



In the Pakistan Information Commission, Islamabad
Appeal No 1821-03/22

Aashir Ali

(Appellant)

Vs.

Establishment Division

(Respondent)

ORDER

Date: September 20, 2022

Zahid Abdullah: Information Commissioner

A. The Appeal

1. The Appellant filed an appeal, dated March 14, 2022 to the Commission, stating that he submitted an information request to the Secretary, Establishment Division on February 10, 2022 under the Right of Access to Information Act 2017 but did not receive any response from the public body.

2. The information sought by the Appellant is as follows:

ڈی سی لیہ کے اے سی آر کی کاپی فراہم کی جائے

B. Proceedings

3. The record on the file suggests that the Respondent submitted its response on the intervention of this commission on August 29, 2022 and its text is as under:

“Please refer to Registrar, Pakistan Information Commission (PIO), Islamabad’s Hearing Summons dated 11th August, 2022 issue in Appeal No. 1821-03/2022 filed by Mr. Aashir Ali Vs Establishment Division.

i. *It is stated that as per record. Mr. Azfar Zia, former DC, Layya is a Provincial Services of Punjab (PSP) officer, therefore, the requested information of the Appellant of the Appellant does not fall under the purview of Establishment Division. The Appellant may be requested to approach Services & General Administration Department, Government of Pakistan for provision of requested information.”*

4. Hearing on the instant Appeal was fixed for August 11, 2022 vide letter dated August 02, 2022. The Respondent was represented by Sana Ul Islam, DS, Establishment Division.

C. Issues

5. The instant appeal has brought to the fore the following issues:

- (a) Has the Respondent provided all the information to the Appellant permissible under the Right of Access to Information Act, 2017, henceforth referred to as the Act, 2017? And;

- (b) Has the Respondent followed the procedure enunciated in the Act, 2017 for responding to the information request?

D Discussion and commission's views on relevant issues:

6. In the instant appeal, the Respondent failed to provide written acknowledgement of the request for information filed by the citizen as required under Section 10 (1) of the Act.
7. The Respondent also failed in adhering to the timeline for responding to the information requests as required under Section 14 (1) and (2) of the Act as the PIO did not respond to the information request at all.
8. The Respondent, instead of responding to the request for information filed by the citizen, only responded once the instant appeal was filed by the citizen.
9. The Respondent should have informed the Appellant in response to his request for information that "Azfar Zia, former DC, Layya is a Provincial Services of Punjab (PSP) officer, therefore, the requested information of the Appellant of the Appellant does not fall under the purview of Establishment Division. The Appellant may be requested to approach Services & General Administration Department, Government of Pakistan for provision of requested information".
10. The proper response of the Respondent to the information request of the citizen would have saved time of the Respondent, the Appellant and this information commission.
11. This commission notes with concern that precious time and resources of government are wasted because officers fail to follow procedure laid down in the Act, 2017 in handling requests for information filed by citizens.

E. Order

12. The Appeal is disposed of with direction to Public Information Officer, Establishment Division to follow procedure for responding to information request enunciated in the Right of Access to Information Act, 2017.
13. Copies of this order be sent to the Respondent and the Appellant for information and necessary action.

Mohammad Azam

Chief Information Commissioner

Zahid Abdullah

Information Commissioner

Announced on: September 20, 2022

This order consists of 2 (two) pages, each page has been read and signed.