

BEFORE SHRI RAMAYAN YADAV, ADDITIONAL SECRETARY & FIRST APPELLATE
AUTHORITY

(Under Section 19 of RTI Act, 2005)
Ministry of Law & Justice: Department of Legal Affairs
Room No. 409, "A" Wing
Shastri Bhawan, New Delhi-110001.

Appeal No. 15/AS(RY)/IC/RTI/2016

IN THE MATTER OF

Shri Harsh Kumar Jain,
C/o H.K. Jain & Associates,
B-56/2 Jain Nagar, Railway Road
Meerut City (U.P.)

Appellant

Versus

Central Public Information Officer,
Ministry of Law & Justice,
Department of Legal Affairs,
Shastri Bhawan,
New Delhi.

Respondent

ORDER

Dated: 19/09/2016

Shri Harsh Kumar Jain (hereinafter, the Appellant) vide his RTI application dated 6/7/2016 (received in this office on 12/7/2016) (a copy of which was also transferred to this Department by the Prime Minister's office vide their O.M. No. RTI/7506/2016-PMR dated 5.8.2016) has sought information regarding legal advice to achieve my/our virasat of Shri Hans Raj, S/Shri Wasaki Shah and sons 1) Sh. Durga Das Jain, 2) Sh. Vakil Chand Jain, 3) Sh. Tek Chand Jain, 4) Sh. Bhagat Ram Jain, 5) Smt. Bhagwanti Devi widow of Sh. Hans Raj which are related to Delhi Pact 1948/1950 of the "Displaced persons" from Rawalpindi (now Pakistan).

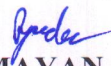
2. The CPIO, Deptt. Of Legal Affairs (hereinafter, the Respondent) vide reply dated 28/7/2016 has informed the Appellant that the information sought is in the nature of queries and not covered under the RTI Act. The Appellant being aggrieved by the decision of CPIO filed the present appeal dated 05.08.2016.

3. After careful examination of the matter, I am of the considered view that the CPIO, vide letter dated 28/7/2016, has already replied to RTI application dated 6/7/2016. However, it appears that the applicant/appellant is not satisfied with the answer and has filed an appeal. As far as Department of Legal Affairs is concerned, the information sought is in the nature of queries and not covered under RTI Act. Moreover, the basic function of this Department is to

inter-alia, give legal advice to Ministries/Departments only. Thus, I upheld the reply given by CPIO to the appellant.


4. The appeal is disposed of accordingly.

5. In case, the Appellant is not satisfied/aggrieved this information order, he may file a Second Appeal within 90 days before the Hon'ble CIC, 2nd Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delh-110066.


(RAMAYAN YADAV)
Additional Secretary & First Appellate Authority

Copy to:-

1. Shri Harsh Kumar Jain, C/o H.K. Jain & Associates, B-56/2 Jain Nagar, Railway Road, Meerut City (U.P.)
2. Shri K. Ginkhan Thang, Dy. Secretary & CPIO, Deptt. Of Legal Affairs, Shastri Bhawan, New Delhi with the direction to furnish the latest position to the applicant.
- ✓ 3. Section Officer, Implementation Cell, Deptt. Of Legal Affairs, Shastri Bhawan, New Delhi-110001


25/9/16
Mrs. Gauri