

Ref: PILAP/HO/2020/PIC002

January 25, 2020

Mr. Fawad Malik
Information Commissioner
Pakistan Information Commission
Information Service Academy
Zero Point
Islamabad

Dear Sir,

Pervez Said
Vs.
Federal Board of Revenue

We thank you for your letter Ref: Appeal No. 242-01/2020 dated January 14, 2020 advising us of the notice issued to the FBR.

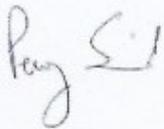
We would like to thank you for the consideration given by advising us as that attendance or being represented on our part is not mandatory. This is particularly appreciated as the representation, as well as travel costs are very high.

Under the circumstances, we would not be attending or be represented. However, we would request to be heard should there be any issue requiring clarification or further input on our part before the adjudication is closed.

May we reiterate that we are not seeking information on the income or wealth of any individual but are only seeking information from the FBR whether it has taken action required under the law of initiating action on discovery of undeclared wealth in the UK which is a matter of public information.

Thanking you

Yours faithfully,
For Public Interest Law Association of Pakistan



Pervez Said
Chief Executive Officer

Ref: PILAP/HO/2021/520

February 04, 2021

Mr. Ikram Ul Haq,
Registrar,
Pakistan Information Commission,
1st Floor, National Arcade, A-4 Plaza,
F-8 Markaz, Near PSO,
Islamabad

RE: INFORMATION SHARING LETTER DATED 21.1.2021 IN APPEAL NO. 242-01/2020, TITLED PERVEZ SAID VS. FEDERAL BOARD OF REVENUE

Dear Sir,

We thank you for your letter dated 21st January 2021 in Appeal No. 242-01/2020, titled "Pervez Said vs. Federal Board of Revenue", whereby your respected office has ostensibly shared information provided by the FBR. We seek to bring to your attention the fact that the information supplied to us by your respected office is not information provided by the FBR, but is, in fact, a letter submitted by our own organisation on 18th January 2021 to your respected office requesting for an ex-parte order in the event of FBR's failure to appear at the hearing for a fifth time. The said hearing was on an RTI dated 17th December, 2019 submitted by PILAP to the FBR.

That further, following receipt of the letter dated 21st January 2021, PILAP has been given a verbal intimation by the Pakistan Information Commission that a hearing is scheduled for 24th February 2021 on the above-titled appeal, although no written communication has been received by our office in this regard. **It appears that the information, if any, supplied by the FBR, is deficient or is not to the point, thus you have scheduled one more hearing.**

Your respected office issued the FBR with a hearing notice dated 8th January, 2021 in which it summoned Mr. Muhammad Alam Zaib Khan, Secretary (DT_FATE), FBR, for a hearing on 20th January, 2021. **This was the fifth hearing notice issued to FBR by your respected office. The FBR has failed to appear at each date of hearing and no order has been passed against it. A complete history of the case is reiterated below for your reference:**

1. **We originally wrote to the FBR under the Right of Access to Information Act, 2017 on 17th December 2019.**

2. FBR declined to provide the information vide letter on 26th December 2019.
3. **PILAP filed an Appeal before the Pakistan Information Commission on 3rd January 2020**
4. The Pakistan Information Commission issued a hearing notice to FBR on 14th January 2020, fixing a hearing for 29th January 2020.
5. **FBR did not appear** before the Commission on 29th January 2020.
6. The Commission issued a fresh notice to FBR on 11th March 2020, fixing a hearing for **25th March 2020. The FBR was informed that if it did not attend, an ex-parte decision would be taken against it.**
7. Due to the **FBR's failure to attend the hearing yet again**, the Commission issued yet another hearing notice to FBR on 21st July 2020, fixing a hearing for 19th August 2020
8. **PILAP** provided the details of the case to the Commission again and requested for ex-parte orders through our letter Ref: PILAP/HO/2020/363 dated 29th July 2020.
9. We again sent a letter dated 3rd September 2020 to your respected office requesting for an update on the hearing and any orders passed on 19th August 2020.
10. We received a letter dated 1st September 2020 from the Commission informing us of a **hearing scheduled for 7th October 2020**, accompanied by a hearing notice issued to FBR for the same date. **The FBR did not attend yet once again.**
11. PILAP submitted a letter to the Commission requesting for an update of the hearing scheduled for 7th October 2020.
12. We **received yet another hearing notice dated 20th November 2020** from the Commission whereby the FBR was directed to submit a written reply and arguments within ten days of receipt of the notice, and **once again being advised that failure to respond by the FBR would result in an Ex-Parte order.**
13. We wrote yet another letter to the Commission requesting for an update on FBR's written reply and arguments.
14. The Pakistan Information Commission issued yet another hearing notice dated 8th January 2021 to FBR for a hearing scheduled for 20th January 2021
15. The Commission sent us a letter dated 21st January 2021 providing information ostensibly supplied by the FBR, which was, in fact, a letter dated 18th January 2021 submitted by our own organisation to the Commission requesting for an ex-parte order in the event of FBR's failure to attend yet again.

