

**BEFORE THE UTTAR PRADESH STATE INFORMATION COMMISSION,
LUCKNOW**

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

In the Matter of:

Archana Dubey W/o Amit Kumar Dubey, Resident of: Ghode Shahid,
Ghurahu Patti, District: Mirzapur, PIN-231001. ...**APPELLANT**

VERSUS

1. The Public Information Officer (PIO):

Manish Kumar Mishra, ASP Operation, Office of the Superintendent of
Police, Mirzapur. (Ref: Registration No. SPMZR/R/2025/60364)

2. The First Appellate Authority (FAA): Aparna Rajat Kaushik, SP
Mirzapur, Office of the Superintendent of Police, Mirzapur. (Ref:
Appeal No. 05/2026) ...**RESPONDENTS**

1. PARTICULARS OF THE RTI PROCEEDINGS:

- **Date of RTI Application:** 25/12/2025
- **Date of PIO's Disposal:** 31/12/2025
- **Date of First Appeal:** 16/01/2026
- **Date of FAA's Order:** 26/02/2026

2. INFORMATION SOUGHT IN ORIGINAL APPLICATION:

The Appellant sought 8 specific points of information regarding the investigation of a daylight robbery and housebreaking reported on 24/10/2025:

(1) **अर्चना देवी**

1. Certified copies of the **Daily Progress Report** and all file notings regarding the complaint dated 10/11/2025.
2. Certified copies of entries in the **General Diary (GD)** or Station Diary of PS City Kotwali regarding the incident.
3. Confirmation of **videography** performed by a Police Constable at the crime scene and its inclusion in the official record.
4. Name and designation of the **Police Constable** on duty who visited the site on 24/10/2025.
5. Internal notes/legal opinions explaining the **non-registration of an FIR** for robbery despite cognizable allegations.
6. Records of **CCTV camera inspection** and whether a Seizure Memo was prepared for the DVR/storage device.
7. Information on any **departmental inquiry** or show-cause notice issued for failing to register the FIR.
8. A copy of the **Investigation Report** submitted by Circle Officer (City) Vivek Jawla dated 29/11/2025.

3. GROUNDS FOR SECOND APPEAL:

1. **Initial Misleading Denial:** The PIO (Manish Kumar Mishra) initially rejected the application on 31/12/2025 by labelling it a "complaint letter" rather than providing the requested documents, causing unnecessary delay.
2. **Suppression of Digital Evidence:** Despite specific queries regarding **CCTV tampering and seizure** (Point 6), the Respondents have provided a generic investigation report that remains silent on the status of the DVR/CCTV footage.
3. **Contradictory Claims on Videography:** While the FAA stated "no video was made" (Point 3), the Appellant maintains that a

constable from Fataha Chowki performed on-site videography, indicating a potential destruction or hiding of evidence.

4. **Covering Criminal Acts as Civil:** The investigation report provided (by Vivek Jawla) categorises a forceful house-breaking and robbery as a "property dispute," advising the Appellant to seek civil court relief while she is currently displaced and living in a **rented room**.
5. **Unjustified Exemptions:** The PIO denied information on Points 4 and 7 under **Section 8** without demonstrating how providing the name of a public servant on duty or details of accountability would harm a protected interest.

4. PRAYER:

The Appellant respectfully prays that the Hon'ble Commission:

1. Direct the PIO to provide free and certified copies of the specific **CCTV Seizure Memo** and the missing **GD entries**.
2. Impose a penalty on the PIO for the initial malicious rejection of the RTI request.
3. Order an independent inquiry into why a "Civil Dispute" excuse was used to bypass a criminal investigation into the theft of jewellery worth **8 lakh rupees**.

Verification: I, Archana Dubey, declare that the particulars above are true.

Place: Mirzapur

Date: 04/04/2026

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Archana Dubey

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