

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO. 313-06-2020

Mukhtar Ahmad Ali

Vs

Islamabad Model College for Boys, F-10/4, Islamabad

Fawad Malik: Information Commissioner

Date: 17.8.2020

APPEAL:

1. The brief facts of the appeal are that Mr. Mukhtar Ahmad Ali filed an information request to the Principal of the Islamabad Model College for Boys, F-10/4, Islamabad invoking his fundamental right under Article 19.A of the Constitution of Pakistan and statutory right under the Right of Access to Information Act 2017, vide letter No. CPDI/Inforeq/RTI/2019/230 dated 29.11.2019. It was specifically mentioned therein that the Principal being the Principal Officer within the meanings of section 9 of the Act may decide it of his own or otherwise may be transferred to the designated officer, if so appointed. He has asked for the provision of the information within the stipulated period provided in the section 14 of the Act.

The detail of the information/ record sought is as under;

- 1) *Total number of classes in your college as well as total number of students (including class and gender wise break-down);*
- 2) *Total number of teaching staff including subject, gender and grade/ scale wise break-down.*
- 3) *Total number of non-teaching staff including positions held and gender and grade /scale wise break-down;*
- 4) *Copies of the detailed budget documents for the FY 2018-19 and FY 2019-20 including head-wise budget allocations;*
- 5) *Copies of expenditure statements against the government's allocated budget for the FY2018-19 and first quarter of the FY 2019-20;*
- 6) *Detailed information about the college fund that is maintained through fees, contributions by students or other means including;*
 - *Total amount of funds available with the college on November 01, 2019;*

- *Amounts under various heads (head-wise) that students of various classes are expected to contribute every month;*
 - *Copies of the rules, regulations or guidelines that allow and regulate collection of fee or contributions under various heads from students and others as well as expenditures out of college fund; and*
 - *Copies of latest audit report of college fund i.e. if such an audit is carried out.*
2. The request remained unheeded hence the appellant preferred to file appeal before the Commission on 11.2.2020, complaining the non-provision of the information within the stipulated period provided in the Act.

PROCEEDINGS:

3. The Commission vide letter dated 18.2.2020 directed the public body to provide reasons in writing within seven days of the receipt of the notice as to why the requested information has not been provided to the applicant as under section 14 of the Right of Access to Information Act 2017, each federal public body is bound to respond to a request as soon as possible and in any case within ten days of the receipt of the request.
4. The notice was not replied nor the written reply was submitted therefore the appeal was set down for hearing before the Commission on 18.3.2020 and both the appellant as well as the respondent were informed accordingly through notices dated 3.3.2020.
5. Mr. Rana Mohammad Nazeer, Director Co- ordination along with Naveed Anjum DD(C&O) Federal Directorate of Education appeared before the Commission at the time of hearing to represent the respondent. Mr. Naveed Anjum submitted the written reply, undertaking to the effect that the required information will be provided to the appellant once the college gets open after the control of the pandemic Corona virus out-break.

COMMISSION'S VIEW:

6. The bare reading of the requested information reveals that it is category of the information which ought to have been duly published including the uploading over the internet, by the principal officer of each public body within six months of the commencement of the Act, as required under section 5 of the Act.

7. Transparency is the wisdom behind the enactment of the RTI Act 2017. The reporting in the newspaper DAWN on 13.8.2020 has specifically highlighted the reforms initiative introduced to improve quality of education in the 423 schools and colleges in Islamabad under the control of the Federal Directorate of Education because the quality of education at these institutions has declined significantly in the last 20 years or so. This is sufficient for the citizens to raise the eyebrows and to ask for the information in the public interest invoking their fundamental right guaranteed in article 19.A of the Constitution of Pakistan 1973.
8. The respondent has failed to respond and process the information request as required under section 13 of the Act.

ORDER:

9. The appeal is allowed. The principal, Islamabad Model College for Boys is directed to provide the appellant, certified copies of the requested information forthwith but in any case not later than five days of the receipt of this order. The Principal is further directed to upload the category of information mentioned in section 5 of the Act on the website of the public body.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

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