

**CENTRAL INFORMATION COMMISSION**

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**F.No. CIC/AT/A/2006/00105**

**Dated the 30<sup>th</sup> June, 2006**

**Appellant: Shri Madan Lal Mirg, 131, Punjabi Colony, Narela, New Delhi-110040.**

**Respondents: Shri Dinesh Singh, Joint Secretary (FFR) & AA, Ministry of Home Affairs, Lok Nayak Bhawan, New Delhi-110003.**

**Shri Rama Raman, Director-cum-CPIO, Rehabilitation Wing, Jaisalmer House, New Delhi-110011.**

This is an appeal filed by Shri Madan Lal Mirg against the order dated 16.2.06 of Shri Dinesh Singh, Joint Secretary (FFR) & AA and the order dated 5.1.06 of the CPIO, Ministry of Home Affairs. The facts of the case are that Shri Mirg, the present appellant had come to the Commission in an earlier appeal in which he received favourable orders to allow him access all documents and files whose list he furnished to the CPIO. Apparently, Shri Mirg perused the records and the connected documents and took out copies. He has now come with 38 questions in respect of the documents he had already perused and from which he has also taken-out copies.

2. The CPIO and the AA have taken the position that the information now sought by the appellant is in the nature of seeking opinion and advice of the department in respect of the files and documents he has already perused. It is their case that since the matter is of 1979 vintage they have no more information than what they have already furnished to the appellant.

3. A perusal of the 38-point query made by the appellant makes it clear that he has been asking the public authority to further dilate on the information which is already in his hands. He has cited Section 4(1) (d) in support of his plea that the 38-points information sought by him should be furnished.

4. It should be made clear that the information which the appellant has now sought does not attract the provision of Section 4(1) (d) of the RTI Act. The information which he is seeking is not about administration or any quasi-judicial function of the public authority but it is about the public authority's opinion and views and explanations about the documents the appellant has accessed. We concur in the plea of the AA and the CPIO that the RTI Act does not cast on them an obligation to explain to the appellant the contents of the documents that he has already been supplied. We posed to the appellant if

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it was his case that the CPIO and the AA have wrongfully withheld any documents and files from him. To this query, the appellant's reply was evasive. What we notice is that the appellant wants to make the department do all the research work for him and hand over to him a completed case on the basis of which he can proceed to seek appropriate relief from courts. In our understanding this does not fall within the ambit of the RTI Act. Once an applicant has been provided access to the information, he cannot ask the public authority questions about who's and why's of those documents. In our view, unless the matter is clearly within the ambit of Section 4(1) (d), it is not open to the appellant or an information seeker to use the resources of public authority to build up an arguable case for himself which can then be agitated before a legal forum. We are of the view that this appellant is attempting to do precisely that a tendency, which must be firmly discouraged.

5. In overall consideration of the matter before us we find no merit in the appeal, which is dismissed.

Sd/-  
(A.N. TIWARI)  
INFORMATION COMMISSIONER

Sd/-  
(Ms PADMA BALASUBRAMANIAN)  
INFORMATION COMMISSIONER

Authenticated by –

Sd/-  
(P.K. GERA)  
REGISTRAR

Address of parties:

1. Shri Madan Lal Mirg, 131, Punjabi Colony, Narela, New Delhi-110040.
2. Shri Dinesh Singh, Joint Secretary (FFR) & AA, Ministry of Home Affairs, Lok Nayak Bhawan, New Delhi-110003.
3. Shri Rama Raman, Director-cum-CPIO, Rehabilitation Wing, Jaiselmer House, New Delhi-110011.