

Pakistan Information Commission
Government of Pakistan

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In the Pakistan Information Commission, Islamabad

Appeal No E170-10/21

Syed Talha Ali Hamdani

(Appellant)

Vs.

Cabinet Division

(Respondent)

Order

Date: November 9, 2021

Zahid Abdullah: Information Commissioner

A. The Appeal

1. The Appellant filed an appeal, dated October 11, 2021, to the Commission, stating that he submitted an information request to Secretary, Cabinet Division on September 15, 2021 under the Right of Access to Information Act 2017 but did not receive the requested information from the public body.
2. The information sought by the Appellant is as under:-

"I appreciate the launch and working of Citizen Portal but in many cases I received a very strange response To some extent, the response is right in light of nules and regulations but such rules and relations referred me back to court or compelled me to follow routes other than Citizen Portal The purpose of this emel is based on good intention and to make the award process less political, unbiased, and transparent I Citizen Portal My concerns is t am supposed to follow court and other rates then what's the purpose of Citizen Portal i believe in work productivity and de not want to waste my time in following court Katchery, as the judicial system facks trust and competency such rules wed regulations are basically a red tapes that protects Mafia on most case) i brevet in merit and transparency and the same is the motto of the current government and one of the main purposes of the launch of Citizen Portal i steady gave suggestions on Citizen Portal, not to refer the complaint against someone to the same person against whom the complaint is launch For example, this makes no sense to evaluate complaints against me and provides a deciskovsolation by myself. of course, there must be a higher official to inquire about. For example, if I launch and complaint against the Vice-chancellor of a university assistant commissioner of a city, or secretary of cabinet division (comently, the complaint is referred to the same office by Citizen Portal Le vice-chancellor, assistant commissioner and secretary that's the reasoning this ertail in addition to the witting to Citizen Portal 2. Civil Awand Menit List and Transparency Receilly, I asked about the mett and procedures followed during the conferrent of the civil ward (14th August 2021) The cabinet secretary dropped my complaint (15130821-48694690) just saying that it was a service matter and a violation of the chain of command This creates doubts in procedures/systems if a secretary (for example) makes mistake intentionally or unintentionally, is there any cross-checking mechanism7 I referred here to an incident of Hazrat Umar (HA) from Hasate Madina when someone stood up and asked for an explanation for the dress the caliph was

wearing Hazat timar responded in a judicial manner rather than dropping his question. My question that how the procedure of award conterment is made more transparent I had a few reservations as follows for the reason, I am asking inert list and detailed procedure 1. I was nominated by my employer and higher education commission of Pakistan for conterment of the civil award 21 got 69 marks out of 100, after careful consideration 3 Normally the number of engineers and scientists from universities for the award is very low as compared to artists and other professionals. If we include all strategic institutions and universities still it is only 23% of engineers and scientists as a total of cive awards is this year. Additionally, the criteris of evaluation of other professionals are designed poorly and are very open (subjective) to evaluation The criteria of engineering are good, of course can be further improved) but the question is how it is followed 4. The award committee consists of a few Non- Official Advisors, whose opinion may be blased due to hes/their affiliation with the parent organization, as can be seen from the list of awardees 5 Other minor concerns Reference to the above reasons, I feel that I have the right to ask for specific information as requested above. This will also help the government to improve and further streamline the award process A citizen of Pakistan Dr”.

C. Issues

3. The instant appeal has brought to the fore following issue:
 - a. Can the correspondence of the Appellant with the Respondent in the instant appeal be considered as ‘request for information’ under the Right of Access to Information Act 2017, henceforth referred to as the “Act”?
 - b. Commission’s View on Relevant Issues
4. This commission holds that correspondence of the Appellant with the Respondent; Cabinet Division does not constitute ‘request for information’ under Section 11 (3) of the Act which is as under:

“(3) Any written request that identifies the information or record sought in sufficient detail, to enable the public body to locate it and which includes a complete address and contact details for delivery of the information or record shall be treated as request”.
5. The correspondence of the Appellant with the Respondent, Cabinet Division contains suggestions to make Citizens’ Portal more effective and queries of general nature. Furthermore, the Appellant has not sought access to specific records/information, henceforth it cannot be treated as request for information under Section 11 (3) of the Act.

E. Order

6. The Appeal is dismissed as correspondence of the Appellant with the Respondent, Cabinet Division does not constitute ‘request for information’ under Section 11 (3) of the Act.
7. Copies of this order be sent to the Appellant and the Respondent.

Mohammad Azam

Chief Information Commissioner

Fawad Malik

Information Commissioner

Zahid Abdullah

Information Commissioner

Announced on: November 9, 2021

This order consists of 2 (two) pages, each page has been read and signed