



**Appeal No 027-03/19**

**Mohammad Bilal (Appellant)**

**Vs.**

**Ministry of Interior (Respondent)**

**ORDER**

Date: December 20, 2019

**Mohammad Azam:** Chief Information commissioner

**A. The Appeal**

1. The Appellant filed an appeal with the commission on December 20, 2018 in which he stated that he had requested information from the Ministry of Interior under the Right of Access to Information Act, 2017.

2. The information sought by the Complainant, through application dated 13/07/18, addressed to the Secretary Ministry of Interior is as under:

*1- "A copy of law/by-laws/ rules regarding the registration, regulation and monitoring of IGNOs and Foreign Funding Agencies operating in Pakistan.*

*2- The details of US based INGOs and US Government Funding Agencies operating in Pakistan including their activities/area of operation.*

*3- The details of local NGOs and Private entities receiving funds from US based INGOs and Government /Funding Agencies.*

*Kindly arrange to provide the above mentioned information/documents to the applicant."*

**B. Proceedings**

3. Through a notice dated 14/03/2019 the Commission called upon the Respondent to submit reasons for not providing the requested information within 7 working days.

4. Through a second notice dated 01/07/19 the Respondent (Deputy Secretary, Admn.) Designated Public Information Officer by Ministry of Interior was again directed to provide reasons in writing within 3 working days of the receipt of the notice as to why the requested information has not been provided to the Appellant.

5. No response was received from the respondent within the 3 working days and the hearing date was fixed for 30/07/19 through the hearing notice sent on 11/07/2019 and both parties were informed accordingly.

6. No one appeared on behalf of the Respondent on the date of hearing on 30/07/ 2019.

7. On 03/09/19 the Commission provided another chance to the respondent through a final notice addressed to the Deputy Secretary (Admn.)/ Public Information Officer (duly notified by the Ministry of Interior with its notification No 14/15/2018 Admn-1, dated 25-03-2019) stating as under:

“This is with reference to the enclosed hearing notice dated July 11, 2019; you failed to appear before the Commission to represent your organization.

You are hereby directed to appear personally before the commission with all the record/information requested by the appellant on September 25, 2019 to explain the reasons for not providing the requested information to the appellant. Otherwise, the commission will take action under Section 20 (f) of the Right of Access to Information Act 2017.

Take note that any record/information to be provided to the applicant has to be certified under Section 13 (3) which is as under:

“Where information or a record is provided in accordance with clause (a) of sub-section (2), it shall be accompanied by a certificate which may be affixed to the information or record at the foot thereof, or as appropriate, to the effect that the information is incorrect or, as the case may be, copy is a true copy of the original records and such certificate shall be dated and signed by the designated official.”

8. A copy of the above notice was also sent to the Secretary Interior.

9. However no one appeared on behalf of the respondent even after this final notice.

### **C. Discussion and Commission's View on Relevant Issues**

10. All the requested information by the appellant falls within Section 5 (b), (c), (d) and Under 6 (c) of the Right of Access to Information Act 2017. The respondent by not responding to the two notices and two hearing notices issued by the Commission has shown total disrespect to the Right of Access to Information Act 2017.

11. 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 requested information has not been provided to the appellant. The commission notes with grave concern that why the respondent has ignored the request of the appellant and has not attended the two hearings.

12. The respondent has not provided 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**

14. The appeal is allowed. The Respondent is directed to provide the requested information to the Appellant, as per his request received by Receipt and issue section of the Ministry of Interior on July 13, 2018 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 20/01/2020.

15. Copies of this order be sent to the Secretary Interior, 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 12, 2019

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