



Mahesh Pratap Singh <yogimpsingh@gmail.com>

Regarding Hearing dated 17-08-2026 in S-1 Court

2 messages

RAJ KUMAR VISHWAKARMA <hearingcourts1.upic@up.gov.in>
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17 August 2026 at 07:59

SECOND APPEAL UNDER SECTION 19(3) OF THE RTI ACT, 2005**WRITTEN SUBMISSION ON BEHALF OF THE APPELLANT**

(Submitted for the hearing dated 17/08/2026, Hearing Room S-1)

BEFORE THE HON'BLE STATE INFORMATION COMMISSION, UTTAR PRADESH

7/7A, RTI Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow – 226010

Case No.: S09/A/0355/2026**Registration No.:** A-20260301603**Underlying Appeal (subject-matter of RTI):** S-09/A/1037/2025

In the Matter of:**YOGI M. P. SINGH**

S/o Sri Rajendra Pratap Singh, Mohalla-Surekapuram, Jabalpur Road, Mirzapur – 231001, Mobile: 7379105911
...APPELLANT

VERSUS**1. STATE PUBLIC INFORMATION OFFICER (SPIO)**

Sri Mumtaz Ahmad, Administrative Officer, Room No. 404, RTI Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow – 226001

2. FIRST APPELLATE AUTHORITY (FAA)

Sri Tejaskar Pandey, Deputy Secretary, Room No. 410, RTI Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow – 226001

...RESPONDENTS

MOST RESPECTFULLY SHOWETH:**1. PARTICULARS OF THE CASE**

- RTI Registration No.: UPICM/R/2026/60101, dated 18/02/2026.
- Date of SPIO's Response: 26/02/2026 (letter dated 25.02.2026, Patrank 1404/उ०प्र०सू०आ०/जा०सू०आ०/2025-26).
- First Appeal Registration No.: UPICM/A/2026/60029, dated 27/02/2026.
- FAA Order Date: 06/03/2026.
- Present Second Appeal filed: 19/03/2026; listed for hearing 17/08/2026 in Room S-1.

2. BACKGROUND OF THE RTI APPLICATION

The appellant's RTI application dated 18/02/2026 sought five specific points of information concerning the hearing held on 12/01/2026 in Appeal No. S-09/A/1037/2025 (Yogi M. P. Singh vs. Executive Engineer, Purvanchal Vidyut Vitran Nigam Limited, Mirzapur), namely: (i) the status/receipt of the written representation filed via the CATS portal; (ii) the certified online hearing attendance log or participant list; (iii) confirmation of whether the appellant's digital login was recorded; (iv) the certified daily order sheet/minutes of proceedings recorded by the Bench Clerk for Room S-09; and (v) confirmation of whether the appellant's written submission was placed before the Hon'ble Commissioner.

3. THE SPIO'S RESPONSE IS NON-RESPONSIVE

The SPIO's letter dated 25.02.2026 does not independently answer Points 2 to 5. Against each of these, it merely records “बिन्दु संख्या 1 के अनुसार” (as per Point No. 1), and for Point 1 it states that the reply given by Hearing Room-9 dated 25.02.2026 stands enclosed. On examination, the enclosed material is a covering note from the Ahalmad (Court Clerk), Room S-09, dated 25.02.2026, which merely recites procedural history — that a notice dated 30.12.2025 was e-mailed, that a hearing link was sent on 15.12.2025, and that an order dated 12.01.2026 was uploaded fixing the next date as 18.02.2026 (subsequently re-fixed to 24.03.2026). This is administrative correspondence, not the certified digital login/attendance record specifically sought by the appellant. No server log, Teams participant list, or digital login confirmation has been furnished to date.

4. THE FIRST APPELLATE AUTHORITY'S ORDER IS ERRONEOUS

The FAA's order dated 06.03.2026 records that the information sought stands already provided and closes the First Appeal accordingly. This finding does not engage with the specific deficiency raised by the appellant — namely,

that the substantive digital/electronic records sought under Points 2, 3, and 4 were never produced, and that what was furnished was limited to a covering letter reiterating dates already known to the appellant.

