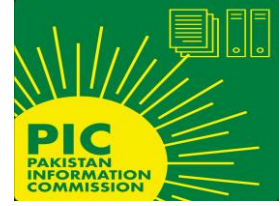


**Pakistan Information Commission
Information Service Academy
Zero Point, Islamabad**



Appeal No 113-09/19

Shehzad Ahmed Khan (Appellant)

Vs.

Ministry of Climate Change (Respondent)

Date: December 26, 2019

ORDER

Zahid Abdullah: Information commissioner

A. The Appeal

1. The Appellant filed an appeal, dated 23/09/2019, stating that he had requested information from Ministry of Climate Change under the Right of Access to Information Act 2017 on 30/08/2019.

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

- “1. Certified information about the departmental inquiries conducted against the officials / officers of Environment Protection Agency (Pak-EPA) from 1st Jan 2017 to August 01, 2019, along with the details of complaint/allegations, name of accused officials and their designation.
2. Provide the name and designation of each inquiry committee members.
3. Certified copy of each inquiry report.
4. Details about the implementation on the recommendation of each inquiry committee.”

B. Proceedings

3. Through a notice dated 25/09/19, the Commission called upon the Respondent to submit reasons for not providing the requested information.

4. The Respondent did not respond to the notice and the hearing date was fixed for 16/12/19 through the hearing notice sent on 28/11/19 and both parties were informed accordingly.

5. The Respondent did not appear before the commission at the time of hearing.

C. Discussion and Commission's View on Relevant Issues

6. The question before the commission is whether the requested information falls in the category of public information and the non-serious attitude of the public body in responding to the information request of the Appellant and to the notices of the commission.

7. The requested information falls within Section 5 (i) of the Right of Access to Information Act 2017 which requires all federal public bodies to share such information on their web site. The Section 5 (i) of the Right of Access to Information Act 2017 is as under:

"Reports including performance reports, audit reports, evaluation reports, inquiry or investigative reports and other reports that have been finalized".

8. The commission is of the view that the Respondent failed to implement Section 11 (1) of the Right of Access to Information Act 2017 as request of the applicant has not been acknowledged by the Respondent.

9. The commission notes with grave concern that the Respondent did not provide the requested information to the citizen within a maximum of 20 working days of the receipt of the information request and thus failed to implement Section 14 (1) and (2) of the Right of Access to Information Act 2017.

D. Order

10. The appeal is allowed. The Respondent is directed to provide enquiry reports conducted against the officials / officers of Environment Protection Agency (Pak-EPA) from 1st Jan 2017 to August 01, 2019 that have been finalized. The Respondent is also directed to provide information about the implementation of the recommendations of the enquiry committee to the Appellant. This information be provided to the Appellant at the earliest, but in any case, not later than 10 working days of the receipt of this order. Furthermore, the Respondent is directed to take immediate steps to proactively share through the web site all categories of information mentioned in Section 5 of the Right of Access to Information Act 2017 and submit the compliance report to the commission by 26/01/2020.

11. Copies of this order be sent to the Respondent and the Appellant for information and necessary action.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on:

December 26, 2019

This order consists of 3 (three) pages, each page has been read and signed.