



Yadav indra <yadavindramzp9118@gmail.com>

सुनवाई तिथि 03-09-2026 की नोटिस

Yadav indra <yadavindramzp9118@gmail.com>
To: RAKESH KUMAR <hearingcourts10.upic@up.gov.in>
Cc: osnagarnigam <osnagarnigam@rediffmail.com>

2 September 2026 at 15:43

**BEFORE THE HON'BLE UTTAR PRADESH STATE INFORMATION
COMMISSION**

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

WRITTEN STATEMENT OF THE APPELLANT

(In compliance with Notice No. 202608S10N200688 dated 18/08/2026 — Notice Format-2)

Hearing Court: S-10, before the Hon'ble State Information Commissioner, Shri Virendra Pratap Singh

Date of Hearing: 03/09/2026**Appeal No.:** S10/A/0496/2025 **Registration No.:** A-20250101887**Second Appeal filed on:** 22/01/2025 under Section 19(3), RTI Act, 2005

Shri Indradev Yadav, S/o Shri Khattan Yadav, Village & Post Chilh, District Mirzapur – 231312

... Appellant

VERSUS

Public Information Officer (Shri Arvind Kumar Rai, Additional Municipal Commissioner),
Office of Nagar Nigam, Prayagraj – 211001

... Respondent

Respected Sir,

In compliance with the Notice dated 18/08/2026, the Appellant respectfully submits the following statement of the action taken pursuant to the orders of this Hon'ble Commission, the present status of the matter, and the reliefs prayed for. This statement is in continuation of, and reiterates, the Appellant's earlier submissions dated 18/06/2025, 22/03/2026 and 07/06/2026 already on the record of the Commission (KOF entries D-190620250027, D-220320260034 and D-070620260009).

1. Procedural history

Date	Event
06/10/2024	RTI application filed online (Reg. No. NGNPR/R/2024/60143) with PIO, Nagar Nigam, Prayagraj — four points: posting history of Class I–IV staff (first posting, district of origin, date of joining Prayagraj, transfer trail), CUG numbers, and step-wise compliance with the UP Annual Transfer Policy 2024-25.
05/11/2024	Statutory 30-day period under Section 7(1) expired. No reply — deemed refusal under Section 7(2).

[__/__/2024]	First appeal filed before the First Appellate Authority, Nagar Nigam, Prayagraj. No hearing held, no order passed.
22/01/2025	Second appeal filed before this Hon'ble Commission (Reg. No. A-20250101887; File No. S10/A/0496/2025).
18/06/2025	Appellant's written submission filed for hearing dated 19/06/2025.
17/11/2025	PIO's first and only reply (Letter D-380/Adhi/2025), issued 407 days after the application and only after the second appeal was listed — an employee directory and a citation of the State policy dated 11/06/2024. No compliance records, no first-posting/origin data, no reasons for withholding.
28/01/2026	Order of this Hon'ble Commission cautioning that final orders may follow if proper statements are not filed. Notice dated 27/02/2026 fixed hearing for 23/03/2026.
22/03/2026	Appellant's evidence-led written brief filed (with Annexures A–C).
07/06/2026	Appellant's written representation filed for hearing dated 08/06/2026.
08/06/2026	Hearing adjourned by order of the same date as the Presiding Officer, Court S-10, was on leave. Next date fixed: 03/09/2026.
18/08/2026	Notice No. 202608S10N200688 (Notice Format-2) received, directing both parties to file a written statement of action taken on the order.

2. Action taken since the order dated 08/06/2026

2.1 By the Appellant: The Appellant has fully complied with every direction of the Commission and has filed a written submission before each listed hearing. The present statement is being filed as directed by the Notice dated 18/08/2026.

2.2 By the Respondent: To the best of the Appellant's knowledge, the PIO has taken NO further action since his reply of 17/11/2025. No supplementary information, no compliance records under Point 4, and no reasoned order under Section 8 for withholding the remaining information has been served on the Appellant in the intervening nine and a half months, despite the caution recorded in the order dated 28/01/2026. [Appellant to confirm before filing.]

3. Point-wise status of the information sought

RTI Point	What was asked	Status as on 02/09/2026
1 (Class I & II)	Date of joining Prayagraj; duration; first posting; CUG number.	PARTLY answered. Directory gives date of joining Prayagraj and a mobile number for 32 Group A/B officers. First posting,

		district of origin and transfer trail — NOT furnished.
2 (Class III)	Posting details, date of commencement in district, and the district from which each employee was transferred to Prayagraj.	PARTLY answered. Lists give appointment date and department only. District of origin / transfer details — NOT furnished for any of the 72 centralised and 122 non-centralised Group C staff.
3 (Class IV)	Posting details, date of commencement, and details of any inter-district transfer.	PARTLY answered. Appointment date and department only. Transfer/origin details — NOT furnished for any of the 1,600+ Group D staff listed.
4 (Transfer Policy 2024-25)	Whether the policy is being followed and, if so, the step-by-step action taken to date.	NOT answered. Only the policy text and a one-line assertion were supplied. No eligibility/long-tenure list, screening-committee minutes, transfer proposals or orders, retention exceptions with recorded reasons, or Manav Sampada logs.

In short: the only substantive item furnished is a name-and-date directory. Every item that would show WHERE an employee came from, HOW LONG he has been in Prayagraj relative to the policy thresholds, and WHAT the Nigam actually did to implement the Annual Transfer Policy 2024-25 has been withheld — without any exemption under Section 8 being claimed.

