

To

Chief Information Commissioner/ Companion Information Commissioners  
7/7A, RTI Bhawan, Vibhuti Khand, Gomti Nagar Lucknow, Uttar Pradesh,  
PIN Code-226010

Details of the appellant- Sadhana Tiwari, Mohalla Surekapuram colony,  
Jabalpur Road, Sangmohal post office, Districts Mirzapur, Pin code  
231001, State-Uttar Pradesh, Mobile number 6387233091

Details of the respondents-

1-PIO of Public Authority approached- OM PRAKASH SINGH

Designation ASP OPERATION, Phone No9454401105, Email Id- asp-  
op.mi@up.gov.in, District Mirzapur, PIN Code-231001

2-Concerned Appellate Authority- Abhinandan Singh, Superintendent of  
police, Mobile number- 9454400299, email- spmzr-up@nic.in, District  
Mirzapur, Pin code 231001

Prayer- Both public information officer and the first appellate authority did  
not entertain RTI application and the first appeal respectively reflecting  
the insolence to the provisions of the right to information act 2005. The  
act is tantamount to anarchy in the working of the public authority so  
must be curbed at the early stages.

Short submissions of the appellant are as follows

1- Most respected Sir please take a glance of the status of the  
submitted RTI application by the appellant as follows.

Registration Number SPMZR/R/2024/60168

Date of Filing 18/09/2024.

PIO of Public Authority approached OM PRAKASH SINGH

(1) साधना तिवारी

**Designation ASP OPERATION**

**Phone No 9125608556**

**Email Id aspopmzp@gmail.com**

**PIO Order/Decision Number Details not provided**

**\* PIO Order/Decision Date**

**This implies that public information officer did not entertain the submitted RTI application by the appellant which is a mockery of the provisions of right to information act 2005.**

**2- Most respected Sir please take a glance of the current status of the submitted RTI first appeal by the appellant as follows.**

**Registration Number SPMZR/A/2024/60038**

**Name Sadhana Tiwari**

**Date of Filing 23/10/2024**

**Status RTI APPEAL RECEVED as on 23/10/2024**

**This implies that public information officer did not entertain the submitted RTI first appeal by the appellant which is a mockery of the provisions of right to information act 2005.**

**3-The appellant sought following information from the public information officer as follows.**

**1- The information seeker is the daughter of predeceased son Siyakant Mishra of Shambhu Sharan Mishra consequently the information seeker is the class one heir of Shambhu Sharan Mishra, but the property of the Shambhu Sharan Mishra was inherited to only Dayasankar Misra and Hari Prasad Misra.**

**(2) साधना तिवारी**

Public information officer must provide the copy of the order of the competent civil court or executive magistrate court which provided the title right of the information seeker to 1-Dayashankar Mishra S/O Shambhu Saran Mishra.2- Hariprasad Mishra S/O Shambhu Saran Mishra.

2- If there is no order passed by the competent court to provide the title rights of the information seeker to the aforementioned duo, provide due procedure adopted by the aforementioned duo to obtain the right of inheritance of the information seeker.

3- During the processing of inheritance, the information seeker was only 10 years old. The information seeker was living with her maternal relatives due to danger to her life from the aforementioned duo. Section 425 in The Indian Penal Code, 1860-Mischief-Whoever with intent to cause, or knowing that he is likely to cause, wrongful loss or damage to the public or to any person, causes the destruction of any property, or any such change in any property or in the situation thereof as destroys or diminishes its value or utility, or affects it injuriously.

The PIO may provide the reason as to how this matter is of civil nature if information seeker requests criminal remedy in the matter.

4-IPC Section 466 deals with the forgery of documents related to court proceedings or public registers. The aforementioned duo concealed the name of the information seeker during processing of inheritance and cheated information seeker by depriving her of property.

(3) साधना तिवारी

Please provide the section of CPC which deals with such offences as police working as counsellor ipso facto from police reports on Jansunwai portal.

5- Right to reason is an indispensable part of the sound administrative system quoted by Apex Court of India in its various judgments. Please provide the reason for the suggestion of police in its report that the matter is of civil nature if the applicant is requesting remedy under I.P.C.

4-The matter concerns the working of the station house officer Drummond Ganj under Supervision of circle officer Lal Ganj as well as with the sub divisional magistrate Lalganj. This is a criminal act of deep-rooted corruption. Since corruption is rampant in the government machinery, consequently no officer wants to bell the cats because of fear-psychosis. Our political masters are a puppet of honesty otherwise there is transparency and accountability, and certain actions were taken in matters of such deep-rooted corruption.

5-The summary of the matter under reference is as follows.

The matter concerns the irregularities and corruption in the working of tehsil Lalganj district- Mirzapur so an enquiry must be ordered by the competent authority in the matter so that offenders may be sent behind the bar.

