

SECOND APPEAL UNDER SECTION 19(3) OF THE RTI ACT, 2005

I. PARTIES TO THE APPEAL

- **Appellant:** Indradev Yadav, R/o Village & Post: Chilh, District: Mirzapur, PIN: 231312.
- **Public Authority:** Medical and Health Directorate, Uttar Pradesh.
- **Respondent No. 1 (PIO):** Chief Medical Officer (CMO), Mirzapur.
- **Respondent No. 2 (FAA):** Additional Director (AD), Medical and Health, Mirzapur.

II. CHRONOLOGY OF EVENTS (Table for Clarity)

| Event | Reference Number | Date |
|------------------------|---------------------|---------------|
| RTI Application Filed | DIRMH/R/2025/67269 | 18/11/2025 |
| PIO Rejection Received | Letter No. 6594 | December 2025 |
| First Appeal Filed | DIRMH/A/2026/60093 | 16/01/2026 |
| FAA Decision Due | (Statutory 45 days) | 02/03/2026 |

III. GROUNDS FOR SECOND APPEAL

(1) 3-4-09 2189

1. Deemed Refusal by First Appellate Authority (FAA):

The Appellant filed the First Appeal on 16/01/2026. As per Section 19(6) of the RTI Act, the FAA was required to dispose of the appeal within 30–45 days. However, the FAA (AD Mirzapur) has failed to provide a hearing or pass any order, which constitutes a "Deemed Refusal".

2. Misapplication of Section 8(1)(j) by PIO: The PIO (CMO Mirzapur) denied information citing Section 8(1)(j) (Privacy). This is legally unsustainable because:

- **Self-Verification:** The Appellant sought to verify if his *own* identity (based on his own Aadhaar and marksheets) is being misused by an impostor in the department.
- **Identity Theft:** Verification of a potential fraud or "ghost employee" in a public office is a matter of significant public interest and does not constitute an "unwarranted invasion of privacy" of a third party.

3. Necessity for Judicial Proceedings:

The information is vital for a pending Maintenance Suit in court. The denial of information is obstructing the course of justice.

IV. PRAYER / RELIEF SOUGHT

The Appellant respectfully prays that the Hon'ble Commission:

1. **Set aside** the PIO's order dated December 2025 and the FAA's deemed refusal.
2. **Direct** the PIO to provide a point-wise verification of the staff identity as requested in the original application.

(2)

3. **Inquiry:** Initiate an inquiry into why the FAA failed to adjudicate the appeal within the statutory timeframe.
 4. **Penalty:** Impose a penalty on the PIO under Section 20(1) for intentionally denying information that involves potential fraud in a public office.
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V. LIST OF ENCLOSURES (Mandatory for Portal)

1. Copy of Original RTI Application dated 18/11/2025.
 2. Copy of PIO Reply (Letter No. 6594).
 3. Copy of First Appeal dated 16/01/2026.
 4. Copy of Identity Documents (Aadhaar/Marksheets) submitted with the original application.
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Verification:

I, Indradev Yadav, do hereby declare that the particulars stated above are true to the best of my knowledge and belief.

Date: April 05, 2026

Place: Mirzapur

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Indradev Yadav Mobile number:9118208936

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