4. Grounds for penalty under Section 20(1)

4.1 Delay: The reply dated 17/11/2025 was furnished 407 days after the application dated 06/10/2024, i.e. 377 days beyond the 30-day limit in Section 7(1). Under Section 20(1) the penalty of Rs. 250 per day of delay reaches the statutory ceiling of Rs. 25,000 after 100 days of delay; the ceiling is therefore attracted on delay alone.

4.2 Incomplete and misleading reply: Section 20(1) equally covers information that is incomplete, incorrect or misleading. A directory offered in answer to a request for transfer histories and policy-compliance records is an incomplete reply designed to give the appearance of disclosure while suppressing the records that matter.

4.3 No reasonable cause: The burden of proving that the PIO acted reasonably and diligently lies on the PIO (Section 19(5) and proviso to Section 20(1)). No explanation for the 13-month silence has ever been offered.

4.4 First Appellate Authority: The FAA neither heard the first appeal nor passed any order, in breach of Section 19(6). The Appellant reiterates his prayer for a recommendation of disciplinary action under Section 20(2).

5. The Respondent's own directory demonstrates non-compliance with the Transfer Policy

The directory supplied on 17/11/2025 — the Respondent's own document — records the following tenures in Prayagraj, updated to the date of hearing:

Officer	Post	In Prayagraj since	Tenure at 03/09/2026
Shri Anil Kumar Maurya	City Engineer (Civil)	01-02-2016	10 yrs 7 mths
Dr. Bijay Amrit Raj	Veterinary & Welfare Officer	25-10-2021	4 yrs 10 mths
Shri Balendu Mishra	Chief City Auditor	23-07-2021	5 yrs 1 mth
Shri Raj Kumar Sharma	Chief Finance & Accounts Officer	11-08-2021	5 yrs
Shri Girish Kumar	Assistant Engineer (Civil)	23-11-2021	4 yrs 9 mths
Shri Radha Krishna Lal	Executive Engineer (Electrical)	26-11-2022	3 yrs 9 mths
Dr. Rampujan Srivastava	Assistant Municipal Commissioner	06-10-2022	3 yrs 11 mths
Shri Sunil Kumar Shekhar	Tax Superintendent, Zone-1	02-08-2018	8 yrs 1 mth
Shri Ram Saxena	Junior Engineer (Civil)	12-07-2018	8 yrs 2 mths

In addition, the lists record Sanitary & Food Inspectors continuously posted since 2009–2010, Revenue Inspectors since 2017, Senior Clerks since 2008–2012 and Drivers since 1993. Long, uninterrupted tenures on this scale in Engineering, Audit, Finance, Revenue and Health posts are exactly what the Annual Transfer Policy 2024-25 is designed to prevent. If the policy had in fact been implemented, the eligibility lists, screening-committee minutes, transfer orders and retention exceptions with recorded reasons would exist and could be produced at once. Their non-production is itself the answer to Point 4 of the RTI application.

6. Prayers

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

- (a) Record a finding that the PIO, Nagar Nigam, Prayagraj, delayed the information without reasonable cause and furnished incomplete and misleading information, and impose the maximum penalty of Rs. 25,000 under Section 20(1) of the RTI Act, 2005, recoverable from the PIO's salary;
- (b) Recommend disciplinary action under Section 20(2) against the PIO and the First Appellate Authority for persistent default;
- (c) Direct the PIO to furnish, within 15 days and free of cost under Section 7(6), the complete point-wise information — first posting, district of origin, date of joining Prayagraj and transfer trail for all Class I–IV employees, and CUG numbers of Class I–II officers where not already supplied — as certified copies / HRMS (Manav Sampada) extracts;
- (d) Direct production of the Annual Transfer Policy 2024-25 compliance file of Nagar Nigam, Prayagraj (eligibility/long-tenure lists, screening-committee minutes, proposals,

approvals, transfer orders, retention exceptions with recorded reasons, and Manav Sampada movement logs), for inspection by the Appellant under Section 2(j)(i) or, if the Commission deems fit, for in-camera verification;

(e) Issue directions under Section 19(8)(a) requiring the Nagar Nigam to publish cadre-wise district-tenure data on its website and to maintain a public compliance register for the annual transfer policy, in furtherance of its suo motu disclosure obligations under Section 4(1)(b);

(f) Pass final orders in the appeal, which has now been pending since 22/01/2025 and has already been listed on four dates; and

(g) Pass any other order deemed just and proper in the circumstances of the case.

The Appellant further prays that, in the event he is unable to appear in person on 03/09/2026, this written statement and the earlier submissions on record be treated as his arguments and the matter be decided on merits.

7. Verification

I, Indradev Yadav, the Appellant above-named, do hereby verify that the contents of this statement are true and correct to my knowledge and belief, based on the records received from the Respondent and this Hon'ble Commission, and that nothing material has been concealed.

Date: 02/09/2026

Place: Mirzapur, Uttar Pradesh

(INDRADEV YADAV)

Appellant

Mobile: 9118208936 | E-mail: yadavindramzp9118@gmail.com

Enclosures / documents already on record

1. Notice No. 202608S10N200688 dated 18/08/2026 with order dated 08/06/2026.
2. Order dated 28/01/2026 and Notice dated 27/02/2026 (Annexure-A to submission of 22/03/2026).
3. PIO's reply D-380/Adhi/2025 dated 17/11/2025 with employee directory (Annexures B & C to submission of 22/03/2026).
4. Appellant's earlier written submissions dated 18/06/2025, 22/03/2026 and 07/06/2026.

Copy to:

Public Information Officer, Nagar Nigam, Prayagraj (nsa.nagarnigam@gmail.com; osnagarnigam@rediffmail.com)

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