

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO. 1209-07-2021

Saddia Usman

Versus

Ministry of Religious Affairs & Interfaith Harmony

Fawad Malik: Information Commissioner

A. APPEAL

1. Ms. Saddia Usman invoking her right under the Right of Access to Information Act, 2017 read with Article 19A of the Constitution of Islamic Republic of Pakistan, 1973 has asked for the certain information from the office of the Secretary, Ministry of Religious Affairs and Interfaith Harmony vide application dated 24.05.2021. The detail of the requested information is reproduced here under:

1. *“List of the members of the Central Ruet-e-Hilal Committee along with their designation, appointment date, and details about the perks and privileges of each members of the committee.*

2. *List of the sanction posts of the Central Ruet-e-Hilal Committee along with the details of the vacant posts. (if any)*

3. *Provide copy policy document for the selection of members of Central Ruet-e-Hilal Committee.*

4. *Copy of the minutes of the meeting, notes, and summary for the selection of Moulana Syed Muhammad Abdul Khabir Azad as Chairman of Central Ruet-e-Hilal Committee.*

5. *What is the Tenure of the Chairman of Central Ruet-e-Hilal Committee as per law, and how many times the former Chairman Mufti Muneeb Ur Rehman was given as extensions?*

6. *Details about the expenses occur at each meeting of Central Ruet-e-Hilal Committee for moon sighting?*

7. *Complete Details of the expenditure occurred on meeting of Central Ruet-e-Hilal Committee held for sighting the crescent of Shawal in 2021 and 2020.”*

2. Feeling aggrieved for the non-provision of requested information appeal has been filed before the Pakistan Commission, Islamabad on access to information constituted under the Right of Access to the Information Act, 2017.

B. PROCEEDINGS

3. The Director (R&R), Ministry of Religious Affairs and Interfaith Harmony vide letter dated 6th August, 2021, replied the requested information as follows:

<i>Required Information</i>	<i>Reply by Ministry of Religious Affairs and Interfaith Harmony</i>
<i>1. List of the member of the Central Ruet-e-Hilal Committee along with their designation, appointment date, and details about the perks and privileges of each member of the committee</i>	<i>All members of Central Ruet-e-Hilal Committee including Chairman and performing their assignments/duties on honorary basis. However, each member of Central Ruet-e-Hilal Committee is paid TA/DA, boarding lodging facilities equivalent to as payable to Joint Secretary of the Federal Government (BPS-20) only on the day of meeting. List of members is enclosed.</i>
<i>2. List of the sanction posts of the Central Ruet-e-Hilal Committee along with the details of the vacant posts (if any)</i>	<i>According to resolution passed by the National Assembly in 1974, the strength of member of Central Ruet-e-Hilal Committee is nine (09).</i>
<i>3. Provide copy policy document for the selection of members of the Central Ruet-e-Hilal Committee.</i>	<i>Copy of Resolution is enclosed.</i>
<i>4. Copy of the minutes of the meeting, notes, and summary for the selection of Moulana Syed Muhammad Abdul Khabir Azad as Chairman of Central Ruet-e-Hilal Committee.</i>	<i>Copy of the Notification is enclosed.</i>
<i>5. What is the tenure of the Chairman of Central Ruet-e-Hilal Committee as per law, and how many times the former Chairman Mufti Muneeb ur Rehman was given as extension?</i>	<i>According to function of Ruet-e-Hilal Committee, the tenure of the Chairman is three years. Mufti Muneeb ur Rehman initially was appointed in 2001 lateron he was reappointed in 2012.</i>
<i>6. Details about the expenses occur at each meeting of Central Ruet-e-Hilal Committee for moon sighting?</i>	<i>All members of Central Ruet-e-Hilal Committee including Chairman are performing their assignments/duties on honorary basis. However, each member of Central Ruet-e-Hilal Committee is paid TA/DA, boarding lodging facilities equivalent to as payable to Joint Secretary of Federal Government (BPS-20) along with Rs. 5,000/- as conveyance/mobile charges only for the day of the meeting which is held on four specific months i.e. Muharram, Ramzan, Eid-ul-Fitr and Fid-ul-Azha.</i>
<i>7. Complete Details of the expenditure occurred on meeting of Central Ruet-e-Hilal Committee held for sighting the crescent of Shawal in 2021 and 2020.</i>	<i>Shawal – 2020 /- Shawal – 2021 Rs.458,285/-</i>

4. The appellant terming information incomplete filed the rejoinder dated 7th September, 2021 before the Commission. The points of dissatisfaction raised in the rejoinder are reproduced as under:

“The information provided by public body is incomplete. Following information has not been provided.

- 1. List of the members of the Central Ruet-e-Hilal Committee.*
- 2. Copy of the minutes of meeting, notes and summary for the selection of Central Ruet-e-Hilal Committee.*
- 3. Details about the expenses occur on each meeting of central Ruet-e-Hilal Committee for moon sighting?*
- 4. To a question regarding complete of the expenditure occurred on meeting of Central Ruet-e-Hilal committee held for sighting the crescent of Shawal in 2021 and 2020. The department has only provided the total amount, but did not share the expenses details.”*

5. The letter of Dissatisfaction is answered by the respondent as follows:

“The requisite documents have been declared as classified by the Federal Minister for Religious Affairs and Interfaith Harmony under Section 7(f) of the Right of Access to Information Act, 2017.”

6. The Commission requisitioned the letter through which the minutes of meeting, notes and summaries were classified. The letter was produced before the Commission in camera proceedings on 27-10-2021.

C. COMMISSION’S VIEW

7. The appellant in her request has desired the information pertaining to the members of Central Ruet-e-Hilal Committee, their designation, date of appointment and details about their perks and privileges. She has further desired the list of the sanctioned posts, policy documents for the selection of the members, minutes and meeting, notes and summary for selection of Moulana Syed Muhammad Abdul Khabir Azad, Chairman of Central Ruet-e-Hilal Committee and particulars about his tenure, expenditure and information incidental thereto.
8. The respondent public body has provided the requested information to the appellant excluding the minutes of meeting, notes and summary for the selection of Moulana Syed Muhammad Abdul Khabir Azad as Chairman of Ruet-e-Hilal Committee. The documents which are denied the access have been declared as classified by the Federal Ministry for the Religious Affairs & Interfaith Harmony under section 7(f) of the Act. The document for the

classification of the said record was produced before the Commission in camera proceedings. The members of the Commission unanimously decided that the minutes of the meeting, notes and summary for the selection of Moulana Syed Muhammad Abdul Khabir Azad as Chairman of Ruet-e-Hilal Committee are duly classified for sufficient reasons.

D. ORDER

9. The appeal is not allowed to the extent of the minutes of the meeting, notes and summary for selection of the Moulana Syed Muhammad Abdul Khabir Azad as Chairman of Central Ruet-e-Hilal Committee. The rest of the information/record/document has already been made available to appellant. The appeal is disposed of.

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner
Announced on 28.4.2022

Certified that this order consists of 04 pages, each page has been read and signed.