

Online RTI Appeal Form Details

Public Authority Details :-		Print
* Public Authority	SUPERINTENDENT OF POLICE OFFICE MIRZAPUR	
Personal Details:-		
* Name	Sita Devi	
Gender	Female	
* Address	Village and Post Nakaahara	
Pincode	231001	
State	Uttar Pradesh	
Educational Status	Illiterate	
Phone	Details not provided	
Mobile	+91-998466XXXX View	
Email	sitadevimzp1987[at]gmail[dot]com	
Citizenship	Indian	
* Is the Applicant Below Poverty Line ?	No	
First Appeal Details u/s 19(1) :-		
Registration Number	SPMZR/A/2026/60060	
Date of Filing	28/07/2026	
Concerned Appellate Authority	Aparna Rajat Kaushik	
Mobile	XXXX View	
Email	395	
* Ground For Appeal	Provided Incomplete,Misleading or False Information	
((Description of Information sought (upto 500 characters))		
* Prayer or Relief Sought	GROUNDS OF SECOND APPEAL 1. Blanket denial without invoking a specific statutory exemption The PIO has refused Points 3 and 4 (case diary dates, witness statements) solely on th basis of an internal DGP circular (No. 01/2018). An administrative circular cannot override a statute — Section 22 of the RTI Act gives the Act overriding effect notwithstanding anything inconsistent in any other law, rule, or instruction in force. The PIO has failed to identify which specific clause of Section 8(1) of the RTI Act is being claimed (e.g., 8(1)(g) — endangering safety, or 8(1)(h) — impeding investigation/apprehension), and has not justified that claim on the facts of this case. 2. Failure to apply severability under Section 10(1) Even assuming part of the case diary is genuinely exempt, Section 10(1) obliges the PIO to sever the exempt material and disclos the remainder. Non-exempt information — such as simply the dates on which case-diary entries were made, or whether any statement has been recorded at all — is not itself sensitive and ought to have been furnished. 3. Non-supply of certified copies of non-privileged administrative documents The site inspection/progress report (Point 1) and the Action Taken Report sent to the CM Secretariat (Point 7) are administrative records, not part of any privileged case diary, and no exemption under Section 8 has been claimed or applies to them. The PIO has merely made bald assertions ("noted in the case diary," "action has been taken") without supplying the certified copies actually sought. 4. Vague, evasive, and non-responsive answers The replies to Points 2 and 6 do not answer the questions asked. Point 2 asked for specific recovery details or documented reasons for non-recovery; the reply merely says "investigation is ongoing." Point 6 asked for certified GD/PRV deployment entries for specific dates and hours; the reply gives only a generic assertion of "regular patrolling," with no entries, dates, or vehicle logs. This amounts to	

constructive denial of information under the guise of a reply. 5. Overriding public interest in disclosure — Section 8(2) The reply to Point 5 itself confirms that no arrest or court warrant has been obtained against any named accused, despite Section 351(3) BNS being a cognizable, non-bailable offense involving alleged threats to life. Where fundamental rights to life and safety under Article 21 are implicated, and continuing police inaction is alleged, the public interest in disclosure of the information sought (inspection reports, patrolling logs, ATRs) clearly outweighs any marginal harm from disclosure, as contemplated under Section 8(2) of the Act. 6. Information supplied is incomplete and misleading The overall response fails to satisfy the standard of "information" as defined under Section 2(f) of the Act, which the Appellant is entitled to receive in full, accurate, and specific form — not administrative reassurance. More Details of it attached to it

Supporting document ((only pdf upto 1 MB))**RTI Application Details u/s 6(1) :-**

Registration Number	SPMZR/R/2026/60301
Date of Filing	25/06/2026
PIO of Public Authority approached	Rajkumar Meena
Designation	ASP OPERATION
Mobile	947356XXXX View
Email	aspopmzp[at]gmail[dot]com
PIO Order/Decision Number	Details not provided
* PIO Order/Decision Date	

FIRST APPEAL UNDER SECTION 19(1) OF THE RIGHT TO INFORMATION ACT, 2005

To,

The First Appellate Authority,

Office of the Superintendent of Police,

District – Mirzapur, Uttar Pradesh – 231001.

