

Appeal to First Appellate Authority u/s 19 (1) of RTI Act, 2005

From: Advocate T.K.Dwibedi (advocatetkdwibedi@yahoo.com)

To: ogbho@odishabank.in; gm.customerservice@odishabank.in; customerservice@odishabank.in

Date: Wednesday, 20 March, 2024 at 02:20 pm IST

**FORM - D**

**[See Rule – 7(1)]**

**Appeal to First Appellate Authority u/s 19 (1) of RTI Act, 2005**

**From,**

**Advocate T.K.Dwibedi  
O/o/. The Advocates Chamber  
( Orissa High Court)  
Sector-7, Markat Nagar, Cuttack - 753014, Odisha  
Ph: 0671-7964679, 7205883829, 9348105872**

<b>Particular of the 1<sup>st</sup> Appellate Authority</b>	<b>Name Concealed by the PIO 1<sup>st</sup> appellate authority-CUM-chairman O/o. Odisha Gramya Bank</b>
<b>Date of receipt order appealed against the</b>	<b>12-03-2024 but received on 20-03-2024</b>
<b>The last date for filing the appeal is</b>	<b>20-04-2024</b>
<b>r Information: - Nature &amp; Subject matter of the information Required.</b>	<b>As per the copy of the RTI application attached to this appeal.</b>
<b>Particular of PIO and Department to which the information relates</b>	<b>Smt. Satyabati Sahoo PIO, but the designation concealed by the PIO O/o. Odisha Gramya Bank, Odisha</b>
<b>e Ground for Appeal</b>	<b>01. The SPIO did not provide any information under a deep-rooted criminal conspiracy, intentionally, fraudulently, and for wrongful gain. The SPIO did not redress the RTI application under a deep-rooted criminal conspiracy.  The PIO has appointed a peon-type staff to dispose of the RTI application and is always found absent from the PS. this committed serious misconduct, abuse of power, and prime facie proof of the involvement in the rampant corruption.  If one can harass the practicing lawyer and the officer of the Hon'ble Orissa High Court then one can think about the plight of the common man.</b>

The PIO took more than 40 days to dispose of the RTI application but did not provide any information but just his opinion. the RTI application is deemed rejected after 30 days as per section 7(2) of the RTI act 2005

The Applicant has reason to believe that no compliance of the RTI Act, 2005, Odisha Right to Public Service Act, 2005, Odisha Police Manual/rules, and the guidelines of the competent authorities ever comply with the PIO

The PIO does not have any right to consume 40 day if he does not want to give any information

02. The SPIO failed to provide his and the details of the FAA as per the RTI Act. & the guidelines issued on 06-10-2018 by the Ministry of Personnel, PG & Pension, Department of Personnel Training, Govt. of India

03. This SPIO has a habit of sabotaging the RTI application if the information provided is used against the wrong practices and corruption going on in the office of the various police stations etc. in Odisha

04. The SPIO has not complied with the provision of the RTI Act, 2005 for the last many years. He always finds the new fake grounds to dispose of the RTI application without providing any information the applicant has reason to believe that the information is malafidely denied. his reply is misleading and found extremely cryptic.

05. The SPIOs, FAA, and the transparency officers are not appointed by your office and all and sundry are doing and acting for all and sundry. he always took exception to section 24 of the RTI Act 2005 to dispose of the RTI application without providing any information till the order of the Orissa HC in 2022 but now taking new fake ground for the same

06. the SPIO cannot violate the rule of law, contempt of court, or commit the offense u/s 419,420,166,166A,465,468,471,217,218,219,120B of IPC,1860

07. The SPIO did it intentionally to save the other corrupt officers who were engaged in operating a Paisa Vashooli and Extortion Racket.

09. The applicant has reason to believe that he never imparted any training towards the RTI Act, 2005 but still handled the machinery installed to comply with the RTI Act. or he has engaged some other incompetent officer for the job.

