

To,

The Chief Information Commissioner/

Companion Information Commissioners,

7/7A, RTI Bhawan, Vibhuti Khand,

Gomti Nagar, Lucknow, Uttar Pradesh, PIN Code-226010

**Subject: Second Appeal under Section 19(3) of the Right to Information (RTI) Act, 2005**

**Against the arbitrary denial of information by the PIO (CMO Mirzapur) and the non-disposal of the First Appeal by the FAA (AD Mirzapur).**

Particulars	Appellant Details	Respondent Details
<b>Appellant</b>	Yogi M P Singh	<b>PIO (Respondent 1):</b> CMO, Mirzapur
<b>Address</b>	Mohalla Surekapuram Colony, Jabalpur Road, Sangmohal Post Office, Dist. Mirzapur, UP - 231001	<b>FAA (Respondent 2):</b> AD, Mirzapur
<b>Mobile No.</b>	7379105911	<b>Public Authority:</b> Medical and Health Directorate

### 1. Case Chronology and Facts

Document	Registration Number	Date of Filing	Statutory Due Date	Action/Failure
RTI Application	DIRMH/R/2025/65012	11/08/2025	10/09/2025	PIO failed to furnish complete

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Document	Registration Number	Date of Filing	Statutory Due Date	Action/Failure
				information and provided an illegal, misleading response.
First Appeal	DIRMH/A/2025/61445	18/09/2025	17/10/2025	FAA failed to hear, entertain, or dispose of the appeal, constituting a statutory failure.
Second Appeal	-	25/11/2025	-	Filed due to non-compliance by both subordinate authorities.

## 2. Information Originally Sought (RTI Application: DIRMH/R/2025/65012)

The Appellant sought the following six points of information from the CMO Mirzapur:

1. Reason why an X-ray was **not conducted** at CHC Vindhyachal during the initial medical examination, given that a fracture was later confirmed by X-ray at Tej Bahadur Sapru Hospital, Prayagraj.
2. Posting details of the Medical Officer who prepared the report, including date of joining in Mirzapur and specific postings at CHC Vindhyachal.
3. First posting details of the said Medical Officer upon joining Medical and Health Services.
4. Number of X-ray machines currently available at CHC Vindhyachal (working and non-functional).

(2) Yogim P Singh

5. Guidelines and protocols followed in preparing medical examination reports for police cases.
6. Details of any **departmental action** taken against the concerned Medical Officer for allegedly submitting a misleading report.

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### 3. Grounds for Second Appeal

This Second Appeal is filed because the failure of both the PIO and the FAA is **tantamount to anarchy and insolence** toward the provisions of the RTI Act, 2005, thereby setting an unacceptable precedent in a democracy.

#### A. Gross Violation by the PIO (CMO Mirzapur)

- **Illegal Denial:** The PIO arbitrarily denied Points 1, 2, and 3 by incorrectly citing **Section 11(1)**. Section 11(1) is a **procedure for third-party consultation**, not a ground for denying official records related to the duty and service of a public servant. The information sought is not confidential third-party information.
- **Deemed Refusal:** The PIO failed to furnish any response whatsoever for Points 4, 5, and 6, which constitutes a **deemed refusal** of the application under **Section 7(1)** of the Act.

#### B. Failure of Statutory Duty by the FAA (AD Mirzapur)

- The FAA failed to exercise the appellate power vested under **Section 19(1)** by neglecting to hear or pass an order on the First Appeal (DIRMH/A/2025/61445) within the statutory 30-day period. This failure defeats the remedial purpose of the First Appeal and forces the Appellant to approach the Commission, causing unnecessary delay and hardship.

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### 4. Prayer/Relief Sought

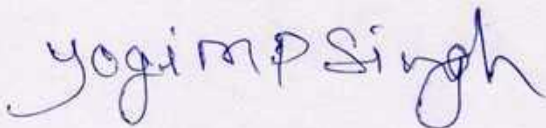
(3) Yogi R P Singh

In light of the deliberate non-compliance and violation of the RTI Act by both Respondents, the Appellant humbly prays the Hon'ble Commission to:

1. **Direct the PIO (CMO Mirzapur)** to immediately furnish the complete, accurate, and point-wise information as sought in the RTI Application (DIRMH/R/2025/65012) within a specified timeframe.
2. **Impose Maximum Penalty** under **Section 20(1)** of the RTI Act on the PIO for knowingly and malafidely obstructing the flow of information by providing an illegal and incomplete response, thereby causing a delay and a deemed refusal.
3. **Recommend Disciplinary Action** against the PIO under **Section 20(2)** for persistent violation and disregard of the law.
4. **Issue appropriate directives** to the FAA (AD Mirzapur) regarding his failure to discharge the statutory duty of deciding the First Appeal under Section 19(1).

**Date:** 25/11/2025

**Place:** Mirzapur



Yogi M P Singh

Appellant

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