

## Pakistan Information Commission

### Government of Pakistan

1<sup>st</sup> Floor, National Arcade, 4-A Plaza

F-8 Markaz, Islamabad

Website: [www.rti.gov.pk](http://www.rti.gov.pk)

Phone: 051-9261014

Email: [appeals@rti.gov.pk](mailto:appeals@rti.gov.pk)

  @PkInfoComm



### In The Pakistan Information Commission, Islamabad

#### Appeal No 910-02/21

**Khaliq Hussain**

(Appellant)

Vs.

**Ministry of Law and Justice**

Through its Public Information Officer

(Respondent)

### ORDER

**Date:** April 29, 2021

**Zahid Abdullah:** Information Commissioner

#### **A. The Appeal**

1. The Appellant filed an appeal, dated February 21, 2021, to the Commission, stating that he Submitted an information request to the Secretary, Ministry of Law and Justice dated 23-01-2021 under the Right of Access to Information Act 2017 but did not received the requested information from the public body.
2. The information sought by the Appellant is as follows:

*“Most respectfully stated that I need the following public record of public body (Ministry of Law and Justice, Government of Pakistan, Islamabad), on my appeal, which was reached in your Ministry through Registered Post No. RGL 14393094, DATED 17-09-2018 (COPY ATTACHED).*

*In this Connection, I need the Public Record of my above said appeal, under the provision of Section No. 14 of the Right to Access Information Act, 2017, within 10 working days, after receipt the above said application:*

1. *Attested Copy of the appeal.*
2. *Attested Copy of the PUC of Ministry, on the above said Appeal.*
3. *Attested Copy of the Initial Order of Ministry of Law and Justice, passed on the above said appeal*
4. *Attested Copy of the Final Order of Ministry of Law and Justice, Islamabad, passed on the above said appeal.”*

#### **B. Proceedings**

3. Through a notice dated March 09, 2021, sent to Deputy Solicitor / Public Information Officer, Ministry of Law and Justice, the Commission called upon the Respondent to submit reasons for not providing the requested information.
4. Through another notice dated March 26, 2021 the Respondent was directed to submit written arguments within 15 days, otherwise the appeal will be decided Ex-Partee in the light of the record available on the file and the Right of Access to Information Act 2017.

5. The Respondent did not respond to the notices of the commission.

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

6. This commission holds that any appeal and the related documents generated in the pursuance of action to be taken on the appeal filed by a citizen are public records. As such, all such documents should be shared with the citizen during the course of proceedings so that a citizen is kept in the picture about the proceedings both as a right of access to information as well as right of access to justice.
7. This commission finds it unfortunate that the citizen had to file first a request for information and then an Appeal with this commission for access to the records which should have been provided to the citizen during the course of the proceedings on the appeal.

### **D. Order**

8. Appeal is allowed. Public Information Officer, Ministry of Law and Justice is directed to share with the Appellant certified copies of the Appeal filed *through Registered Post No. RGL 14393094, DATED 17-09-2018 and all the requested documents pertaining to this appeal.*
9. Copies of this order be sent to Public Information Officer, Ministry of Law and Justice and the Appellant for information and necessary action.

**Mohammad Azam**

Chief Information Commissioner

**Fawad Malik**

Information Commissioner

**Zahid Abdullah**

Information Commissioner

Announced on:

April 28, 2021

This order consists of 2 (two) pages, each page has been read and signed