The hearing notice dated 8th January, 2021 issued by your office states that "Failure to attend the hearing will result in ex-Partee decision and the responsible will be dealt with in accordance with the relevant provisions of the Act." Under section 20 (1) (e) of the Right of Access to Information Act, 2017 the Information Commission has power to "order a public body to disclose information to an applicant or to take such other reasonable measures as it may deem necessary to remedy any failure to implement the provisions of this Act." While section 20 (1) (f) gives the Commission the power to "impose on the official a fine equivalent to his salary for one day, for a maximum



BY COURIER

Ref: PILAP/HO/2021/593

June 16th, 2021

Mr. Ikram Ul Haq,
Registrar,
Pakistan Information Commission,
1st Floor, National Arcade, A-4 Plaza,
F-8 Markaz, Near PSO,
Islamabad

RE: HEARING SUMMONS DATED 19.05.2021 ISSUED TO FBR FOR 2.6.2021

Dear Sir,

Our organisation received a letter dated 19th May 2021 from your respected office informing us of a hearing notice issued to FBR for a hearing scheduled for 2nd June 2021 in in Appeal No. 242-01/2020, titled "Pervez Said vs. Federal Board of Revenue". The said hearing was on an RTI application dated 17th December, 2019 submitted by PILAP to FBR. This was the ninth hearing notice issued to FBR since the submission of the RTI 18 months ago. Despite FBR's failure to provide the information sought and even failing to appear at hearings summoned by the PIC, to our knowledge no order has been passed in the above-titled appeal. A complete history of the case is reiterated below for your reference:

1. We originally wrote to the FBR under the Right of Access to Information Act, 2017 on 17th December 2019
2. FBR declined to provide the information vide letter on 26th December 2019
3. PILAP filed an Appeal before the Pakistan Information Commission on 3rd January 2020
4. The Pakistan Information Commission issued a hearing notice to FBR on 14th January 2020, fixing a hearing for 29th January 2020
5. FBR did not appear before the Commission on 29th January 2020
6. The Commission issued a fresh notice to FBR on 11th March 2020, fixing a hearing for 25th March 2020. The FBR was informed that if it did not attend, an ex-parte decision would be taken against it
7. Due to the FBR's failure to attend the hearing yet again, the Commission issued yet another hearing notice to FBR on 21st July 2020, fixing a hearing for 19th August 2020.
8. PILAP provided the details of the case to the Commission again and asked for ex-parte orders through our letter Ref: PILAP/HO/2020/363 dated 29th July 2020.

PUBLIC INTEREST LAW ASSOCIATION OF PAKISTAN

Plot # 18-C, 2nd Floor, Office # 202, Zamzama Lane # 2, Phase-5, DHA, Karachi.
Phone: +9221 32417049, +9221 32417087, +9221-35304110 Email: info@pilap.pk

9. We again sent a letter dated 3rd September 2020 to your respected office requesting for an update on the hearing and any orders passed on 19th August 2020
10. We received a letter dated 1st September 2020 from the Commission informing us of a hearing scheduled for 7th October 2020, accompanied by a hearing notice issued to FBR for the same date
11. PILAP submitted a letter to the Commission requesting for an update of the hearing scheduled for 7th October 2020
12. We received yet another hearing notice dated 20th November 2020 from the Commission whereby the FBR was directed to submit a written reply and arguments within ten days of receipt of the notice, and that failure to respond would result in an Ex-Parte order
13. We wrote yet another letter to the Commission requesting for an update on FBR's written reply and arguments
14. The Pakistan Information Commission issued yet another hearing notice dated 8th January 2021 to FBR for a hearing scheduled for 20th January 2021
15. The Commission sent us a letter dated 21st January 2021 providing information ostensibly supplied by the FBR, which was, in fact, a letter dated 18th January 2021 submitted by our own organisation to the Commission requesting for an ex-parte order in the event of FBR's failure to attend yet again
16. PILAP sent a letter to PIC informing them of the above mentioned fact, and requesting an ex-parte order, as the letter dated 8th January 2021 from your respected office had mentioned in the event of FBR's failure to appear yet again
17. A hearing was held before the PIC on 25th February 2021, however, no order was passed
18. Our organisation was in receipt of yet another hearing notice issued to FBR, in which a hearing has been scheduled for 10th March 2021
19. We submitted a letter to PIC reiterating our case and requesting an order.
20. Thereafter, we received a letter dated 10th March 2021 informing us of yet another hearing scheduled for 24th March, 2021
21. We submitted a letter to PIC requesting for an update of the case or any orders passed on the hearing of 24th March
22. Your office issued another hearing notice to FBR vide hearing summons dated 19th May, 2021 for a hearing on 2nd June 2021

