

**Pakistan Information Commission  
Government of Pakistan**

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  @PkInfoComm



**In the Pakistan Information Commission, Islamabad**

**Appeal No 2005-06/22**

**Faisal Munir**

**(Appellant)**

Vs.

**Ministry of Science and Technology**

**(Respondent)**

**ORDER**

**Date:** October 06, 2022

Zahid Abdullah: Information Commissioner

**A. The Appeal**

1. The Appellant filed an appeal, dated June 23, 2022 to the Secretary, Public Information Officer (PIO) Ministry of Science and Technology on May 12, 2022 under the Right of Access to Information Act 2017 but did not receive any response from the public body.

2. The information sought by the Appellant is as follows:

“As you know that the right to information is a fundamental right of every citizen under Article 19-A of the Constitution of Islamic Republic of Pakistan and the Right of Access to Information Act, 2017.

Therefore, in exercise of my right to information, I would like to request following information in a duly certified manner.

- i. Please provide a certified copy of indicative budget ceiling separately for current and development expenditures for FY 2022-23 as communicated to PAO of this ministry by the Finance Division.

You are requested to process my information request within 10 working days, as in section 14 of RAI Act, 2017.”

## **B. Proceedings**

3 Hearing on the instant Appeal was fixed for September 29, 2022 vide letter dated September 14, 2022. Nobody appeared on the behalf of the Respondent.

## **C. Issues**

4 The instant appeal has brought to the fore the following issues:

- (a) Has the Respondent followed the procedure enunciated in the Act, 2017 for responding to the information request?
- (b) Can the requested information pertaining to the indicative budget ceiling separately for current and development expenditures for FY 2022-23 as communicated to PAO of this ministry by the Finance Division be disclosed under the provisions of the Right of Access to Information Act, 2017, henceforth referred to as the “2017 Act”?

## **D Discussion and commission’s views on relevant issues:**

5 In the instant Appeal, the record on the file shows that the Respondent demonstrated utter disregard to the provisions of the Act, 2017.

6 In the instant appeal, the Respondent failed to provide written acknowledgement of the request for information filed by the citizen as required under Section 10 (1) of the Act.

7 The Respondent also failed in following the procedure enunciated in the Act for acceptance and refusal of request for information laid down in Section 13 (2) of the Act.

8 The Respondent also failed in adhering to the timeline for responding to the information requests as required under Section 14 (1) and (2) of the Act as the PIO did not respond to the information request at all.

9 The Respondent failed to respond to notices of the commission and also failed to attend the hearing.

10 Such crucial budgetary information as total budget proposed, budget allocated for a financial year, budget released and budget actually spent should be available on the web site of the federal public bodies to ensure public participation so that citizens could provide informed input into entire budget making process as well as its utilization.

11 The requested information pertaining to the indicative budget ceiling separately for current and development expenditures for FY 2022-23 as communicated to PAO of the Respondent by the Finance Divisionshould have been available on the web site of the Respondent had Section 5 (1) (g) of the Act been implemented by the Respondent which is as under:

“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;”

12 Such is the significance of proactive disclosure of information that the Respondent would have only been required to guide the Appellant to the link where the requested information was

available on the web site if the Respondent had implemented Section 5 of the Act. It would have saved time and resources of both the commission and those of the Respondent.

13 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.

14 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**

15 *The Appeal is allowed. The Respondent is directed to upload on its web site and provide the Appellant as well the requested information at the earliest but not later than 7 working days of the receipt of this Order, with intimation to this office.*

16 The Respondent is directed to take immediate steps to proactively share through the web site all categories of information mentioned in Section 5 of the Right of Access to Information Act 2017 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.

17 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.

18 *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: October 07, 2022

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