

Appeal No 232-12/19

Naeem Sadiq (Appellant)

Vs.

Election Commission of Pakistan (Respondent)

ORDER

Date: December 12, 2019

Mohammad Azam: Chief Information commissioner

A. The Appeal

1. The Appellant filed an appeal with the commission on December 16, 2019 in which he stated that he had requested information from Election Commission of Pakistan under the Right of Access to Information Act 2017.


2. The information sought by the Complainant, through application dated November 25, 2019, is as under:

- a. Kindly provide a summary of total expenditure incurred on 2013 General Elections. The summary must include Total expenditure as well as a breakdown of expenses under the main heads in which the expenses were made. These expenses must include all expenses such as those incurred by ECP, Federal Government, Provincial Governments, and expenses incurred on security agencies for performing election duties.
- b. Kindly also provide the above information, in the same format for 2018 General Elections.
- c. Please provide information on why the facts relating to expenditure incurred on General Elections are not displayed on ECP website on pro-active disclosure basis, as required by the RTI law.

B. Proceedings

3. Through a notice dated December 20, 2019, 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 February 11, 2020 through the hearing notice sent on January 27, 2020 and both parties were informed accordingly.


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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 requested information falls within Section 6 (a) (b) and (c) of the Right of Access to Information Act 2017.

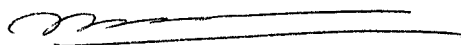
7. The commission is of the view that the Respondent failed to implement Section 11 (1) of the Right of Access to Information Act 2017 as request of the applicant has not been acknowledged by the Respondent.

08. 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

14. The appeal is allowed. The Respondent is directed to provide the requested information to the Applicant, 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 March 18, 2020.

15. Copies of this order be sent to the Respondent, the Appellant and Secretary, Election Commission of Pakistan for information and necessary action.


Mohammad Azam
Chief Information Commissioner


Fawad Malik
Information Commissioner


Zahid Abdullah
Information Commissioner

Announced on:

February 18, 2020

This order consists of 02 (two) pages; each page has been read and signed.



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