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## Violation of RTI provisions by PIO.

1 message

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Tue, Oct 28, 2025 at 9:17 PM

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Subject matter of RTI Application is related to other Public Authorities. RTI Application has been transferred to concerned Public Authority u/s 6(3) of the RTI Act. Kindly Submit First Appeal to concerned Public Authority.

**The First Appellate Authority (FAA)** Office of the District Judge District Court, Gorakhpur, Uttar Pradesh

**Subject:** First Appeal under Section 19(1) of the Right to Information Act, 2005 against the violation of Section 6(3) by the CPIO, Office of the District Judge, Gorakhpur (Initial Reg. No. DNGKP/R/2025/60049).

**1. Particulars of the Appellant:** **Name** | Naresh Kumar Jaiswal | | **Address** | S/O Ashok Kumar Jaiswal, Mohalla Surekapuram Colony, Jabalpur Road, Sangmohal Post Office, Mirzapur City, PIN Code-231001 | | **Mobile Number** | +91-9005697304 |

**2. Details of the Application and Response (or lack thereof):** **Original RTI Application Registration Number** DNGKP/R/2025/60049 **Date of Filing of Original RTI Application** 13/09/2025 | **Original Public Authority (PA)** Office of the District Judge, Gorakhpur (PIO: RAJESH PATI TRIPATHI) **Public Authority to which application was transferred** Family Court Gorakhpur (New Reg. No. FCGKP/R/2025/80003) | | **Date of Transfer of Application** | 15/10/2025 | | **Date on which Response should have been received (35 days from 13/09/2025)** | 18/10/2025 | | **Nature of Order/Action being appealed against** | Failure of the Original PIO to transfer the application within the stipulated time under Section 6(3), and consequential delay in providing the information. |

### 3. Grounds for the First Appeal (Violation of RTI Act, 2005):

The Appellant submits that the Central Public Information Officer (CPIO) of the Office of the District Judge, Gorakhpur, has violated the mandatory provisions of the RTI Act, 2005, on the following grounds:

**A. Violation of Section 6(3) (Failure to Transfer Timely):** The original application (Reg. No. DNGKP/R/2025/60049) was filed on **13/09/2025**. It was only transferred to the Family Court, Gorakhpur, on **15/10/2025**. This transfer took **32 days**.

As per **Section 6(3)** of the RTI Act, if an application pertains to information held by another Public Authority, the CPIO is legally bound to transfer the application to the appropriate Public Authority **within five days** of receiving it. The delay of 32 days has significantly and unreasonably postponed the process of obtaining the requested information.

**B. Consequential Delay (Violation of Section 7(1)):** Due to the gross delay in transfer by the original Public Authority, the mandatory 30-day response timeline has

been severely prejudiced, and the information is yet to be provided by the concerned PIO of the Family Court.

#### 4. Prayer/Relief Sought:

The Appellant respectfully requests the Hon'ble First Appellate Authority to:

1. Take immediate cognizance of the clear violation of **Section 6(3)** of the RTI Act, 2005, by the CPIO, Office of the District Judge, Gorakhpur (Initial Reg. No. DNGKP/R/2025/60049).
2. Direct the CPIO, Family Court Gorakhpur (New Reg. No. FCGKP/R/2025/80003), to provide the complete and detailed 'Action Taken Report' on the representation dated 08.06.2025 **immediately**, without any further delay.
3. Initiate necessary disciplinary action, including the imposition of a penalty under Section 20 of the RTI Act, 2005, against the defaulting PIO for non-compliance with the statutory timeline for transfer.

**Verification:** I solemnly state that the contents of this Appeal are true to the best of my knowledge and belief.

Yours faithfully,

**(Naresh Kumar Jaiswal) Date: 28/10/2025**

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