

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. 35/AS(RY)/IC/RTI/2016

IN THE MATTER OF

Shri Shanti Narain Das,
Swapnpoorti Housing Society, Phase I,
Building No. 3A, Flat No. 311,
Sector 26, Nigdi Pradhikaran,
Pune-411044.

Appellant

Versus

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

Respondent

ORDER

Dated: 22/12/2016

Shri Shanti Narain Das (hereinafter, the Appellant) vide his First Appeal dated 25.11.2016 (received in this office on 2/12/2016) against the information furnished by this Department vide letter dated 8/11/2016 relating to his RTI application dated 25/10/2016.

2. The CPIO, Deptt. of Legal Affairs (hereinafter, the Respondent) has informed the Appellant vide letter 8th November, 2016 that the information sought by him is in the nature of query amounting to seeking legal advice and the same is not covered within the ambit of the definition of information as given under Section 2 (f) of the RTI Act, 2005. Moreover, this Department does not give legal advice to private individuals. The Appellant being aggrieved by the decision of CPIO filed the present appeal dated 25.11.2016 (received in this Department on 2/12/2016).

3. After careful examination of the matter, I am of the considered view that the CPIO of this Department has already replied to RTI applications of the Appellant. As far as Department of Legal Affairs is concerned, the information sought is not concerned with this Department. Moreover, the basic function of this Department is to inter-alia, give legal advice to Ministries/Departments only. Thus, I uphold 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, she 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

(RAMAYAN YADAV)

Additional Secretary & First Appellate Authority

Copy to:-

1. Shri Shanti Narain Das, Swapnpoorti Housing Society, Phase I, Building No. 3A, Flat No. 311, Sector 26, Nigdi Pradhikaran, Pune-411044.
2. Shri K. Ginkhan Thang, Dy. Secretary & CPIO, Deptt. of Legal Affairs, Shastri Bhawan, New Delhi.
- ✓ 3. Section Officer, Implementation Cell, Deptt. Of Legal Affairs, Shastri Bhawan, New Delhi-11001