



Naresh Kumar Jaiswal &lt;nareshkumarjaiswal8@gmail.com&gt;

**Regarding Hearing dated 12-08-2026 in S-1 Court**

2 messages

**RAJ KUMAR VISHWAKARMA** <hearingcourts1.upic@up.gov.in>

Thu, Aug 6, 2026 at 11:12 AM

To: nyayanubhag6 &lt;nyayanubhag6@gmail.com&gt;, nyayanubhag3 &lt;nyayanubhag3@gmail.com&gt;, KRIPA YADAV &lt;kripa.13887@gov.in&gt;

Cc: nareshkumarjaiswal8 &lt;nareshkumarjaiswal8@gmail.com&gt;

Please find the attachment

**8 attachments****1.pdf**  
314K**2.pdf**  
167K**3.pdf**  
121K**4.pdf**  
159K**5.pdf**  
450K**6.pdf**  
198K**7.pdf**  
204K**1223 notice.pdf**  
274K**Naresh Kumar Jaiswal** <nareshkumarjaiswal8@gmail.com>

Tue, Aug 11, 2026 at 4:22 PM

To: RAJ KUMAR VISHWAKARMA &lt;hearingcourts1.upic@up.gov.in&gt;

Cc: nyayanubhag6 &lt;nyayanubhag6@gmail.com&gt;, nyayanubhag3 &lt;nyayanubhag3@gmail.com&gt;, KRIPA YADAV &lt;kripa.13887@gov.in&gt;

**BEFORE THE HON'BLE UTTAR PRADESH STATE INFORMATION COMMISSION,  
LUCKNOW***(Sunwai Kaksh S-1)***SECOND APPEAL UNDER SECTION 19(3) OF THE RIGHT TO INFORMATION ACT, 2005****Case No.: S01/A/1223/2026****Registration No.: A-20260601678****IN THE MATTER OF:**

Naresh Kumar Jaiswal

S/o Ashok Kumar Jaiswal, Surekapuram Colony, Jabalpur Road, Mirzapur City, Uttar Pradesh – 231001

Mobile: 9005697304 | Email: [nareshkumarjaiswal8@gmail.com](mailto:nareshkumarjaiswal8@gmail.com)**... Appellant****VERSUS**

1. Public Information Officer, Smt. Bhawana Rajpoot (Section Officer), Law Department (Nyaya Vibhag), Government of Uttar Pradesh, Secretariat, Lucknow – 226001
2. First Appellate Authority, Dr. Satyavan Singh (Special Secretary), Law Department (Nyaya Vibhag), Government of Uttar Pradesh, Secretariat, Lucknow – 226001

**... Respondents**

## **WRITTEN SUBMISSION ON BEHALF OF THE APPELLANT**

*(Filed pursuant to Notice No. 202608S01N100067 dated 05-08-2026 fixing the matter for hearing on 12-08-2026 at 10:30 AM)*

### **MOST RESPECTFULLY SHOWETH:**

#### **1. Brief Background**

1.1 The Appellant filed an application dated 04-03-2026 under Section 6(1) of the Right to Information Act, 2005 ("the Act") before the Public Information Officer (PIO), Law Department, seeking specific, limited, and clearly identifiable information concerning the non-uploading of the final judgment dated 24-07-2025 passed in Criminal Misc. Case No. 915/2021 (Priyanka Jaiswal vs. Naresh Kumar Jaiswal) by the Court of the Addl. Principal Judge, Family Court IInd, Gorakhpur, on the official e-Courts/District Court portal.

1.2 The information sought was administrative in character — namely (i) the reason for non-uploading of the judgment despite the case being shown as "Disposed" on the e-Courts portal; (ii) the applicable Department of Justice policy/timeline for uploading judgments; (iii) the grievance redressal mechanism/nodal officer for such lapses; and (iv) a request that any response be sent to the Appellant's registered email, as he has stated he currently has no stable postal address. None of this information falls within any exemption under Section 8 of the Act.

1.3 No response of any kind was received from Respondent No. 1 within the statutory period of thirty days prescribed under Section 7(1) of the Act, amounting to a deemed refusal in law.

1.4 Constrained by this silence, the Appellant filed a First Appeal dated 20-04-2026 under Section 19(1) of the Act before Respondent No. 2. This too met with no response, no hearing, and no order within the statutory period prescribed under Section 19(6) of the Act.

