

21st May, 2024
(D/L No.104)
(SKB)

WPA 28472 of 2023

Arun Kumar Singh
Versus
The Additional Chief Secretary,
Personnel and Administrative Reforms Department,
Government of West Bengal and others

Mr. Arun Kumar Singh
... petitioner in person.

Mr. Somnath Ganguli, A.G.P.,
Mr. Balarko Sen
... for the State.

Mr. Raja Saha,
Ms. Arpita Saha,
Mr. Sanjay Mukherjee
... for the State Information Commission.

Mr. A. K. Nag,
Ms. Deboleena Ghosh
... for the Sreerampore Municipality.

1. The petitioner has preferred an R.T.I. application
dated 05.02.2020 seeking the following
information:

- “i) Kindly provide information on whether requisite information' as requested in my RTI Application Dated 29-04-2019 has been sent by you, if yes please provide copy/ies of the same, if no information has been provided than reasons for same as per your obligation under section 4 of the RTI Act, 2005
- ii) Kindly provide information on action taken and progress made on my RTI Application 06-06-2019 with date wise file noting.
- iii) Kindly provide information on daily progress made and action taken on my letter Dated 02-05-2019 with date wise file noting.

- iv) Kindly provide information on as per your office record total no. of RTI Application received from this applicant during the period from 01-01-2017 to 31-12-2019 and total reply/information was provided with its certified copies and annexure as being held by your highly esteemed office, if no reply or information was provided than reasons for same as per your obligation under section 4 of the RTI Act. 2005.
- v) Kindly arrange to provide suomotu / proactive disclosures as stipulated under section 4 of the RTI act, 2005 which has been long endorsed by Hon'ble WBIC under Hon'ble WBIC-direction on suomotu disclosure No. 885(92)-WBIC/1R-1/08, Date: 25.04.2008, total No. of RTI Application received and disposed by your office in the year, 2017, 2018 & 2019 date on which last SPIO handled the RTI Matter.
- vi) Kindly provide information on total recruitment done by your public authority in the year 2017, 2018 and 2019 in indexed manner with relevant details like post, category pay band etc. and policy followed in doing so, mode of such recruitment with file noting as applicable.
- vii) Kindly provide information on whether any retired employee has been offered reemployment/contractual employment in the year 2018 & 2019 if so please provide relevant details by your public-authority and whether Govt. WB Notification pertaining to same has been fully complied for such re employment/contract employment with copy of necessary approval of State Govt.
- viii) Kindly provide information as per Section 53 of the West Bengal Municipal Act, 1993 total sanctioned strength of your public authority and total No. of employees including supporting officers and employees as on date as determined by BOC.
- ix) Kindly provide information whether any appointment has been done by your public authority under section 54(3) of the West Bengal Municipal Act, 1993 in the year 2017/2018/2019 if yes please provide relevant details with file noting, copy/ies of prior approval of State Govt.

- x) Kindly provide all relevant information as per the West Bengal Municipal Act, 1993 u/s 54(2) and 54(3) for any recruitment done by your public authority copy/ies of prior approval of State Govt. as being stipulated and whether sub section 3A of 54 has been complied fully for such recruitment in year 201/2018/2019.
- xi) Kindly provide relevant details as per Section 54(5) of the WBM Act, 1993 copy of Resolution of BOC and copy of prior approval of State Govt. As stated therein for contract engagement by your Public Authority in the year 201/2018/2019 in indexed manner.
- xii) (A) Kindly provide information with copies of last three FY Annual Budget Estimates as per section 82 of WBM Act, 1993, copy/ies of Balance Sheet and Annual Financial Statement (as per Section 84/85 of WBM Act, 1993 and Copy/ies of Audit Report as per section 87 of the WBM Act, 1993 and Inventory of properties of the Municipality as enumerated under section 81 of the WBM Act, 1993.
- (B) Kindly provide copy of the petition No.406 of 2017-2018 and B.O.C. meeting minutes Dated 21-09-2017 also please provide name of the officials with designation who approved and endorsed petition No. 406, referred herein with file noting”.

2. Finding no reply, the petitioner preferred the first appeal. Since there was no response from the respondents, he was preferred a second appeal.
3. West Bengal State Information Commission vide impugned order dated 30.10.2023 has closed the said appeal holding that the petitioner RTI application is motivated.
4. The court has heard the argument advanced by the petitioner in person and has perused the records pertaining to the present case.

5. After examining the queries posted by the petitioner in his R.T.I. application dated 05.02.2020, this court is of the considered view that no specific information has been sought for by the petitioner and, hence, no information could be provided to the petitioner. This court is also in agreement with the findings of the W.B. S.I.C. that the primary duty of the Sreerampore Municipality is to serve the public at large and cannot devote its time and resource to address such R.T.I. queries. If the Municipality starts addressing such vague and irrelevant queries, then the Municipality will come to a standstill. There is no infirmity in the order passed by the West Bengal State Information Commission.

6. This court is in agreement with the observation of the West Bengal State Information Commission that the application under the R.T.I. Act is void, omnibus, general, vague and voluminous in nature and thus, the present writ petition is devoid of any merit and is dismissed.

(Gaurang Kanth, J.)