

**CENTRAL INFORMATION COMMISSION**  
**2nd Floor, 'B' Wing, August Kranti Bhawan,**  
**Bhikaji Cama Place, New Delhi -110066**  
**Tel : +91-11-26186535**

**Complaint No. CIC/SA/C/2016/000318**

Complainant: Sh. Shradhanand Yogacharya,  
Bajariya Kayamganj,  
Farrukhabad, Uttar Pradesh-209502

Respondent: Central Public Information Officer  
Dy. Secy., M/o. Law & Justice,  
Legislative Deptt., RTI Cell,  
Shastri Bhawan, New Delhi-110001

Date of Hearing: 23.08.2017  
Dated of Decision: 23.08.2017

**ORDER**

**Facts:**

1. The complainant filed RTI application dated 02.11.2015 seeking information regarding: action taken on letter dated 11.09.2015 which was sent by Ministry of Home Affairs; action taken on letter dated 26.10.2015 which was sent by PMO; reason for taking pledge in the name of God, etc.
2. The CPIO responded on 14.11.2015. The complainant filed first appeal dated 17.01.2016 with First Appellate Authority (FAA). The FAA responded on 04.03.2016. The complainant filed complaint on 24.06.2016 before the Commission on the ground that information should be provided to him.

**Hearing:**

3. The appellant participated in the hearing through video conferencing. The respondent participated in the hearing in person.
4. The appellant stated that the sought for information has not been provided to him. The appellant stated that he has not been informed on action taken on his letter dated 09.06.2015. The appellant stated that the said letter was also sent with the first appeal. The appellant further stated that he has not

been informed meaning and definition of 'SOVEREIGN', 'SOCIALIST', 'SECULAR', 'DEMOCRATIC' and 'REPUBLIC' ' Justice' which are used in Constitution of India. The appellant stated that the word 'Satyamev Jayate' is not part of the Constitution of India, then why it is being used everywhere.

5. The respondent stated that the appellant has been replied to vide letter dated 14.11.2015. The respondent filed written submission dated 23.08.2017 which is taken on record. The respondent stated that the appellant's RTI application on point no. 1 was responded by their Public Grievances Cell and point no. 2 was transferred to the concerned department viz Department of Justice and appellant has been informed in this regard. The respondent stated that with regard to point no. 3 to 10, the appellant was informed that the sought for information is in the nature of legal advice/opinion which is not covered under the definition of 'information' as per section 2(f) of the RTI Act. The respondent further stated that they had forwarded his first appeal along with the said letter to the Justice Department. The respondent stated that the Justice Department has not informed them as whether they had replied to the RTI application and first appeal. The respondent stated that they have not received any letter transferred by the Delhi Government in respect of the information sought on point no. 11 of the appellant's RTI application.

**Discussion/ observation:**

6. As information is being sought, this may be treated as second appeal. Points no. 1 and 11 of the RTI application are to be replied by Depyt. of Justice, to whom they have been transferred. The appellant informed that he has not received any reply from them.

7. The sought for information, from point no. 3 to 10, is in the nature of advice/opinion. The steps /action taken by the respondent in dealing with the RTI application are satisfactory.

**Decision:**

8. CPIO, Dept. of Justice is directed to take action as per para 6 and send information within 15 days from receipt of this order.

The complaint is disposed of. Copy of the order be given to the parties free of cost.

**(Radha Krishna Mathur)**  
**Chief Information Commissioner**

Authenticated true copy

(S.C. Sharma)  
Dy. Registrar