

**BEFORE THE UTTAR PRADESH STATE INFORMATION  
COMMISSION RTI Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow**  
**Appeal No. of 2025 (Under Section 19(3) of the Right to Information  
Act, 2005)**

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**IN THE MATTER OF:**

**Appellant:**

**Shivam Verma S/O Rajendra Prasad Verma Upadhyay ki Pokhari,  
Girdhar ka Chauraha, Mirzapur City, Uttar Pradesh - 231001 Mobile:  
6387947427**

**Versus**

**Respondents:**

- 1. Public Information Officer (PIO) Pradeep Kumar Singh Section  
Officer, Department of Basic Education Lucknow, Uttar Pradesh -  
226001 Mobile: 05222213197 Email: upgov.basic3@gmail.com**
- 2. First Appellate Authority (FAA) Ved Prakash Rai Joint Secretary,  
Department of Basic Education Lucknow, Uttar Pradesh - 226001  
Mobile: 9454411244 Email: upgov.basic3@gmail.com**

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**Subject: Second Appeal under Section 19(3) of the RTI Act, 2005  
against the deemed refusal by the PIO and the failure of the FAA**

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to dispose of the first appeal.

**Most Respected Chief Information Commissioner and Companion Commissioners,**

The Appellant named above files this Second Appeal against the complete inaction and deemed refusal by the Public Information Officer (PIO) to provide information and the subsequent failure of the First Appellate Authority (FAA) to adjudicate the First Appeal within the statutory time limit.

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### **1. Brief Facts of the Case**

A chronological summary of the events leading to this appeal is as follows:

- **12/07/2025:** The Appellant filed an online RTI application with **Registration Number DPBED/R/2025/60991**, seeking crucial information concerning public grievance redressal and implementation of educational policies.
- **11/08/2025:** The statutory period of 30 days, as prescribed under Section 7(1) of the RTI Act, 2005, expired. The PIO failed to provide any information, leading to a "deemed refusal" under Section 7(2) of the Act.
- **14/08/2025:** Having received no response, the Appellant filed the

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- First Appeal online with **Registration Number**
  - **DPBED/A/2025/60406** before the First Appellate Authority.
  - **Present Date (24/09/2025):** The maximum period of 45 days for the disposal of the First Appeal, as stipulated under Section 19(6) of the RTI Act, has nearly lapsed without any communication or decision from the FAA.
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## 2. Information Sought in the Original RTI Application

The Appellant sought the following point-wise information from the Department of Basic Education, Government of Uttar Pradesh:

1. Provide the **action taken report** by the Principal Secretary (Basic Education) on grievance number **DOSEL/E/2025/0003990**, as forwarded by the Ministry of Education, Government of India.
2. Provide the **name and designation** of the public staff in the Department of Basic Education who are processing the aforementioned grievance.
3. Provide the **name and designation** of the staff conducting the inquiry against **Lions School at Bhujwa ki Chowki** and **Lions School at Laldiggi, Mirzapur City**, regarding the alleged practice of forcing students to purchase non-NCERT books.
4. Provide the **action taken report** by the Basic Shiksha Adhikari

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5. (BSA), Mirzapur, against institutions selling books from private publishers.
  6. Provide copies of all **office memos, government orders,**
  7. **circulars, guidelines, and advisories** issued by the Government of Uttar Pradesh mandating the use of NCERT books in public schools, nurseries, and kindergartens.
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### 3. Grounds for Second Appeal

The Appellant submits the following legal grounds for the Commission's consideration:

- **Violation of Section 7(1) and Deemed Refusal under Section 7(2):** The PIO has flagrantly violated the mandatory 30-day timeline for providing information. This complete silence constitutes a **deemed refusal** under Section 7(2) of the RTI Act, 2005, which presumes a rejection of the request.
- **Dereliction of Duty by the First Appellate Authority:** The FAA has failed to exercise his statutory duty under Section 19(6) of the Act. His failure to dispose of the appeal within the prescribed period has frustrated the purpose of the appellate mechanism and forced the Appellant to approach this Hon'ble Commission.
- **Information Pertains to Public Interest:** The information sought is

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- of significant public interest as it relates to allegations of corruption, the illegal pressuring of parents and students, and the enforcement of state educational policies. Withholding this information obstructs transparency and accountability in the education sector.
  - **Mala Fide Denial of Information:** The cryptic status of "REQUEST RECEIVED" for over two months without any further action clearly indicates a deliberate attempt to withhold information without any reasonable cause. This inaction obstructs the Appellant's fundamental right to information.
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#### 4. Prayer

In light of the above facts and grounds, the Appellant humbly prays that the Hon'ble Commission may be pleased to:

**(A) Admit the Appeal:** To admit this appeal for hearing and adjudication.

**(B) Direct Disclosure:** To direct the PIO, Respondent No. 1, to provide the complete and point-wise information sought by the Appellant **immediately and free of charge**, as per the provisions of Section 7(6) of the RTI Act, 2005.

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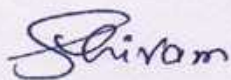
**(C) Impose Penalty on PIO:** To impose the maximum pecuniary penalty of ₹25,000 on the PIO, Mr. Pradeep Kumar Singh, under **Section 20(1)** of the RTI Act for knowingly and without any reasonable cause denying the information through deemed refusal.

**(D) Recommend Disciplinary Action:** To recommend strict disciplinary proceedings against the PIO under **Section 20(2)** of the Act for his persistent failure to act in accordance with the law. Further, to recommend disciplinary action against the FAA, Mr. Ved Prakash Rai, for his gross dereliction of statutory duty.

**(E) Any Other Relief:** To grant any other relief that this Hon'ble Commission may deem fit and proper in the interest of justice and transparency.

**Date:** 24/09/2025 **Place:** Mirzapur

**(Shivam Verma)** Appellant in Person



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