

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

IN THE MATTER OF

Shri Sunil Saraogi,
Gulmohr,
6C Middleton Street,
Kolkata-700071

Appellant

Versus

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

Respondent

ORDER

Dated: 08/11/2016

Shri Sunil Saraogi (hereinafter, the Appellant) vide his appeal dated 4/10/2016 (received in this office on 10/10/2016) has sought information regarding his RTI applications dated 5/8/2016 & 13/09/2016 (received in this office on 10/08/2016 & 21/09/2016 respectively) regarding the following:-

"I have asked - Hon'ble Shri D.V. Sadananda Gowda, during his tenure as Minister for Law and Justice, Govt. of India from dated 9/11/2014 to dated 5/7/2016 has made several recommendations for appointment of various persons as High Court judges, Law Officers such as Advocate General, Addl. Advocate Generals, Jt. Advocate Generals, Dy. Advocate Generals, Addl. Solicitor Generals, Notaries etc., Chairman/President/Members etc. of Tribunals, Director of Public Sector Undertakings, Directors of Banks and various other posts across the country".


2. The CPIOs, Department of Legal Affairs (hereinafter, the Respondent), vide letters dated 8/14.9.2016 and 21/09/2016 (copies enclosed), in response to RTI applications dated 5/8/2016 & 13/09/2016 informed that RTI application No. RTI/CPIO-MoL&J/Delhi dated 5/8/2016 has been transferred to CPIO, Department of Justice, Jaisalmer House, New Delhi; CPIO, Judicial

Section, Notary Cell and Admn.III (LA), Department of Legal Affairs, Shastri Bhawan, New Delhi and further requested to contact the said Authorities for further information in the matter.

3. The Appellant being aggrieved by the decision of CPIOs filed the present appeal dated 04.10.2016.


4. After careful examination of the matter, I am of the considered view that the CPIOs of this Department have already replied to RTI applications of the applicant/appellant dated 05/08/2016 and 13.09.2016, vide letter dated 8/14.09.2016, directing the appellant to pursue the matter further with concerned Authorities as the application has been transferred to them. However, it appears that the applicant/appellant is not satisfied with the answer and has come in appeal. As far as information pertaining to Department of Justice is concerned, the information may be sought from the concerned Department directly. In so far as the said applications relate to Department of Legal Affairs, I hereby direct the CPIOs (Judicial, Notary & Administration-III Section) to provide the required information w.r.t. letter dated 14/09/2016 to the applicant/appellant directly within a period of fifteen days from the date of issue of this order. 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 Sunil Saraogi, Gulmohr, 6C Middleton Street, Kolkata-700071
2. Shri K. Ginkhan Thang, Dy. Secretary & CPIO, Deptt. of Legal Affairs, Shastri Bhawan, New Delhi – for information.
3. Shri A.K. Joshi, Deputy Secretary & CPIO, Deptt. of Legal Affairs, Shastri Bhawan, New Delhi – for information.
4. Mrs. Poonam Suri, CPIO (Notary), Deptt. of Legal Affairs, Shastri Bhawan, New Delhi – for information and necessary action.
5. Shri Surender Kumar, CPIO (Judicial), Deptt. of Legal Affairs, Shastri Bhawan, New Delhi – for information and necessary action.
6. Shri Suneel Sachdeva, CPIO (Admn.III Section), Deptt. of Legal Affairs, Shastri Bhawan, New Delhi – for information and necessary action.
- ✓ 7. Section Officer, RTI Cell, Deptt. Of Legal Affairs, Shastri Bhawan, New Delhi-110001


8/11/16
M.S.M.

(8) ✓

R-21(748)/2016-RTI
Government of India
Ministry of Law & Justice
Department of Legal Affairs
IMPLEMENTATION CELL

Shastri Bhawan, New Delhi.

Dated: 08.09.2016
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To

Shri Sunil Saraogi,
Gulmohr,
6C Middleton Street,
Kolkata-700071

Subject: - Information under RTI Act, 2005.

Sir,

I am to refer to your RTI application dated 05.08.2016 (received in this Department on 10.8.2016) on the subject mentioned above and to say that the Office of the Hon'ble Minister of Law and Justice informed that the information being sought for in the said RTI relates to the tenure of Shri D.V. Sadananda Gowda as Minister of Law & Justice to which PS to MLJ&EIT is not aware of. However, a copy of your RTI application is being sent to the concerned Section of the Department to provide you information, if any, available with them.

2. As regards appointment of Law Officer such as Advocate Generals, Addl. Advocate Generals, Joint Advocate General and Deputy Advocate Generals, you may approach the concerned State Governments.
3. As regards, appointment of High Court Judges, your application is being transferred to Department of Justice.

Yours faithfully,

(K.Ginkhan Thang)
Deputy Secretary & CPIO
Tel. No. 23384706

Copy to:

1. CPIO, Department of Justice, Jaisaimer House, New Delhi along with the RTI application dated 05.08.2016 of Shri Sunil Saragoi for providing information directly to the applicant under intimation to the undersigned.
2. The CPIO, Judicial Section/Notary Cell and Adm.III (LA), Department of Legal Affairs, Shastri Bhawan, with the request to furnish the information directly to the applicant under intimation to the RTI Cell.

(K.Ginkhan Thang)
Deputy Secretary & CPIO
Tel. No. 23384706

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15.09.2016