

**Pakistan Information Commission**

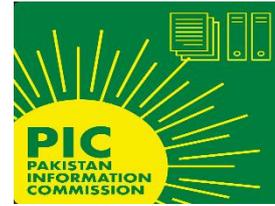
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**In Pakistan Information Commission**

**APPEAL NO. 378-06/2020**

Faisal Manzoor

Vs

Ministry of Science and Technology

**ORDER:**

Date: July 21, 2020

**Zahid Abdullah: Information Commissioner**

**A. The Appeal**

1. The Appellant filed an appeal, dated May 20, 2020, to the Commission, stating that he Submitted an information request to the Secretary, Ministry of Science and Technology, Islamabad dated April 28, 2020 under the Right of Access to Information Act 2017.

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

1. *“Certified copy of BO/NIS forms for Development budget for FY 2020-21 submitted to Finance Division by this ministry.”*

**B. Proceedings**

3. Through a notice dated June 16, 2020, the Commission called upon the Respondent to submit reasons for not providing the requested information within 7 working days.

4. The Respondent through a letter vide No. 6(150)/2020-AO(DB) dated 14<sup>th</sup> July 2020 submitted the photocopies of the requested information to this commission.

**C. Discussion and Commission’s View on Relevant Issues**

5. The question before this commission is as under:  
What steps have been taken by the Respondent to implement the Right of Access to Information Act 2017, henceforth referred to as Act?

6. This commission has observed that, at times, public bodies do not provide requested information to the citizens when they file request for information under the Act. However, when the commission seeks response from the public bodies for not

providing the requested information, public bodies share the requested information with the commission instead of providing to the applicants.

7. This commission is not a post office which collects information from public bodies and hands it over to the appellants. As in the instant appeal, the Respondent should have directly sent the information to the Appellant with intimation to the commission.
8. This commission has also observed that the information which should have been on the web sites of the public bodies as required under sections 5 and 8 of the Act, is sent to the commission for onward sharing with the appellant. As in the instant appeal, the requested information should 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;”.
9. 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.
10. Each federal public body was obligated to designate Public Information Officer, (PIO) within thirty days of the commencement of the Act. The commission notes with concern that the Respondent has not designated Public Information Officer, (PIO) as required under Section 9 of the Act to ensure that the Respondent public body carries out its legal obligations under the Act. The complete text of Section 9 of the Act is reproduced here:  
“**Designated Official**-- Each public body shall, within thirty days of the commencement of this Act, notify one or more designated officials, not below the rank of an officer in BPS -19 or equivalent;  
Provided that where no designated official has been notified or he is absent or not available, principal officer of the public body shall be the designated official:  
Provided further that in case of non- government organization, it may designate a senior officer as per its organizational structure”.
11. The Respondent is also required to publish on its web site, name, designation and contact details of designated Public Information Officer, (PIO) as required under Section 5 (1) (h) of the Act which is as under:  
  
“The methods whereby information in the possession or control of the public body may be obtained and the prescribed fee required along with the name, title and contact details of the designated officials;”.
12. This commission expects the Respondent being the Ministry of Science and Technology to be a trailblazer for other federal public bodies in ensuring proactive disclosure of information to facilitate citizens’ constitutional right of access to information in matters of public importance.

## **D. Order**

13. Appeal is allowed. The Respondent is directed to share the information with the Appellant with intimation to the commission within 7 working days of the receipt of this Order.
14. The Respondent is directed to designate Public Information Officer as required under Section 9 of the Act, put contact details on its web site as required under Section 5 (1) (h) of the Act and submit notification to this effect to this commission within 10 working days of the receipt of this Order.
15. 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 Act and submit the compliance report to the commission by 22/08/2020.
16. Copies of this order be sent to Secretary, