

In the Pakistan Information Commission, Islamabad

Appeal No. 130-10/19

Nadeem Umer

(Appellant)

VS

Metropolitan Corporation / Directorate of
Municipal Administration, Islamabad

(Respondents)

ORDER

Date: 11.02.2020

Fawad Malik. Information commissioner

A. APPEAL

1. Nadeem Umer (appellant) has filed this appeal on 12.10.2019 before the Commission, complaining therein that he requested the Metropolitan Corporation / Directorate of Municipal Administration, Islamabad (Respondent) for the provision of certain information under the Right of Access to Information Act 2017 but the public body has not provided him the requested information. The appellant vide his application dated 22.11.2019 duly received in the office of the public body on 11.12.2019 has asked for the following information in the public interest:-

1. *List of the hording boards placed in the jurisdiction of DMA/MCI along with their contractor name, date of contract allotment. Contractor contract details and copy of contract signed with the contractor*
2. *List of the boards (small/large) placed in DMA/MCI jurisdiction by any other Government organization, along with their size and contractor details.*
3. *List of controversial areas where hording boards are placed along with their location*

(2).

4. *List of LCD screens placed in jurisdiction of DMA/MCI, along with its contractor name and contact details, company name, size, contract details.*
5. *List of the illegal hoarding boards placed in jurisdiction of DMA/MCI.*
6. *Details of the notices issued to illegal hoarding boards, along with the details of action taken against them.*
7. *List of the pending court cases about hoarding boards.*
8. *Details of the contracts of Shop boards from Jan. 2015 to December 2018 along with the details of the fee from the shop boards.*
9. *Detail of the income generated by Poll sign boards during last three years (Year wise breakup).*
10. *Detail of the revenue generated by sign boards and floating advertisement during last three years (year wise breakup).*

B. PROCEEDINGS

2. The Commission vide notice dated 23.12.2019 directed the respondent to provide reasons in 7 working days of the receipt of the notice as to why the requested information has not been provided to the appellant within ten working days as required under section 14 of Right of Access to Information Act 2017.
3. The notice was not responded, therefore the appeal was fixed for hearing on 22.01.2020 and both the parties were informed accordingly vide notices dated 22.12.2019. At the time of hearing no body appeared to represent the public body.

C. DISCUSSION AND COMMISSION'S VIEW

4. The application for the requested information was duly received on 11.12.2019 in the office of the respondent endorsed with diary No. and stamp of the office, but the same has not been acknowledged to the appellant nor processed in accordance with Sec 13 of the Act, showing a careless and non serious attitude of the public body towards the implementation of the Act.

(3)

5. The respondent neither responded to the notice nor has appeared before the Commission at the time of hearing which amounts to willful and deliberate obstruction and causing delay in the disclosure of information to the appellant.
6. The list of information reflected in the request by the appellant in his application prima facie seems to be the category of record which should have been published including uploading over the internet and Computerisation and its online availability by the public body within six months of the commencement of the Act. Right to Information qua the public record is the fundamental right of every citizen guaranteed in the Constitution of Pakistan which cannot be denied.

D. Order

7. The respondent is directed to provide the appellant, the requested information within seven working days of the receipt of the order.

The respondent is also directed to take immediate steps to proactively share through the website all categories of information mentioned in sec 5 of the Right of Access to Information Act and submit the compliance report to the commission by 11.03.2020.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on:
February 11, 2020

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