5. FACTUAL BACKGROUND NECESSITATING THE RTI APPLICATION

The appellant respectfully places on record the circumstances that led to the filing of the present RTI application. On 12/01/2026, the appellant had two separate matters listed for online hearing on the very same date:

- (a) Case No. S05/A/1286/2025 (Yogi M. P. Singh vs. PIO, Office of CMO Mirzapur), listed before Sri Padum Narayan Dwivedi, Hearing Room S-5; and
- (b) Appeal No. S-09/A/1037/2025 (Yogi M. P. Singh vs. Executive Engineer, PVVNL, Mirzapur), listed before Smt. Shakuntala Gautam, Hearing Room S-9 — the very appeal to which the present RTI application relates.

The appellant made repeated and continuous efforts to gain entry into the Room S-5 virtual hearing on that date but was not admitted despite waiting in the Microsoft Teams meeting lobby since 12:00 PM. This is documented by the appellant's own e-mail dated 12/01/2026, timed 12:54 PM, addressed to the official e-mail of Hearing Room S-5 (hearingcourts5.upic@up.gov.in), which specifically records that the appellant had been “logged in and waiting in the Microsoft Teams meeting lobby since 12:00 PM” and requested entry.

Thereafter, on the same date, the appellant attempted to appear before Hearing Room S-9 (Smt. Shakuntala Gautam) in Appeal No. S-09/A/1037/2025 — the appeal that is the subject-matter of the present RTI application. It is submitted, with respect, that the record/order pertaining to that hearing describes the appellant as absent. The appellant disputes this characterization and submits that a genuine attempt was made to join and be heard.

It is precisely because the appellant does not possess an independent, contemporaneous digital record of his attempt to join the Room S-9 hearing — unlike the documented e-mail trail available in respect of Room S-5 — that the present RTI application was filed: to obtain the Commission's own server-side digital login/attendance record for Room S-9, which alone can objectively establish what transpired on that date, rather than relying solely on a unilaterally-prepared order sheet.

The appellant respectfully submits that the Room S-5 e-mail, though pertaining to a different case number, remains relevant and material to the present matter for the following reasons:

- It establishes, through contemporaneous documentary evidence, that the appellant was actively engaged with the Commission's virtual hearing infrastructure during the same time window on 12/01/2026, which corroborates the plausibility of a similar admission/technical difficulty having occurred in Room S-9.
- It demonstrates a consistent, good-faith pattern of the appellant attempting to attend hearings virtually on that date, rather than any wilful absence.
- It underscores precisely why the specific digital records sought under the RTI application — and not a mere covering letter — are indispensable to resolving the factual dispute regarding the appellant's presence at the Room S-9 hearing.

The appellant clarifies, in the interest of accuracy before this Hon'ble Commission, that the 12:54 PM e-mail is direct proof of the appellant's presence in the virtual lobby for the Room S-5 matter, and is placed on record as corroborative — not conclusive — evidence in relation to Room S-9. It is for this very reason that the certified digital log for Room S-9 is being sought: to establish, through the Commission's own records, what actually occurred, rather than through inference.

6. THE 12.01.2026 ORDER RECORDING “ABSENT” IS NOT VERIFIABLE — A SYSTEMIC ACCOUNTABILITY GAP

The appellant has since ascertained that the Commission's own order dated 12.01.2026 (Appeal No. S-09/A/1037/2025) records that “पुकार करायी गयी। उभयपक्ष पुनः अनुपस्थित हैं” (a call was made; both parties are again absent). The appellant respectfully draws this Hon'ble Commission's attention to a more fundamental difficulty that this order illustrates: for a hearing conducted online, the order does not disclose the method, system, or record by which the “call” and the resulting finding of absence were made. No participant list, login log, screenshot, or system-generated record accompanies or is referenced in the order.