Subject: First Appeal against the incomplete, evasive, and unsatisfactory reply of the Public Information Officer dated 23.07.2026 in RTI Application Registration No. SPMZR/R/2026/60301 dated 25.06.2026, regarding FIR No. 0289/2026 (P.S. Kotwali Dehat, Mirzapur).

Respected Sir/Madam,

I, Sita Devi, wife of Shri Ramkumar Maurya, resident of Village & Post Nakahara, P.S. Kotwali Dehat, District Mirzapur, Uttar Pradesh, Pincode – 231001, do hereby prefer this First Appeal under Section 19(1) of the Right to Information Act, 2005, being aggrieved by the incomplete and unsatisfactory reply furnished by the Public Information Officer (PIO), Shri Rajkumar Meena, ASP (Operations), Mirzapur, vide letter dated 23.07.2026, in response to my RTI Application bearing Registration No. SPMZR/R/2026/60301, filed on 25.06.2026.

1. PARTICULARS OF THE APPEAL

a)	Name of Appellant	Sita Devi, W/o Shri Ramkumar Maurya
b)	Address	Village & Post Nakahara, P.S. Kotwali Dehat, District Mirzapur, U.P. – 231001
c)	Mobile / Email	9984665354 / sitadevimzp1987@gmail.com
d)	RTI Registration No.	SPMZR/R/2026/60301
e)	Date of Filing of RTI Application	25.06.2026
f)	Public Authority	Office of the Superintendent of Police, Mirzapur
g)	Name & Designation of PIO	Shri Rajkumar Meena, ASP (Operations), Mirzapur
h)	Date of PIO's Reply	23.07.2026
i)	Date of Disposal Shown in Portal	27.07.2026

2. BRIEF BACKGROUND

2.1. FIR No. 0289/2026 was registered at P.S. Kotwali Dehat, Mirzapur, on 05.06.2026 under Sections 352, 351(3), 324(4), and 305 of the Bharatiya Nyaya Sanhita (BNS), 2023, on my complaint regarding forcible demolition of my lawful construction on Plot No. 31, Mauza Nakahara, theft of building materials, and repeated criminal intimidation and death threats by named accused persons. The investigation was assigned to Sub-Inspector Umashankar Yadav (Badge No. 872190188).

2.2. Despite the FIR having been registered on 05.06.2026, no meaningful investigative progress has been made, no recovery of looted property has been effected, and no arrest or warrant has been sought against any named accused, even though Section 351(3) BNS is a cognizable and non-bailable offence. I have separately approached the Chief Minister Secretariat (Registration Nos. GOVUP/E/2026/0079388, GOVUP/E/2026/0081208, GOVUP/E/2026/0070938) and the Prime Minister's Office (Registration No. PMOPG/E/2026/0100624) in this regard, without effective relief.

2.3. I therefore filed the above RTI Application dated 25.06.2026 seeking seven specific categories of certified information relating to the investigation, recovery efforts, case diary timeline, witness statements, arrest/warrant action, night patrolling logs, and the Action Taken Report sent to the SP's office by the Chief Minister Secretariat. The PIO's reply dated 23.07.2026 has failed to furnish this information in material respects, as set out below.

3. GROUNDS OF APPEAL

Ground 1 – Blanket denial without invoking a specific statutory exemption

In response to Point Nos. 3 and 4 of my application (certified case-diary dates and witness statements recorded under Section 180 BNSS), the PIO has relied solely on an internal circular of the Director General of Police, U.P. (Circular No. 01/2018), to refuse disclosure. An administrative circular cannot override a statute. Section 22 of the RTI Act, 2005 expressly gives the Act overriding effect notwithstanding anything inconsistent contained in any other law, rule, or executive instruction. The PIO has not identified which specific clause of Section 8(1) of the RTI Act is being invoked (e.g. Section 8(1)(h) — impeding the process of investigation), nor has any reasoning been furnished as to how disclosure would cause the harm contemplated under that provision on the facts of this case.

Ground 2 – Failure to sever and disclose the non-exempt portion (Section 10)

Even assuming, without admitting, that some part of the case diary is genuinely exempt from disclosure, Section 10(1) of the RTI Act obliges the PIO to sever the exempt material and provide access to the remainder. Information such as merely the dates on which case-diary entries were made, or a simple confirmation of whether any witness statement has been recorded at all, is not sensitive in nature and ought to have been disclosed. The PIO has made no attempt at severability.

