

Pakistan Information Commission

Government of Pakistan

Order

Appeal No: 2297-10/2022

Dr. Saeed Ahmed

Vs

Oil and Gas Development Company - OGDCL

Date:

March 15, 2023

Appellant present in person. Mr. Umer Sajjad Advocate, present on behalf of OGDCL.

2. The appellant while filing this appeal has requested the public body to provide copies of following details:

- i. Medical treatment related documents attached with the personal file.
- ii. A copy of CNIC of my Brother
- iii. Bank Accounts Details
- iv. A copy of CNIC and Nikkah Nama of Widow Razia Khalil
- v. A copy of the application submitted the widow to deny the documents to the brother of her husband, Dr. Saeed Ahmed, as there is a conflict between the widow and successors of the late Muhammad Yasin
- vi. The detail of shares of OGDCL
- vii. The detail of the insurance
- viii. The document of detailed early retirement

3. The representative of the respondent / public body furnished written reply / objections. First of all, objection was regarding limitation of agitate and it is submitted that appellant submit his request to the public body on 07-07-2022 whereas appeal was filed 21-10-2022 after lapse of more than hundred days. Reference to Section 17 of Right of Access to Information Act, 2017 was quoted where period of 30 days was providing for filling appeal if the appellant was not satisfied with the decision of the designated official or where no within the time fix for such.

4. In addition to that it has been submitted that the requisite information is not only exempted from disclosure but also related not the answering respondent. Exemption under Section 7 (d) (g) (h) and Section 16 (c) of Right of Access to Information Act, 2017 has also sought in the written reply.

5. I have heard the arguments of appellant and learned counsel appeared on behalf of respondent / public body and also gone relevant law on the subject.

6. Since question of limitation has raised at vary outset, I think proper to decide the said question before proceedings further. Under Section 17 of Right of Access to Information Act, 2017 an applicant who is not satisfied by the decision of designated official by him within the time fixed. He may, within the period not exceeding 30 days after either receiving the decision or after the time limit for a such decision has passed refer an appeal to the Information Commission. In the present case the appellant submitted his application to the public body on 07-07-2022 which remained unanswered. Law provide period of 10 days to the public body to the provide the required information to the applicant from the date of receiving of said application. The further time of 10 days allowed by the law, if relevant information is likely to be traced out meaning there by that period of 20 days would be excluded from the 30 days provided for filing appeal. The present case was filed by the appellant on 27-10-2022 whereas the appellant was required under the law to file the appeal till 29-08-22. According to the law, delay of each day is to be explain by the appellant. He neither files an application for condonation of the limitation application nor reasons for delay.

7. In view of the above when the appeal is hopeless for the time barred it cannot be entertained. What has been stated above the appeal is dismissed.

Shoaib Ahmed Siddiqui
Chief Information Commissioner

Ijaz Hassan Awan
Information Commissioner