The appellant submits that this is not merely a defect specific to his case, but a broader accountability gap in the conduct of online hearings before this Hon'ble Commission: a party may be recorded as absent on the strength of an internal, unverifiable notation alone, with no disclosed mechanism by which that finding can subsequently be tested or verified — including, as in the present case, even where the affected party specifically invokes the RTI Act, 2005 to obtain the underlying digital record. If such a record cannot be produced even in response to a specific RTI request, the finding of “absence” effectively becomes unfalsifiable and unaccountable, contrary to the transparency and accountability objectives underlying the RTI Act, 2005.

It is precisely this gap that the appellant's RTI application and the present Second Appeal seek to address — not merely to relitigate the appellant's personal presence or absence on 12/01/2026, but to establish whether any verifiable digital record of attendance exists at all, and if so, to have it disclosed; and if not, to have that fact itself placed on record, since it bears directly on the reliability of “absent” findings recorded in online hearings generally.

7. GROUNDS FOR SECOND APPEAL

- (i) Misleading Information:** The SPIO's response relies on a report from Room S-09 which asserts that “both parties were absent,” without addressing the appellant's specific submission that he made a genuine attempt to join the hearing.
- (ii) Suppression of Digital Logs:** The SPIO has failed to furnish the requested digital/electronic records (Points 2 and 3), relying instead on a procedural covering note that does not contain the attendance/login data sought.
- (iii) Incomplete Response:** The FAA erroneously treated the information as “complete,” without ascertaining whether the core electronic evidence requested had, in fact, been produced.

8. PRAYER

In view of the above, the appellant most respectfully prays that this Hon'ble Commission may be pleased to:

- (a)** Direct the SPIO to provide the certified digital server logs and/or Teams participant list for the hearing held on 12/01/2026 in Appeal No. S-09/A/1037/2025, Room S-09;
- (b)** In the event no such digital record exists or can be produced, direct that this fact be expressly recorded, so that the basis of the finding of “absence” in the order dated 12.01.2026 is transparently disclosed;
- (c)** Direct that the official record of the said hearing be examined and, if warranted, corrected to accurately reflect the appellant's attempt to attend;
- (d)** Take on record the appellant's e-mail dated 12/01/2026 (12:54 PM) as corroborative evidence of the appellant's engagement with the Commission's virtual hearing system on the date in question;
- (e)** Initiate an inquiry and, if warranted, impose a penalty on the SPIO under Section 20(1) of the RTI Act, 2005, for furnishing incomplete/non-responsive information in place of the specific digital records requested; and
- (f)** Issue such directions as this Hon'ble Commission may deem fit to ensure that findings of “absence” in future online hearings are supported by a disclosed, verifiable digital record, in the interest of accountability and natural justice.

9. DOCUMENTS RELIED UPON / ENCLOSED

- RTI application dated 18.02.2026 (Registration No. UPICM/R/2026/60101).
- SPIO's letter dated 25.02.2026 (Patrank 1404/2025-26) with enclosed Room S-09 covering note.
- First Appeal (dated 27.02.2026) and FAA order dated 06.03.2026.
- Notice dated 29.12.2025 (Notice No. 202512S09N300996) fixing the hearing for 12.01.2026.
- SMS logs (Room S-9) evidencing dispatch of the online hearing link on 15.12.2025 for the hearing on 12.01.2026, 12:30–1:30 PM.

- E-mail dated 12.01.2026, 12:54 PM, addressed to Hearing Room S-5, evidencing the appellant's presence in the Teams lobby since 12:00 PM.
- Order dated 12.11.2025 (Room S-9), Appeal No. S-09/A/1037/2025.
- Order dated 12.01.2026 (Room S-9), Appeal No. S-09/A/1037/2025, recording both parties as absent — the order specifically in question.

VERIFICATION

I, Yogi M. P. Singh, do hereby declare that the facts stated above are true to the best of my knowledge and belief, and that no part of this submission is false or misleading.

Date: 17/08/2026

Place: Mirzapur

(Yogi M. P. Singh)
Appellant

On Fri, 7 Aug 2026 at 12:43, RAJ KUMAR VISHWAKARMA <hearingcourts1.upic@up.gov.in> wrote:
Please find the attachment