

**IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD**

**APPEAL NO. 284/02/2020**

**Ayaz Syed**

**Vs**

**Ministry of Law and Justice, Islamabad**

4.6.2020

**Fawad Malik: Commissioner**

**A. APPEAL.**

1. Mr. Ayaz Syed (Appellant) has filed the appeal before the Pakistan Information Commission against the Ministry of Law and Justice, Islamabad (Respondent). It is alleged by the appellant that he submitted his information request to the respondent public body for the provision of information under the Right of Access to Information Act 2017, on 3.7.2019 but the same has not been responded till the filing of the appeal although under section 14(1) of the Act, the public body was under obligation to respond to the request within ten working days. The appeal was received in the office of the Commission on 3.2.2020.
2. The appellant in his request before the Secretary, Ministry of Law and Justice, has asked for the following information/data from the public body.

*Please provide a complete list of the lawyers/law firms engaged by ministry of law and justice from January 1, 2008 to December 31, 2018.*

- a) *List of cases assigned to each lawyer/law firm from January 1, 2008 to December 31, 2018.*
- b) *Amount paid to each lawyer/law firm from January 1, 2008 to December 31, 2018.*

**B. PROCEEDINGS.**

3. The Commission served upon the respondent a notice dated 12.2.2020. Under section 14 of the Right of Access to Information Act 2017, public body is bound to respond to a request as soon as

possible and in any case within ten working days of the receipt of the request therefore the public body was asked to provide reasons in writing within seven days of the receipt of the notice as to why the requested information has not been provided to the applicant within the specified period.

4. The notice remained unheeded therefore the appeal was fixed for hearing before the Commission on 11.3.2020 and both the appellant as well as the respondent were informed accordingly at their respective addresses vide notices dated 27.2.2020.
5. At the time of hearing no one entered appearance to represent the public body nor was the written reply submitted.

**C. COMMISSION'S VIEW.**

6. The information sought by the appellant from the Ministry of Law and Justice is the list of the lawyers/law firms engaged by the ministry, detail of the cases assigned to them and the amount paid for the cases with year wise breakup. The requested information is connected to the use of the tax money paid by the people of the country therefore the appellant as a citizen earns the right of access to the said information.
7. The transactions, expenditures, agreements, contracts, notifications, remunerations and the perks and privileges etc. are the category of information that ought to have been duly published including uploading over the internet and computerization, by the Principal officer of each public body, within six months of the commencement of the Act. The respondent has defiled the mandatory provisions of sections 5 & 8 of the Act.
8. Transparency through the disclosure of the usage of the tax money is the soul and emphasized in the preamble of the Act. The insight and the purpose behind the enactment of this Act is to ensure transparency and the right of the people to have access to information for making the government accountable to the people and for promoting good governance.
9. The appellant reserves his statutory right under the Right of Access to Information Act 2017 and fundamental right guaranteed under

article 19.A of the Constitution of Pakistan 1973 to have access to the desired information.

10. The respondent has not responded to the two notices of the Commission. Neither the written reply was submitted nor did any one represent the public body at the time of hearing the appeal. Earlier the public body has failed to process the request as required under section 13 and overlooked the time limit provided in section 14 of the Act. It is presumed that the respondent has nothing to present in their defence. This amounts to wilful and deliberate delay and obstruction in disclosure of the information and activity of the Commission and is liable to imposition of fine under section 20(f) of the Act. The public body must be careful in future.

**D. ORDER.**

11. The appeal is Allowed. The respondent is directed to provide the appellant certified copy of the requested information forthwith but not later than ten days of the receipt of this order.

Mohammad Azam  
Chief Information Commissioner

Fawad Malik  
Information Commissioner

Zahid Abdullah  
Information Commissioner

Announced:  
4.6.2020.

Certified that this order consists of 3(three) pages, each page has been read and signed by me.

Information Commissioner.