

Pakistan Information Commission
Government Of Pakistan
Order
Appeal No: 3775-07/2024
Dr. Abher Rasheed
VS
National Textile University (NUT)

Order:
Ijaz Hassan Awan

October 9, 2024

Mr. Salman Saif, Registrar assisted by Mohkam Bajwa Advocate associate of Saad Rasool Advocate appeared on behalf of the public body and power of attorney has been furnished by the associate of Saad Rasool Advocate along with written reply of the rejoinder filed by the appellant.

2. The public body earlier vide letter dated 12-08-24 furnished the information along with certified copies of the relevant document which was shared with the appellant who vide email dated 27-08-24 filed objections thereover informing that incomplete information has been provided to him. He stated that he has not been provided CV and relevant documents of the candidates and recommendation and evaluation result of the selection committee based on which Mr. Salman Saif was hired as Registrar.
3. In the written reply of the rejoinder public body has submitted that CV of the candidates has already been provided of all the candidates however since no detail of the relevant documents has been mentioned by the appellant in his information request and rejoinder therefore it cannot be provided. It is further added that said record also relates to the personal privacy of the candidate and is protected from disclosure under section 7 (g) of the Right of Access to Information Act, 2017. It is further added that recommendation and evaluation by the selection committee is protected under section 7 (c) and 16 (i) (iii) of the Right of Access to Information Act, 2017, hence cannot be provided.
4. The Commission has heard the arguments of the associate advocate, perused the record, and relevant law on the subject.

5. As far as the CV of the candidates is concerned, it has already been provided by the public body, available on pages 31 to 39 of the annexed documents, and it stands shared with the appellant. However, the relevant documents related to the CV have not been defined by the appellant as required under Section 11 of the Right of Access to Information Act, 2017. Therefore, the objection of the public body in this regard is sustained.
6. Regarding recommendations and evaluation results by the selection committee, learned counsel appearing on behalf of the public body has placed reliance on Sections 6(d), 7(c), and 16(i)(iii) of the Right of Access to Information Act, 2017. Reliance is also placed on case law reported as 2024 YLR 929.
7. Section 6 defines public record, and subsection (d) of said section provides that final orders and decisions, including decisions related to members of the public, shall be treated as public record. Section 7(c) excludes certain documents from the public record, and subsection (d) of Section 7 mentions that any intermediary opinion or recommendation is subject to the final decision by the public body, meaning thereby that interim decisions or recommendations shall not be disclosed until a final decision is made by the public body. Similar view is also endorsed by the IHC in the above-cited judgment in paragraph 9, where it has been observed that under *Section 7 of the Act, protection is afforded to minutes of the meeting of any public body subject to a final decision in the matter.*
8. As far as Section 16(i)(iii) is concerned, it provides that information may be exempt if its disclosure is likely to undermine the deliberation in a public body by inhibiting the provision of advice or exchange of views.
9. Learned counsel for the public body explained that the recommendations of the selection committee are recorded based on the views of each member of the committee, and said views cannot be disclosed as their disclosure would be harmful to the members of the committee who may have expressed adverse opinions against any candidate. To this extent, the Commission agrees that the names of the members of the committee should not be disclosed, but this does not mean that the candidate who seeks to know the criteria of the recommendations and views expressed by the committee in relation to him should be denied this information. Therefore, the Commission concludes that the gist of the recommendations/evaluation of the selection committee for the

post of registrar should be disclosed, omitting the names of the members of the selection committee.

10. In view of the above, the public body is directed to share the recommendations/evaluation of the candidates recorded by the selection committee, except disclosure of the members' names. This information should be furnished by the Vice Chancellor, National Textile University before the next date of hearing.
11. A copy of the order shall be sent to both parties. Adjourned to 29-10-2024

Announced on: October 09, 2024.

Certified that this order consists of 3 (three) pages, each page has been dictated, read, corrected and signed.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmed Siddiqui
Chief Information Commissioner