Under section 20 (1) (e) of the Right of Access to Information Act, 2017 the Pakistan Information Commission has power to "order a public body to disclose information to an applicant or to take such other reasonable measures as it may deem necessary to remedy any failure to implement the provisions of this Act." While section 20 (1) (f) gives the Commission the power to "impose on the official a fine equivalent to his salary for one day, for a maximum of one hundred days, who has acted wilfully to obstruct any activity which is required to be undertaken by this Act, including preventing or delaying the disclosure of information to an applicant." We would, therefore, appreciate a quick disposal and final decision in the matter by your respected office. You will observe that the matter has been

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Phone: +9221 32417049, +9221 32417087, +9221-35304110 Email: info@pilap.pk



By Courier

Ref: PILAP/HO/2021/614

August 05, 2021

Mr. Ikram Ul Haq,
Registrar,
Pakistan Information Commission,
1st Floor, National Arcade, A-4 Plaza,
F-8 Markaz, Near PSO,
Islamabad

RE: RESCHEDULED HEARING SUMMONS DATED 24.06.2021 ISSUED TO FBR FOR 14.07.2021

Dear Sir,

Our organisation received a letter dated 24th June 2021 from your respected office informing us of a hearing notice issued to FBR for a hearing rescheduled for 14th July 2021 in in Appeal No. 242-01/2020, titled "Pervez Said vs. Federal Board of Revenue". The said hearing was on an RTI application dated 17th December, 2019 submitted by PILAP to FBR. This was the ninth hearing notice issued to FBR since the submission of the RTI 19 months ago. Despite FBR's failure to provide the information sought and even failing to appear at hearings summoned by the PIC, to our knowledge no order has been passed in the above-titled appeal. A complete history of the case is reiterated below for your reference:

1. We originally wrote to the FBR under the Right of Access to Information Act, 2017 on 17th December 2019
2. FBR declined to provide the information vide letter dated 26th December 2019
3. PILAP filed an Appeal before the Pakistan Information Commission on 3rd January 2020
4. The Pakistan Information Commission issued a hearing notice to FBR on 14th January 2020, fixing a hearing for 29th January 2020
5. FBR did not appear before the Commission on 29th January 2020
6. The Commission issued a fresh notice to FBR on 11th March 2020, fixing a hearing for 25th March 2020. The FBR was informed that if it did not attend, an ex-parte decision would be taken against it
7. Due to the FBR's failure to attend the hearing yet again, the Commission issued yet another hearing notice to FBR on 21st July 2020, fixing a hearing for 19th August 2020
8. PILAP provided the details of the case to the Commission again and asked for ex-parte orders through our letter Ref: PILAP/HO/2020/363 dated 29th July 2020
9. We again sent a letter dated 3rd September 2020 to your respected office requesting for an update of the hearing and any orders passed on 19th August 2020.

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10. We received a letter dated 1st September 2020 from the Commission informing us of a hearing scheduled for 7th October 2020, accompanied by a hearing notice issued to FBR for the same date
11. PILAP submitted a letter to the Commission requesting for an update of the hearing scheduled for 7th October 2020
12. We received yet another hearing notice dated 20th November 2020 from the Commission whereby the FBR was directed to submit a written reply and arguments within ten days of receipt of the notice, and that failure to respond would result in an Ex-Parte order
13. We wrote yet another letter to the Commission requesting for an update on FBR's written reply and arguments
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15. The Commission sent us a letter dated 21st January 2021 providing information ostensibly supplied by the FBR, which was, in fact, a letter dated 18th January 2021 submitted by our own organisation to the Commission requesting for an ex-parte order in the event of FBR's failure to attend yet again
16. PILAP sent a letter to PIC informing them of the above mentioned fact, and requesting an ex-parte order, as the letter dated 8th January 2021 from your respected office had mentioned passing such an order the event of FBR's failure to appear yet again
17. A hearing was held before the PIC on 25th February 2021, however, no order was passed
18. Our organisation was in receipt of yet another hearing notice issued to FBR, in which a hearing has been scheduled for 10th March 2021
19. We submitted a letter to PIC reiterating our case and requesting an order.
20. Thereafter, we received a letter dated 10th March 2021 informing us of yet another hearing scheduled for 24th March, 2021
21. We submitted a letter to PIC requesting for an update of the case or any orders passed on the hearing of 24th March
22. Your office issued another hearing notice to FBR vide hearing summons dated 19th May, 2021 for a hearing on 2nd June 2021
23. Your office rescheduled the hearing of FBR vide hearing summons dated 24th June, 2021 for a hearing on 14th July 2021.

Under section 20 (1) (e) of the Right of Access to Information Act, 2017 the Pakistan Information Commission has power to "order a public body to disclose information to an applicant or to take such other reasonable measures as it may deem necessary to remedy any failure to implement the provisions of this Act." While section 20 (1) (f) gives the Commission the power to "impose on the official a fine equivalent to his salary for one day, for a maximum of one hundred days, who has acted wilfully to obstruct any activity which is required to be undertaken by this Act, including preventing or delaying the disclosure of information to an applicant." We would, therefore, appreciate a quick disposal and final

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