

**Pakistan Information Commission**



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**In The Pakistan Information Commission, Islamabad**

**Appeal No-385-6/2020**

**Murtaza Hashim**

(Appellant)

Vs.

**Director General,  
Anti-Narcotics Force**

(Respondent)

**ORDER**

Date: August 31, 2020

**Mohammad Azam:** Chief Information Commissioner

**A. The Appeal**

1. The Appellant filed an appeal with the commission on 16/05/2020 in which he stated that he had requested information from Anti-Narcotics Force, under the Right of Access to Information Act 2017.
2. The information sought by the Complainant, through application dated 16/04/2020, is as under:
  - “Service structure for the post of Assistant Director (BPS-17) in Anti-Narcotics Force (ANF).
  - Job description, Administrative and Financial powers of Assistant Director (BPS-17) in Anti-Narcotics Force (ANF).
  - Anti-Narcotics Force (ANF) Recruitment and Service Rules (Amended up-to date).
  - Quota reserved for promotion of officer of Bps-18 and above in Anti-Narcotics Force (ANF).
  - How much salary is paid to Assistant Director (BPS-17) in Anti-Narcotics Force (ANF) along with all the allowances component wise details?
  - Anti-Narcotics Force (ANF) Reward Rules (Amended up to date).
  - Total sanctioned and vacant posts of Deputy Director (BPS-18), Joint Director (BPS-19) and Director in (BPS-20) in Anti-Narcotics Force (ANF).

- Organizational Hierarchy/ Organogram of Anti-Narcotics Force (ANF) at Head- Quarter and Regional Level.”

## **B. Proceedings**

3. Through a notice dated 8/07/2020 sent to the Anti-Narcotics Force, 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 19/08/2020 through the hearing notice sent on 7/08/2020 and both parties were informed accordingly.
5. No one appeared on behalf of the Respondent on the date of hearing on 19/08/2020.

## **C. DISCUSSION AND COMMISSION’S VIEW ON RELEVANT ISSUES**

6. The requested information falls under the category of information which public bodies are legally bound to proactively disclose under Section 5 (1) (a), (c) and (h) of the Act. The requested information also comes under Section 6 (a) hence it is public information.
7. In the instant appeal the public body has failed to fulfill its obligation under Section 9 of the Act which makes it obligatory on all Public Bodies to appoint a Public Information Officer (PIO) within 30 days of the commencement of this Act.
8. According to Section 10 (1) of the Act, the designated Public Information Officer, (PIO) shall ensure that “requests are dealt with and the citizens are provided with the relevant information, promoting compliance by the Public Body of its obligations under the Act”, which the Public Body has failed to do so in the instant Appeal.
9. Commission is of the view that the Respondent has failed to apply Section 12 and, the procedure laid down for acceptance and refusal of request under Section 13 (1) & (2) of the Right of Access to Information Act 2017, as the appellant has not received the requested information.
10. The respondent has failed to provide the requested information to 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.
11. The Commission notes with great concern that the Public Body not only has shown disregard for the law by not responding to the notices issued by the Commission, the Public Body has also delayed and denied access to the requested information.
12. If directions of the commission in this Order are not followed, it will be left with no option but to invoke Section 20 (f) of the Right of Access to Information Act 2017.

## **D. Order**

13. The appeal is allowed. The Respondent is directed to provide the requested information to the Appellant, as per his request 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 24/09/2020.

14. Respondent is directed to notify Public Information Officers, (PIOs), under Section 9 of the Act, put their contact details on their web sites as required under Section 5 (1) (h) of the Act and submit compliance report to the commission within 10 working days of the receipt of this order.

15. Copies of this order being 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:

August 31, 2020

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