1.5 Left with no alternative, the Appellant filed the present Second Appeal dated 16-06-2026 under Section 19(3) of the Act before this Hon'ble Commission, registered as Case No. S01/A/1223/2026, and now fixed for hearing on 12-08-2026.

#### **2. Chronology of Events**

| <b>Date</b>   | <b>Event</b>                                                                                                                                              |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| 04-03-2026    | RTI Application filed u/s 6(1), Registration No. DPLAW/R/2026/60044                                                                                       |
| 03/04-04-2026 | Statutory 30-day period u/s 7(1) for PIO reply expires — no response received (Deemed Refusal)                                                            |
| 20-04-2026    | First Appeal filed u/s 19(1), Registration No. DPLAW/A/2026/60034, before Dr. Satyavan Singh, FAA (47 days after RTI application)                         |
| ~04-06-2026   | Statutory period for disposal of First Appeal expires — no order, hearing, or communication from FAA                                                      |
| 16-06-2026    | Second Appeal filed u/s 19(3) before the Commission, Registration No. A-20260601678 (57 days after First Appeal; 104 days after original RTI application) |

|                     |                                                                                                                                                                                                                                        |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05-08-2026          | Commission issues Notice No. 202608S01N100067 fixing hearing for 12-08-2026 and directing Respondents to file written statement at least 2 days prior to hearing, with a copy served on the Appellant                                  |
| Till date of filing | No written statement, reply, or communication of any kind received by the Appellant from either Respondent — neither in the original RTI proceeding, nor in the First Appeal, nor pursuant to the Commission's Notice dated 05-08-2026 |
| 12-08-2026          | Date fixed for hearing before the Commission, 10:30 AM                                                                                                                                                                                 |

### **3. The Conduct of Respondent No. 1 (PIO) Has Been One of Continuing Reluctance and Non-Cooperation**

3.1 It is respectfully submitted that Respondent No. 1 has, at every single stage of these proceedings, chosen silence over compliance:

1. No acknowledgment, interim reply, or substantive response was issued to the RTI application dated 04-03-2026 within the thirty-day period mandated under Section 7(1) of the Act — nor at any point thereafter.
2. No invocation of Section 8 or any other exemption was made to justify withholding the information. The silence was total and unexplained, which itself indicates an unwillingness to engage with a legitimate request rather than any genuine difficulty in furnishing the information sought.
3. The information sought was purely administrative (reasons for portal delay, applicable timelines, and the identity of a grievance officer) and did not require any adjudicative determination, third-party notice, or voluminous compilation that could explain a seven-month-long silence.
4. Even after the First Appeal and the present Second Appeal were filed — placing Respondent No. 1 on direct notice of the grievance — no attempt has been made to cure the default by furnishing the information voluntarily, even at a belated stage, as is often done by public authorities to purge a default before a Commission.
5. Most tellingly, despite this Hon'ble Commission's Notice dated 05-08-2026 expressly directing the Respondents to file a written statement at least two days prior to the hearing and to serve a copy on the Appellant, no written statement, e-mail, WhatsApp message, or communication of any kind has been received by the Appellant from Respondent No. 1 as on the date of this submission. This demonstrates that the reluctance to engage with the Appellant's request is not confined to the RTI stage but has persisted even before this Hon'ble Commission itself.

### **4. The Conduct of Respondent No. 2 (First Appellate Authority) Mirrors the Same Pattern of Non-Compliance**

4.1 The conduct of Respondent No. 2 is, if anything, more concerning, given the appellate/supervisory role the First Appellate Authority is meant to discharge under the scheme of the Act:

6. The First Appeal dated 20-04-2026 was never adjudicated. No date of hearing was communicated to the Appellant, no order was passed, and no reasons were recorded for the delay, in violation of Section 19(6) of the Act, which contemplates disposal within 30 days (extendable to 45 days for reasons recorded in writing).
7. Respondent No. 2, as the supervisory appellate authority, was duty-bound to call upon Respondent No. 1 to explain the non-response and to either direct disclosure or record a reasoned

rejection. Instead, the First Appeal was allowed to lapse into the same silence as the original application.

8. As with Respondent No. 1, Respondent No. 2 has filed no written statement pursuant to this Hon'ble Commission's Notice dated 05-08-2026, nor has any communication been received by the Appellant, despite the Notice's express directions in this regard.

