

# MAHARASHTRA HOME DEPARTMENT ACCUSED OF RTI ACT VIOLATIONS AND FAVOURITISM TO PROTECT



## DEVEN BHARTI

### Timeline of RTI Application and Concerns

- **04 January 2023**: The Maharashtra Government issued an order (शासन आदेश क्र. आयपीएस-२०२२/प्र.क्र.४३७/पोल-१) appointing Shri Deven Bharti as Special Commissioner of Police, Greater Mumbai.
- **09 January 2023**: An RTI application was filed under the RTI Act 2005 to obtain details about Bharti's appointment as per the state's order.
- **15 February 2023**: The Home Department denied the RTI request (क्र. माअअ-०१२३/प्र.क्र.३८/पोल-१), citing Section 8(1)(i) of the RTI Act.
- **26 July 2023**: A First Appeal was filed, arguing that Section 8(1)(i) requires disclosure of Council of Ministers' decisions, including reasons and materials, after the decision is finalized. As Bharti's appointment was complete, the information should be public.

- **26 July 2023**: A fresh RTI application was submitted in response to the denial letter dated 15 February 2023.
- **11 April 2025**: After a delay of nearly two years, the Home Department emailed that both the RTI application and First Appeal were "disposed of," without attaching the order or providing any explanation.

## **Alleged Violations of RTI Act**

The Maharashtra Home Department's handling of the RTI application and First Appeal raises significant concerns about transparency and compliance with the RTI Act 2005. Both requests were kept pending for nearly two years and rejected without detailed reasoning or reference to specific RTI Act provisions. Notably, no hearing was conducted for the First Appeal, and it was arbitrarily disposed of without the applicant's involvement. This suggests that the Public Information Officer (PIO) and First Appellate Authority (FAA) disregarded the RTI Act's mandates.

The two-year delay appears intentional, as the information sought pertains to Shri Deven Bharti's appointment as Special Commissioner, a post with a typical two-year tenure. By prolonging the process, the Home Department seemingly aimed to shield Bharti from scrutiny until his tenure concluded. Questions surround the appointment's legitimacy, as such senior postings typically require a Police Establishment Board recommendation. Bharti's reportedly junior rank and questionable service record further fuel concerns about his eligibility.

### **Alleged Favouritism in Pursuit of Mumbai Police Commissioner Role**

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Shri Deven Bharti is allegedly positioning himself for the Mumbai Police Commissioner post, leveraging political connections and influence to bypass more senior and qualified IPS officers in the Maharashtra cadre. Senior officers reportedly remain silent, fearing retaliation, such as reassignment to non-executive roles. This dynamic raises a critical question: if senior IPS officers cannot advocate for their own rights, how can the public trust them to deliver justice impartially?

**The Maharashtra Home Department's actions suggest a deliberate effort to protect Bharti by circumventing RTI Act transparency obligations, potentially to prevent legal challenges to his appointments. This undermines public confidence in both the administrative process and the integrity of law enforcement leadership.**

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