The applicant is seeking action against following offenders who are responsible for usurping the property of the applicant so enquiry must be ordered by the competent authority of the tehsil Lalganj.

1- Dayashankar Mishra S/O Shambhu Saran Mishra, Police station- Drummond Ganj, village- Bhaishod Balay Pahad post-Drummond Ganj, tehsil-Lalganj, development block-Halia, District- Mirzapur Uttar

Pradesh.

(4) साधना तिवारी

2- Hariprasad Mishra S/O Shambhu Saran Mishra, Police station- Drummond Ganj, village- Bhaisod Balay Pahad post-Drummond Ganj, tehsil-Lalganj, development block-Halia, District- Mirzapur Uttar Pradesh.

3- Lekhpal, Lalganj tehsil, 4- Revenue inspector, Lalganj tehsil and 5- Tehsildar, Lalganj tehsil

It is also noticeable that my grandfather died 5 years later than my father so the applicant itself was class-1 heir in the matter, so this inheritance had to be carried out from my grandfather to the applicant not from my father to the applicant. This matter concerns the irregularities carried out in processing the inheritance from my grandfather to his sons and the applicant was arbitrarily deprived by making a mockery of the law of land and provisions of revenue court 2006 was overlooked. The applicant was merely 10 years old during the processing of inheritance from grandfather to next heirs.

The name of the applicant was omitted from the list of heirs by colluding with the staff of Tehsil Sadar through bribes quite obvious from circumstantial evidence.

Most respected sir, the grievances submitted by the aggrieved people on the public grievance portal are forwarded by the office of chief minister government of Uttar Pradesh to the Jansunwai portal of the government of Uttar Pradesh where grievances are redressed under the monitoring of the office of chief minister government of Uttar Pradesh.

(5) खाद्य नातिवारी

In the specific matter of the applicant, reports are being submitted by the staff of tehsil under the monitoring of the tahsildar Lalganj district Mirzapur.

It is most unfortunate the officer who submitted the report did not take the perusal of the submissions of the grievance in which it has been categorically stated that father of the applicant died before the death of the grandfather, so the applicant was the class one heir during the process of inheritance after the demise of the grandfather. Whether the usurping of the ancestral property by the uncle and great father was taken with the help of any court. There is no title dispute between the applicant and other shareholders, so the indiscriminate suggestion provided by the concerned officer is only showing laxity of the concerned staff to the matter of deep-rooted corruption. An enquiry must be ordered by a competent officer in the matter of corruption in which staff of the tehsil Lalganj were also indulged so action must be taken against the corrupt element so that justice must be provided to the applicant. It is obvious that the process of inheritance is absolutely non judicial. There was no need whether the name of my father was included in the revenue records or not because during the death of my father my grandfather was alive and entire ancestral properties were in the name of my grandfather.

6- Even in respect of administrative orders Lord Denning, M.R. in Breen v. Amalgamated Engg. Union (1971) 1 All ER 1148, observed:

"The giving of reasons is one of the fundamentals of good administration." In Alexander Machinery (Dudley) Ltd. v. Crabtree 1974 ICR 120 (NIRC) it was observed: "Failure to give reasons amounts to denial of justice." "Reasons are live links between the mind of the decision-taker to the controversy in question and the decision or conclusion arrived at." Reasons substitute subjectivity by

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objectivity. The emphasis on recording reasons is that if the decision reveals the "inscrutable face of the sphinx", it can, by its silence, render it virtually impossible for the courts to perform their appellate function or exercise the power of judicial review in adjudging the validity of the decision. Right to reason is an indispensable part of a sound judicial system; reasons at least sufficient to indicate an application of mind to the matter before court. Another rationale is that the affected party can know why the decision has gone against him. One of the salutary requirements of natural justice is spelling out reasons for the order made; in other words, a speaking-out. The "inscrutable face of the sphinx" is ordinarily incongruous with a judicial or quasi-judicial performance.

This is a humble request of your applicant to you Hon'ble Sir that how can it be justified to withhold public services arbitrarily and promote anarchy, lawlessness, and chaos arbitrarily by making the mockery of law of land? There is need of the hour to take harsh steps against the wrongdoer to win the confidence of citizenry and strengthen the democratic values for healthy and prosperous democracy. For this, your appellant shall ever pray for you, Hon'ble

Sir.

Date-10/12/2024

Yours sincerely

साधना तिवारी

Sadhana Tiwari, W/O Omkar Nath Tiwari

Mohalla Surekapuram colony, Jabalpur Road, Sangmohal post office,  
Districts-Mirzapur, Pin code-231001,

State

Uttar Pradesh, Mobile number- 6387233091

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