Ground 3 – Non-supply of certified copies of non-privileged administrative records

The Site Inspection/Progress Report referred to in reply to Point No. 1, and the Action Taken Report referred to in reply to Point No. 7, are administrative records maintained independently of the case diary. No exemption under Section 8 of the RTI Act has been claimed, or applies, to either of these documents. The PIO has merely asserted that a site sketch is "annexed to the

case diary" and that action has been taken under Sections 126/135 of the Bharatiya Nagarik Suraksha Sanhita, without furnishing the certified copies actually sought.

Ground 4 – Vague, evasive, and non-responsive replies amounting to constructive denial

The replies to Point Nos. 2 and 6 do not answer the specific questions asked. Point No. 2 sought either the details of ground action taken to recover the looted building materials, or the recorded reasons for non-recovery; the PIO has replied only that "investigation is ongoing based on evidence collection," without addressing recovery status at all. Point No. 6 sought certified General Diary/PRV deployment entries for specific dates and night hours (06.06.2026 to 25.06.2026, 10 PM to 4 AM); the PIO has furnished only a generic, undated assertion that a PRV vehicle patrols "as per pre-fixed schedule," with no actual logs, entries, or dates. Such generic reassurance without the underlying record constitutes constructive denial of the information sought.

Ground 5 – Overriding public interest in disclosure under Section 8(2)

The PIO's own reply to Point No. 5 confirms that no warrant has been obtained from any competent court against any accused person in this case, despite Section 351(3) BNS being a cognizable, non-bailable offence involving alleged threats to life. Where the right to life and personal safety under Article 21 of the Constitution is directly implicated, and continuing police inaction is alleged over a period of nearly two months, the public interest in disclosure of the inspection report, patrolling logs, and Action Taken Report clearly outweighs any marginal harm from disclosure, as contemplated under Section 8(2) of the RTI Act, which permits disclosure of even exempted information where public interest so justifies.

Ground 6 – Information furnished does not meet the standard required under Section 2(f)

The information as furnished is incomplete, general in nature, and falls short of the specific "information" — meaning records, documents, and material particulars — that I am entitled to receive under Section 2(f) of the RTI Act. Administrative reassurance in narrative form is not a substitute for the certified records and specific data actually sought in my application.

4. PRAYER

In light of the foregoing grounds, it is most respectfully prayed that this Hon'ble Appellate Authority may be pleased to:

- a) Direct the PIO to supply a certified copy of the complete Progress Report and Site Inspection Report (Mauka Maina) prepared at Plot No. 31, Mauza Nakahara, in connection with FIR No. 0289/2026;
- b) Direct the PIO to furnish specific, certified details of the ground action taken to recover the looted building materials (pipes, iron angles, tin sheds) under Section 305 BNS, or, in the alternative, the recorded reasons for non-recovery to date;
- c) Direct the PIO to either supply the certified case-diary date entries and witness statements to the extent not genuinely exempt under Section 8(1), or, in the alternative, to specify in writing the precise clause of Section 8(1) relied upon for withholding each item along with reasons, and to apply severability under Section 10(1) of the Act;

d) Direct the PIO to supply certified records of any steps taken, or warrants sought/executed, to arrest or bind down the named accused persons under the non-bailable provisions of Section 351(3) BNS;

e) Direct the PIO to supply certified copies of the actual General Diary entries and/or PRV (UP-112) deployment logs for Nakahara village for the specific dates and hours sought, i.e., 06.06.2026 to 25.06.2026, between 10:00 PM and 4:00 AM;

f) Direct the PIO to supply a certified copy of the Action Taken Report/directions issued by the Office of the SP, Mirzapur, to P.S. Kotwali Dehat in response to the grievances forwarded via the Chief Minister Secretariat under Registration Nos. GOVUP/E/2026/0079388 and GOVUP/E/2026/0081208;

g) Pass such other order(s) or direction(s) as this Hon'ble Appellate Authority may deem fit and proper in the interest of justice.

