ORDER SHEET

THE PUNJAB INFORMATION COMMISSION

64 Nursery Ln, Near China Chowk, Lahore, Punjab.

Website: - https://rti.punjab.gov.pk

Toll free # 0800-15050 (9am-5pm)

File No: 1-70/92/67/68/66-1-2022

/69/

Shahbaz Akmal

Vs

DG Excise & Taxation, Lahore

Subject: **Complaint Regarding Non-Provision of Information under the Punjab Transparency and Right to Information Act 2013**

Order

28.03.2022

Complainant as well as Mr. Muhammad Afzal Senior Law Officer/PIO of the office of DG Excise & Taxation are present. This order disposes of above-captioned 6 RTI Complaints through this single order.

2. The complainant initially filed RTI request to respondent department on 23.12.2021 and later filed above-caption RTI Complaint/Appeal on 28.01.2022 after no response from department.

3. According to RTI request as many as five copies of different documents, in relation to each payment, under the heads of Advertisement & Publicity, Computer Stationery, Machinery & Equipment, Repair of Hardware, Cost of other Store and Repair of Transport were demanded through separate RTI requests by the Complainant. The record of all payments made during the financial year 2020-21 were requested through RTI Request. The Commission relying upon the opening part of Section 10(9) of RTI Act, 2013 decided vide order dated 16.02.2022 that the detail including amount, date, object and name of vendor of each payment can be provided through a tabular statement prepared from original record subject to due certification of PIO. Such mode of disclosure sufficiently meets the spirit of law that is accountability by citizens.

4. Later PIO disclosed all information excepting the names of vendors claiming exemption as private information of third party. The Commission

vide order dated 22.03.2022 repelled the claim of PIO and directed to make disclosure of vendors as well within 3 days of this said order with direction put up report today on 28.03.2022.

5. However PIO has today filed an application to provide a further opportunity of 2 weeks to enable the department to assail the order dated 22.03.2022 before Hon'ble Lahore High Court, Lahore.

6. RTI Law provides maximum 60 days to the Commission for disposal of any RTI Complaint/Appeal and today (28.03.2022) exact 60 days have completed after filing of Appeal/Complaint. It is not a bona-fide request to come with request of further opportunity of two weeks exactly on the last date of hearing whereas the substantive order was passed on 16.02.2022 and the claim of exemption was discarded on 22.03.2022. The Commission is of considered view that there is no reasonable ground for respondent to further disclosure of the names of vendors in keeping with the spirit of RTI Act 2013 to enable the accountability of public body by a citizen. Consequently PIO Mr. Muhammad Afzal is awarded penalty of Rs. 15,000/- to be deducted from his salary for unnecessarily delaying the disclosure of public information in contravention of statutory liability. Since PIO has failed to make disclosure of information therefore copy of this order be forwarded to DG Excise & Taxation Punjab with his responsibility as HOD to ensure the requisite disclosure maximum within 7 days after receipt of this order, failing which he will also be considered defiant of mandatory provision of law.

7. To come up for progress report on 06.04.2022 at 10:30 AM.

(Mahboob Qadir Shah)
Chief Information Commissioner

(Dr. Arif Mushtaq Chaudhary)
Information Commissioner

(Shaukat Ali)
Information Commissioner