IN THE PUNJAB INFORMATION COMMISSION

File No.2-410-5/2019

Muhammad Ashraf Meer

Vs

CO Municipal Corporation, Gujrat

Subject: **Complaint Regarding Non-Provision of Information/Document**

15.07.2019 The complainant is present in person. None is present on behalf of the respondent.

2. This RTI application of the complainant is pending since 28-2-19 whereas the RTI complaint was filed on 25.04.2019. A final show cause notice was issued for today by the Punjab Information Commission but no positive response is received as yet. However a copy of direction of CO MC Gujrat dated 28.06.2019 addressed to Municipal Officer Regulation/Finance to comply with the direction by providing public information is received which is sufficient proof of the fact that CO MC Gujrat exercising his administrative authority passed necessary directions to MC Regulation/Finance but he being custodian of record has failed to provide certified copy of following public information:-

(i) Copy of advertisement byelaws.
(ii) Copy of schedule gazette notification
(iii) Lists of illegal advertising boards without NOC
(iv) List of advertising boards NOCs duly issued

3. It is reminded that RTI law stipulates time bound actions and a complaint and is entitled to get public information within 14 days after filling of RTI application but a period of about 4 &half months have elapsed since filling of RTI application but the officer who is custodian

of record has not provided information inspite of written direction by the Chief Officer Gujrat. It can be safely concluded that Municipal Officer Regulation/Finance has declined to provide public information. His defiant views are reflected from an earlier letter dated 10.06.2019 written by him to CO MC Gujrat which states that the information being confidential and having no linkage with applicant cannot be provided.

4. In view of above the Municipal Officer Regulation/Finance of MC Gujrat Mr. Junaid Bashir Saroya is found guilty of an offence u/s 15 of the Punjab Transparency and Right to Information Act 2013, hence he is awarded penalty of forfeiture of his salary equivalent to his two days' salary against each day of delay w.e.f 13.03.2019 (i.e 14 days after filling of complaint) till to date. A copy of this order be forwarded to District Accounts Officer, Gujrat to forfeit the salary accordingly by under intimation to the Punjab Information Commission. The penalty if exceeds Rs.50,000/- it shall be effective only uptil Rs. 50,000- the maximum ceiling under section 15 of the Punjab Transparency and Right to Information Act 2013.

5. A copy of this order is also handed over to the complainant who shall approach Chief Officer MC Gurjat being head of administrative unit for retrieving the copies of requisite information to him. Order accordingly.

(Saeed Akhter Ansari)
Information Commissioner

(Mahboob Qadir Shah)
Chief Information Commissioner