ORDER SHEET
IN THE PUNJAB INFORMATION COMMISSION

File No.2-440-5/19

Deewan Adnan Amlak
Vs
XEN Public Health Engineering Okara

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

11.07.2019
(1:00PM)

Mr. Dewaan Adnan Amlak/Complainant is present in person since 9:00 AM but nobody has appeared on behalf of respondent.

2. A copy of order dated 27.06.2019 was dispatched through registered post to XEN PHE Okara and AD receipt is also received but none is present on behalf of respondent department. On our direction the office has contacted Mr. Sajid (0301-7329486) head clerk of the office Executive Engineer Public Health Engineering Okara about one hour ago but still none has appeared till 1:00 PM. The Commission has no option but to proceed in accordance with law.

3. In fact this Commission issued a "Directive" dated 17.05.2019 to XEN PHE Okara to provide public information to the complainant uptil 31.05.2019 and in case of any valid objection to personally appear to explain his position on 31.05.2019 but he neither appear nor submitted compliance report. Later the complainant approached the Commission through application dated 13.06.2019 that he was provided only "One Page Note" containing partial information without signatures of any authority. In this background the office was directed to seek clarification from XEN PHE Okara who informed on telephone that he will provide remaining information to the complainant as and when he would again approach him. The Complainant allegedly kept approaching SDO and XEN but they never took him seriously and kept on dilly dallying prompting him to again approach the Commission on 27.06.2019 leading to above mentioned order

and a copy dispatched through registered post followed by AD received but none has appeared till 1:00 PM.

4. The Complainant states at bar that is fed up with the conduct of SDO and XEN who always say to provide him information at his home to buy the time for further delay. The original RTI complaint was filed on 19.12.2018 and according to mandatory provisions of law the information was to be provided within 14 days but about 7 months have elapsed but the complainant is running from pillar to post to get certified copies of public information. Since notification of designated PIO of the office of PHE Okara is not submitted hence under such situation the law holds head of administrative unit (who is XEN in this case) liable. It is obvious from record that XEN PHE Okara has least respect for law or in-alienable right of information of citizens acknowledged under Article 19-A of the Constitution of Pakistan. Keeping in view his consistent delinquent conduct he is convicted u/s 15 of RTI Act 2013 and is awarded penalty equal to his two days' salary against each day of delay w.e.f 25 .12.2018 till to date. The order shall be effective only uptil Rs. 50,000/-, which is the maximum pecuniary limit u/s 15 of RTI Act 2013. A copy of this order may be forwarded to District Accounts Officer Okara for implementation and a copy for information to AG Punjab. The salary of Mr. Fayyaz-ul-Hassan, XEN Public Health Engineering Okara be forfeited accordingly under intimation to Punjab Information Commission.

5. As regard actual redressal of complainant, Secretary Public Health Engineer Punjab is requested to take necessary steps for providing requisite information to the Complainant. A copy of this order be also handed over (dasti) to the complainant. Order accordingly.

(Saeed Akhter Ansari)
Information Commissioner

(Hassan Iqbal)
Information Commissioner

(MahboobQadir Shah)
Chief Information Commissioner