



**In the Pakistan Information Commission, Islamabad**  
**Appeal No 2195-09/22**

**Faizan Kirmani**

**(Appellant)**

**Vs.**

**National Accountability Bureau**

**(Respondent)**

**ORDER**

Date: November 04, 2022

Zahid Abdullah: Information Commissioner

**A. The Appeal**

1. The Appellant filed an appeal, dated September 05, 2022 to the Commission, stating that he submitted an information request to the Chairman, National Accountability Bureau on August 01, 2022 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 follows:

*“What rules have been framed in terms Section 33C of NAB Ordinance 1999 in order to pay reward to member of public for rendering commendable services in detection, investigation and prosecution of any offence under NAB Ordinance 1999.”*

**B. Proceedings**

3. The Respondent in response to a notice of this Commission through a letter dated September 16, 2022 submitted response which is as under:  
*“Kindly refer to your letter dated 01.08.2022 on above cited subject. It is informed that reward to informer is being awarded on merit in respect of case to case basis as per Rule 4 (e) of National Accountability Bureau (Recovery Reward) Rules, 2000 which is summarized as under:*  
  
*“Depending upon nature of the case and significance of information provided, the Committee may recommend to the Chairman NAB, an amount to be paid to the informer up to the percentage as contained in the schedule to these rules. If there are more than one informer in a case, the amount of reward shall be shared between the informers on the recommendations of the Committee which shall be based upon nature and value of the information or evidence.”*
4. Response submitted by the public body was shared with the Appellant on October 10, 2022.
5. The appellant on October 18, 2022 submitted rejoinder to the response of the public body which is as under:

*“Although NAB has responded me upon your directions but in the manner which I did not request.”*

6. The appeal was fixed for hearing on November 03, 2022. Mr. Nadeem Khan, Deputy Director, National Accountability Bureau attended the hearing. He submitted before the commission that the requested Rules have not been uploaded on the web site of the NAB.

**C. Issues**

7. The instant appeal has brought to the fore the following issues:
  - (a) Has the Respondent provided the requested information to the Appellant permissible under the Right of Access to Information Act, 2017?
  - (b) Does the web site of the Respondent, National Accountability Bureau, (NAB), contain categories of information mentioned in Section 5 of the Right of Access to Information Act, 2017?

**D Discussion and commission's views on relevant issues:**

8. Responding to the information request of the Appellant pertaining to the "*rules have been framed in terms Section 33C of NAB Ordinance 1999 in order to pay reward to member of public for rendering commendable services in detection, investigation and prosecution of any offence under NAB Ordinance 1999*", the Respondent, NAB submitted that "*reward to informer is being awarded on merit in respect of case to case basis as per Rule 4 (e) of National Accountability Bureau (Recovery Reward) Rules, 2000*".
9. The representative of the Respondent also submitted before this commission that Rule 4 (e) of National Accountability Bureau (Recovery Reward) Rules, 2000 is not published on its web site.
10. This Commission has observed that information of public importance mentioned in Section 5 of the Act is not being published through the web site of federal public bodies. In fact, the Web sites of federal public bodies contain generic information and not specific information as required under Section 5 of the Act. This is despite the fact that Principal Officer of each public body was required to ensure proactive disclosure of information through web site within 6 months of the commencement of the Right of Access to Information Act, 2017.
11. Even a cursory glance at these categories demonstrates that the significance of their proactive disclosure can hardly be exaggerated in terms of improving governance in the country.
12. Under staffing of officers is a perennial problem faced by public bodies. However, this issue does not get public attention it deserves. If a ministry keeps updated diary of its officers on its web site, citizens would know about total number of sanctioned posts and the details about sanctioned posts filled and lying vacant. This critical issue of under-staffing is not going to get public attention if this information is not brought in the public domain through proactive disclosure of directory of officers through web sites.
13. It is common knowledge that citizens face multiple barriers because of the lack of information about services being provided by a public body. For example, if particular sub-section about proactive disclosure of information is implemented, citizens would know about terms and conditions for acquiring any license, permit, consent, approval, grant, allotment or other benefits offered by a ministry.
14. Citizens would be able to know about terms and conditions for all kinds of agreements and contracts that are entered into by a federal public body.
15. Citizens would be able to know about the particulars of the recipients of any concession, permit, license or authorization granted by the public body because it is a legal requirement considering that all such grants are given through taxes of the citizens.
16. Citizens would have greater level of participation in the governance of the country if information about decision making processes of the public body and information about

how citizens can provide their input to the public bodies made available on the web site of the public body, as required under Section 5 of the Act.

