

**IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD**

**APPEAL NO. 296/02/2020**

Shahzad Ahmed Khan  
Vs  
National Assembly, Islamabad

Announced on June 04, 2020

**Fawad Malik: Information Commissioner**

Present: Mohammad Usman Ali, Deputy Secretary (Public Information Officer)

**APPEAL.**

1. The brief facts of the appeal are that Mr. Shahzad Ahmed Khan (appellant) being aggrieved of non-provision of the requested information, under the Right of Access to Information Act 2017, from the National Assembly, Islamabad (respondent), within the stipulated period as provided in the Act has invoked the jurisdiction of this Commission.
2. In his application dated 13.1.2020, addressed to the Public Information Officer of the National Assembly, Islamabad, he has desired the following information in the public interest;
  - *Certified copies of the Financial Audit Reports submitted by Auditor General of Pakistan in National Assembly since 2016 to date.*
  - *Certified copies of the performance Audit Reports submitted by Auditor General of Pakistan in National Assembly since 2016 till date.*

**PROCEEDINGS.**

3. The Commission vide notice dated 12.2.2020 directed the respondent to provide reasons in writing within seven days as to why the requested information has not been provided to the appellant, as each public body under section 14 of the Right of Access to Information Act 2017, 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.
4. The respondent submitted written reply to the notice on 20.2.2020. The relevant para of the reply is reproduced hereunder;

- *That minister lays Annual Report of the Auditor General relating to the accounts of the Federation under Rule 177 of the Rules of Procedure and Conduct of Business in the National Assembly 2007. The report of the Auditor General so laid is to be referred to the Public Accounts Committee under Rule 177 (2). The report so referred is to be examined by the Committee (PAC) as required under Rule 203 of the Rules.*

5. The Secretariat had earlier vide letter dated 3.2.2020 responded to the appellant as follows;

*“You are hereby informed that the office of the Auditor General of Pakistan provides Audit Reports to the National Assembly/ Senate for laying the same before the August House. The House refers the said Reports to PAC. It is, therefore, requested to contact the office of the Auditor General of Pakistan to get the requisite Reports.”*

6. The response of the public body was transmitted to the appellant but on his dissatisfaction the appeal was set down for hearing before the Commission on 11.3.2020 vide notice dated 27.2.2020 and both the parties were informed accordingly at their respective addresses.

#### **COMMISSION’S VIEW.**

7. The appellant has desired certified copies of the Financial Report and Performance Audit Report submitted by Auditor General of Pakistan in the National Assembly of Pakistan. The respondent public body has shown its inability to do the needful in the reply submitted by the public information officer before the Commission and to the appellant. It is identified in the reply that the requested information/record is located with the Auditor General of Pakistan. The President places the Annual Report of the Auditor General of Pakistan, relating to the Federation in the National Assembly, which is further transmitted to the Public Accounts Committee, under Rule 177 of the Rules of Procedure and Conduct of Business in the National Assembly 2007. The Public Accounts Committee examines the report so referred under Rule 203 of the Rules *ibid*.

8. The reports once submitted before the Parliament by the Auditor General of Pakistan become public documents. The public bodies are obligated to proactively publish them on their websites as required under Section 5 & 8 of the Act.

09. The designated officer, in future, is directed to respond promptly to the applicants within the time limit provided in the Act.

**ORDER.**

The Appeal is allowed and the respondent is directed immediately upload the financial and performance audit reports submitted by the Auditor General of Pakistan.

**Mohammad Azam**

Chief Information Commissioner.

**Fawad Malik**

Information Commissioner.

**Zahid Abdullah**

Information Commissioner.

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

**Information Commissioner.**