10. THE PIO did the same intentionally, fraudulently, dishonestly, and for wrongful gain and the deceitful means have caused injury to the applicant and many

11. The SPIO is always found absent from duty and did not impart any training by anyone to handle the RTI Machinery if installed in the office.

	<p>12. The PIO in his reply letter No.604 Dt. 31-07-2023 provides his opinions instead of the information sought. the reply was cryptic also. he put his opinions to the information and refused to redress point No.5.</p> <p>The SPIO is an incompetent, impotent, and powerless public servant who is always absent from duty and acting as the collection agent for his political masters. he operates a paisa Vashooli racket. Large-scale corruption is there in the office but nothing is done to curve the same even if all have converted to extortion and torture centers.</p> <p>All are engaged in harassment of the citizens and engaged in illegal collection of money and extortion from them. If a practicing advocate can be harassed by the PIO then one can ascertain the plight of common people.</p> <p>13. the PIO considers himself above the law and acting under a deep-rooted criminal conspiracy and has not redressed the RTI application intentionally, dishonestly, fraudulently, and for wrongful gain and deceitful means has caused injury to the applicant.</p> <p>14. An incompetent and lost integrity person cannot be allowed to handle the RTI machinery.</p> <p>15. The SPIO is incompetent, impotent, and powerless as should be shown to door complying with the Madras high court judgment and for the interest of the public and lost integrity.</p>
Documents Attached	<p>01. A copy of the RTI application  02. A copy of the reply from the PIO.  03. copy of the Hon'ble Madras High Court &amp; gist</p>

I, Advocate T.K.Dwibedi, S/o. Late Raghuanth Dwibedi has reason to believe that the RTI machinery installed in this office in the hands of incompetent, impotent, and powerless people who always expect some money to do the work of the citizens of this country.

02. That, the applicant has reason to believe that this public office is running on the principles of profitability and return on investment as all are engaged in Vashooli and compliance with the rule of law and guidelines is stopped. No transparency officer was ever appointed. It is running only for mere formalities where incompetent, impotent, and powerless people are implanted in it.

**03. That, the transparency officer should take coercive action against the PIOs as per the guidelines of the court, rule of law as the PIO is not redressing the RTI application, review petition, etc.**

**04. That, PIO has violated the rule of law thus a criminal FIR is lodged against him as he is not above the law.**

**05. That, the acts and omission are also contempt of court for which a contempt case must be filed against him for sure.**

**06. That, the acts and omission of the PIO are also professional misconduct, abuse of power and prima facie prove the rampant corruption prevailing in his office.**

07. That, the FAA is expected to comply with the apex court direction to provide audio video mode of hearing the appeal.

## **VERIFICATION**

**I, Advocate T.K.Dwibedi, S/o. Late Raghuanth Dwibedi, resident of Kendrapara, Odisha, do hereby solemnly affirm and state as follows;**

**01. That I am the appellant in this 1st appeal u/s 19(1) of RTI act 2005**

**02. That the facts stated above are true to the best of my knowledge and belief and this appeal is filed by me and I have not suppressed any material fact.**

## **PRAYERS**

**01. It is humbly requested that the appeal should be allowed for the end of justice and to save the applicant from further injury as his fundamental right to the profession is being curtailed due to the deceitful means of the PIO who refused to provide the information.**

**02. It is humbly requested that the information sought must be provided forthwith.**

**03. It is humbly requested that the recommendation should be made to the competent authority for the compulsory retirement of the SPIO in the interest of the public for her continuous misconduct, incompetency, and lost integrity as there is a Zero Tolerance policy of the state govt, against these types of public servants.**

**04. Please conduct the hearing using the audio-video mode to the compliance with the guidelines of the apex court and other competent authorities.**

**Dated: 20-03-2024**

Awaiting a favorable response from your side.

Thanking You.

**Advocate T.K.Dwibedi  
O/o. The Advocates Chamber  
( Orissa High Court)  
Sector-7, Markat Nagar, Cuttack - 753014, Odisha  
Ph: 9827510885, 9348105872**