Thanking you,

Yours sincerely,

Sita Devi

W/o Shri Ramkumar Maurya

Village & Post Nakahara, P.S. Kotwali Dehat,

District Mirzapur, Uttar Pradesh – 231001

Mobile: 9984665354

Place: Mirzapur

Date: 28.07.2026

Enclosures (available online / referenced records):

1. RTI Application dated 25.06.2026, Registration No. SPMZR/R/2026/60301 (available on the RTI Online U.P. portal, rtionline.up.gov.in).

2. PIO's reply dated 23.07.2026, uploaded against Registration No. SPMZR/R/2026/60301 on the same portal.

3. FIR No. 0289/2026, P.S. Kotwali Dehat, dated 05.06.2026 (available on the U.P. Police Citizen Portal / CCTNS).

4. Prior grievances Registration Nos. GOVUP/E/2026/0079388, GOVUP/E/2026/0081208, and GOVUP/E/2026/0070938 (available on pgportal.gov.in), and PMOPG/E/2026/0100624 (available on pmopg.gov.in).

(All the above records are available online on the respective government portals under the registration numbers cited; printouts/certified copies can be furnished separately if required by this Hon'ble Authority.)

कार्यालय

पुलिस

अधीक्षक,

मीरजापुर।

संख्या:ज0सू0294/2026-SPMZR/R/2026/60301

दिनांक:जुलाई 26, 2026

सेवा में,

श्रीमती सीता देवी पत्नी रामकुमार,
निवासी नकहरा, थाना को0 देहात,
जनपद मीरजापुर पिनकोड नं0-231001,
मो0नं0-9984665354 ।

कृपया जन सूचना अधिकारी/पुलिस अधीक्षक,मीरजापुर को सम्बोधित अपने प्रार्थना पत्र दिनांकित 25.06.2026 का सन्दर्भ ग्रहण करने का कष्ट करें,जो सूचना का अधिकार अधिनियम-2005 के अधीन आप द्वारा चाही गयी सूचना उपलब्ध कराये जाने विषयक है।

उपरोक्त के सम्बन्ध में आपको अवगत कराना है कि आप द्वारा चाही गयी सूचना थाना को0 देहात मीरजापुर से प्राप्त की गयी, जो उनके पत्र दिनांक:23.07.2026 के माध्यम से उपलब्ध करायी गयी। प्र0नि0 को0 देहात मीरजापुर से प्राप्त सूचना की एक छायाप्रति संलग्न कर आपको प्रेषित की जा रही है।

कृपया तदुसार अवगत हों।

संलग्नक: यथोपरि।

26/7/26

(जटाशंकर मिश्र)
क्षेत्राधिकारी सदर,
मीरजापुर।

नोट- उल्लेखनीय है कि "उत्तर प्रदेश राज्य *अन्तर्गत आवेदनो / प्रथम अपीलों को आनलाइन प्राप्त कर निस्तारित किये जाने हेतु एक वेब पोर्टल <https://rtionline.up.gov.in> विकसित किया गया है। भविष्य में जनसूचना के लिए आवेदन/प्रथम अपील करने हेतु आप उक्त वेब पोर्टल का उपयोग कर सकते हैं।

प्रतिलिपि:जनसूचना अधिकारी, पुलिस कार्यालय, मीरजापुर को सादर सूचनार्थ प्रेषित।

सेवा में,

श्रीमान क्षेत्राधिकारी मोहदय सदर
सहायक जनसूचना अधिकारी
जनपद मीरजापुर।

महोदय,

कृपया जनसूचना अधिकारी कार्यालय पुलिस अधीक्षक जनपद मीरजापुर के पत्र संख्या 294/2026 दिनांक 25.06.2026 का सन्दर्भ ग्रहण करें, जो आवेदक श्रीमती सीता देवी पत्नी रामकुमार निवासी नकहरा थाना कोतवाली देहात मीरजापुर 30प्र0 पिन- 231001, मो0नं0- 9984665354 द्वारा अपने प्रार्थना पत्र के माध्यम से सूचना का अधिकार अधिनियम -2005 के अन्तर्गत मांगी गयी बिन्दुवार सूचना उपलब्ध कराये जाने की अपेक्षा की गयी है।