9. This continuing non-participation — from the PIO stage, through the First Appeal, and now before this Hon'ble Commission itself — reflects a consistent institutional unwillingness to engage with the Appellant's grievance rather than an isolated administrative lapse.

## **5. Non-Compliance with the Commission's Own Notice Warrants Specific Notice by This Hon'ble Commission**

5.1 It is respectfully submitted that the Notice dated 05-08-2026 (No. 202608S01N100067) is not a mere formality. It specifically directs the Respondents to (i) file a written statement in the prescribed PDF format at least two days prior to the date of hearing, and (ii) serve a copy of such statement on the Appellant, by email or, where email is not possible, by WhatsApp/physical copy.

5.2 As on the date of this submission, the Appellant has received no written statement, no email, and no other communication from either Respondent in compliance with this direction. This continued silence — now extending even to a direct order of this Hon'ble Commission — is placed on record for this Hon'ble Commission's consideration, and the Appellant respectfully submits that it is a further circumstance relevant to the question of penalty and disciplinary action under Sections 20(1) and 20(2) of the Act.

5.3 The Appellant respectfully reserves the right to bring any written statement filed by the Respondents, if received belatedly, to the notice of this Hon'ble Commission and to respond thereto.

## **6. Grounds**

10. Statutory Default: Both Respondents have failed to comply with the mandatory timelines prescribed under Sections 7(1) and 19(6) of the Act, resulting in a deemed refusal at both the original and first-appellate stages.

11. Continuing Default Before the Commission: The default has persisted even after the matter reached this Hon'ble Commission, in direct disregard of its Notice dated 05-08-2026.

12. Denial of Access to Justice: The information withheld pertains directly to a judicial order affecting the Appellant's personal and family litigation. Its continued withholding prevents the Appellant from pursuing further legal remedies in a timely manner.

13. Violation of Section 4: The Law Department has failed in its duty of proactive disclosure regarding the policy/guidelines governing the timeline for uploading judgments under the e-Courts Mission Mode Project.

14. No Exemption Claimed or Applicable: At no stage have the Respondents claimed any exemption under Section 8 or any other provision of the Act, reinforcing that the information is neither sensitive nor difficult to furnish, and that its withholding is attributable solely to administrative apathy.

## **7. Prayer**

In view of the facts and circumstances stated above, the Appellant most respectfully prays that this Hon'ble Commission may be pleased to:

15. Direct Respondent No. 1 to furnish complete, point-wise, and certified information as sought in RTI Application No. DPLAW/R/2026/60044, to the Appellant's registered email:

[nareshkumarjaiswal8@gmail.com](mailto:nareshkumarjaiswal8@gmail.com), within a time-bound period fixed by this Hon'ble Commission;

16. Take serious note of the continuing and unexplained non-compliance by both Respondents, including their failure to file any written statement pursuant to this Hon'ble Commission's Notice dated 05-08-2026;

17. Impose the maximum penalty on Respondent No. 1 under Section 20(1) of the Act for the unexplained delay and deemed refusal;

18. Recommend appropriate disciplinary action under Section 20(2) of the Act against the Respondents for persistent and continuing non-compliance with the Act and with this Hon'ble Commission's directions;

19. Pass any other order(s) as this Hon'ble Commission may deem fit and proper in the interest of justice, transparency, and accountability.

### **8. Verification**

I, Naresh Kumar Jaiswal, the Appellant above named, do hereby verify that the contents of this Written Submission are true and correct to the best of my knowledge, information, and belief, and that nothing material has been concealed therefrom.

Place: Mirzapur

Date: 11/08/2026



—  
**Naresh Kumar Jaiswal (Appellant)**

S/o Ashok Kumar Jaiswal, Surekapuram Colony, Jabalpur Road, Mirzapur City, Uttar Pradesh – 231001

Mobile: 9005697304 | Email: [nareshkumarjaiswal8@gmail.com](mailto:nareshkumarjaiswal8@gmail.com)

On Thu, Aug 6, 2026 at 11:17 AM RAJ KUMAR VISHWAKARMA <[hearingcourts1.upic@up.gov.in](mailto:hearingcourts1.upic@up.gov.in)> wrote:  
Please find the attachment