17. There is need for improving availability of information in the public domain about the allocation and utilization of public funds by federal public bodies so that citizens could know how their taxes are being put to use. This would only happen when public bodies put Detailed budget of the public body; including proposed and actual expenditures, original or revised revenue targets, actual revenue, receipts, revision in the approved budget and the supplementary budget on their web sites as required under Section 5 of the Act.
18. The implementation of Section 5 of the Right of Access to Information Act 2017 would help citizens exercise their constitutional right of access to information in matters of public importance if federal public bodies put details of the method methods for seeking information from the public bodies.
19. In this connection, each federal public body is legally obligated to put Schedule of costs, developed by Pakistan Information Commission, (available on the commission's web site) for seeking information from federal public bodies on its web site. Furthermore, each federal public body is legally obligated to put name, title, E-mail and telephone number of the Public Information Officer notified under the Right of Access to Information Act 2017 on its website, a crucial piece of information which few public bodies have put on their web sites.
20. Officers have to file information requests and then appeals with commission to get access to enquiry reports conducted against them. Similarly, candidates who apply for government jobs seek information by filing appeals with the commission to get access to information about criterion for jobs and marks allotted to successful candidates to gauge the level of fairness adopted by the public body in the recruitment process. Citizens will not have to go through the trouble of filing information requests and appeals with the commission if each public body ensures that all performance reports, audit reports, evaluation reports, inquiry or investigative reports and other reports that have been finalized are made available on the web sites of the public bodies.
21. This commission is of the view that trust of citizens in public institutions is irrevocably linked with timely and accurate flow of information between citizens and public institutions. However, this would only be possible when Principal Officers of federal public bodies would ensure implementation of the Right of Access to Information Act 2017 in letter and spirit.
22. It is pertinent to mention here that this commission has maintained through its different Orders that the information, proactively published under Section 5 of the Right of Access to Information Act 2017, should be 'accessible' for all citizens, including the blind, low-vision, physically disabled, speech and hearing impaired and people with other disabilities. Apart from the interpretation of 'accessible' in section 5 of the Act, section 15 (5) of the ICT Rights of Persons with Disabilities Act 2020 requires federal public bodies to ensure accessibility of web sites to the special needs of persons with disabilities and it is as under:  
  
"The government shall ensure that all websites hosted by Pakistani website service providers are accessible for persons with disabilities".

#### **E. Order**

23. The Appeal is allowed. The Respondent is directed to ensure that information/records mentioned in Section 5 of the Right of Access to Information Act, 2017, including Rule 4 (e) of National Accountability Bureau (Recovery Reward) Rules, 2000, is published on its web site and submit the compliance report to the commission in the Template for the Compliance Report-Proactive Disclosure of Information under Section 5 of the Right of Access to Information Act 2017'. This template is available under 'Information Desk' category at the web site of the commission [www.rti.gov.pk](http://www.rti.gov.pk). The compliance report be submitted to this commission within 10 working days of the receipt of this Order.
24. The Respondent is directed to ensure accessibility of the information proactively published on its web site under Section 5 of the Right of Access to Information Act 2017 for all

citizens, including the blind, low-vision, physically disabled, speech and hearing impaired and people with other disabilities and submit compliance report to this effect using 'Web accessibility checklist'. This checklist is available under 'Information Desk' category at the web site of the commission [www.rti.gov.pk](http://www.rti.gov.pk). The compliance report be submitted to this commission at the earliest but not later than 10 working days of the receipt of this Order.

25. Copies of this order be sent to the Respondent and the Appellant for information and necessary action.

**Mohammad Azam**  
Chief Information Commissioner

**Zahid Abdullah**  
Information Commissioner

Announced on: November 04, 2022

This order consists of 4 (four) pages, each page has been read and signed.