उपरोक्त विषयक सादर अवगत कराना है कि आवेदक श्रीमती सीता देवी उपरोक्त द्वारा मांगी गई बिन्दुवार सूचना निम्नवत है।

बिन्दु क्रमांक	प्रश्न	उत्तर
1	Specific Information Sought: 1. Progress & Inspection Records: Provide a certified copy of the complete Progress Report and Site Inspection Report (Mauka Maina) prepared by Investigating Officer (10) Umashankar Yadav at Plot No. 31, Mauza Nakahara, since the registration of the FIR on 05/06/2026	मु0अ0सं0 289/2026 में घटना स्थल का निरीक्षण कर नक्शा नजरी मुकदमा उपरोक्त की केश डायरी में संलग्न है।
2	Property Recovery Log: Provide specific details regarding the ground actions taken by the police to recover the looted building materials (pipes, iron angles, tin sheds) under Section 305 of the BNS, 2023. If no recovery has been made to date, provide the recorded reasons for this failure from the Case Diary.	मु0अ0सं0 289/2026 की विवेचना विवेचनाधीन है, साक्ष्य संकलन के आधार पर कार्यवाही की जा रही है।
3	Case Diary Extract Timeline: Provide the certified dates on which Case Diary entries (Parcha) have been written by the 10 from 05/06/2026 till the date of replying to this application .	केश डायरी गोपनीय प्रपत्र है, श्रीमान पुलिस महानिदेशक महोदय 30प्र0 के परिपत्र संख्या 01/2018 के तहत केश डायरी देय नहीं है।
4	Statements Under Section 180 BNSS: Provide certified copies of the statements of the complainant, witnesses, and neighbors recorded under Section 180 of the Bharatiya	मु0अ0सं0 289/2026 में शिकायतकर्ता व गवाहों का बयान मुकदमा उपरोक्त की केश डायरी का भाग है।

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Kotwali - Surajpur - Sahibpur - 16/06/2024
(corresponding to the old Sec 161 CrPC). If no statements have been recorded, state the reasons on record.

धरालय
संख्या: 2

सेवा

5

Action on Non-Bailable Offense: Section 351(3) BNS (Criminal Intimidation by threat to cause death) is a Cognizable and Non-Bailable offense. Please provide the certified records of the steps taken or warrants executed by P.S. Kotwali Dehat to arrest or bind down the named accused persons.

मुकदमा उपरोक्त में किसी आरोपी के विरुद्ध मा(।
न्यायालय से वारण्ट प्राप्त नहीं किया गया है।

6

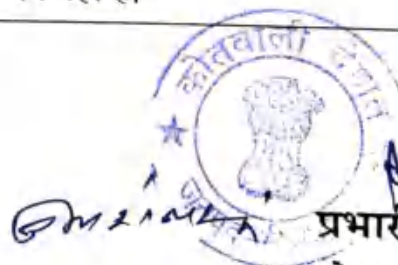
Late-Night Patrolling Logs: Provide a certified copy of the General Diary (GD) entry details or PRV (UP 112) deployment details for Nakahara village between 10:00 PM and 4:00 AM for the period from 06/06/2026 to 25/06/2026 to track late-night public nuisance or patrolling actions

ग्राम नकहरा में पूर्व निर्धारित समय के अनुसार PRV वाहन व 112 की चार पहिया वाहन व उसमे मौजूद फोर्स लगातार गस्त करती है।

7

Grievance Redressal Action: Provide a certified copy of the Action Taken Report (ATR) or directions issued by the Office of the SP Mirzapur to P.S. Kotwali Dehat regarding the complaints forwarded via the Chief Minister

शिकायत निवारण कार्यवाही मुख्यमंत्री पोर्टल से प्राप्त हुई है जिसमे पंजीकृत अभियोग का विरण देते हुये विवेचना सम्पादित की जा रही है। शान्ति व्यवस्था कायम रखने हेतु अन्तर्गत धारा 126/135 बी0एन0एस0एस0 में कार्यवाही की गयी है। यह कार्यवाही अधिकारियों के इस निर्देश पर कि शान्ति व्यवस्था कायम रहे प्रमाणित प्रति देय नहीं है।



प्रभारी निरीक्षक
कोतवाली देहात
जनपद मीरजापुर।