

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO. 1578-12-2021

Ali Adil Muhammadi

Versus

Cantonment Board Clifton

Date of Hearing: 6.4.2022

Fawad Malik: Information Commissioner

A. APPEAL

1. Mr. Ali Adil Muhammadi, filed his appeal dated 28th December, 2021 before the Pakistan Commission on access to information, Islamabad. He alleged that the request for information has not been responded by the Cantonment Board Clifton within the timeframe stipulated under the Right of Access to Information Act, 2017.
2. Through an application dated 22nd October, 2021 addressed to the Chief Executive Officer, Cantonment Board Clifton, he has desired the information pertaining to cost of refurbishment of the office of the Cantonment Board. The detailed particulars of the requested information are:
 - i. *“Please also provide detailed cost of refurbishment of Cantonment Board of Clifton Office (CBC)*
 - ii. *Further if this will be audited by the Auditor General of Pakistan please provide copy of last Auditors Report of CBC indicating it is an Audit in accordance with I.C.A.P definition and not an Accountants report.”*

B. PROCEEDINGS

3. The Commission vide notice dated 19.01.2022 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.
4. The notice was responded by the Addl. Cantt. Executive Officer vide letter No. CBC/Admin/1561 dated 28th January, 2022, as under:

“It is submitted that sub section “p” of section 116 of the Cantonments Act 1924 (as amended up to date) is the relevant provision of law.”

5. The appellant objected the reply filed by the public body therefore the appeal was fixed for arguments before the Commission on 6th April, 2022.
6. Although the Executive Officer, Cantonment Board Clifton vide Letter No. CBC/Dy CEO/3380 dated 01st March, 2022 informed the Commission that the duly authorized law officer representing CBC will appear before the Commission, but no one represented the CBC at the time of hearing of the appeal.

C. COMMISSION VIEW

7. The appellant suffering from the scarce of water supply has desired the detailed cost of refurbishment of the Office of Cantonment Board Clifton and information as to whether this will be audited by the Auditor General of Pakistan. He has also asked for the copy of last Auditors Report of CBC indicating it an Audit in accordance with the definition of the Institute of Chartered Accounts of Pakistan.
8. The asking public body has apprised that sub section “p” of section 116 of the Cantonments Act 1924 (as amended up to date) is the relevant provision of law for the refurbishment of the Office but has not provided the requested record.
9. Transactions’ involving acquisition and disposal of property and expenditures undertaken by a public body in the performance of its duties and functions is declared as the public record under section 6 of the Act. Moreover section 5 of the Act mandates each public body the proactive disclosure through publication and uploading over the internet of the desired information.
10. Transparency in the working of the government departments is the essence for the enactment of the Act 2017. Its spirit is to ensure that the

people of the Islamic Republic of Pakistan have access to the records held by the federal public bodies for making the government accountable to the people. This practise would improve the participation of the people in the public affairs aimed at reducing corruption and inefficiency in the governance.

D. ORDER

11. The appeal is allowed. The Chief Executive Officer, Cantonment Board Clifton, Karachi is directed to provide the appellant the desired information and record forthwith, but in any case not later than seven days of the receipt of this order.

He is further directed to implement section 5 of the Act under intimation to this Commission by or before 30th May, 2022.

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on 08.4.2022

Certified that this order consists of 03 pages, each page has been read and signed.