, all possible efforts were initiated to trace the original case records but to no avail upto today by the searching team headed by R.O Siddarth Tshering Dukpa.

The matter is brought to your notice with a request that, a General Diary be lodged in this matter.

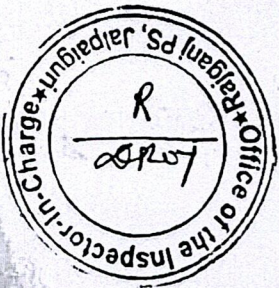
Yours sincerely,


Assistant Director

&

Block Land Reforms Officer
Rajganj, Jalpaiguri

Asst Director &
Block Land & Land Reforms Officer
Rajganj : Jalpaiguri



Hearing on 10-12-2025

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

Mon, 17 Nov 2025 1:11:46 PM +0530

To "bllroraj"<bllro.raj@gmail.com>

Cc "lakhotiacomputers"<lakhotiacomputers@gmail.com>

Please find the attachment, for further details visit our website

West Bengal Information Commission

3 Attachment(s)

WBIC-RTI-C-103117-3515-202...

16 KB

WBIC-RTI-C-103119-3516-202...

16 KB

WBIC-RTI-C-103120-3517-202...

15.9 KB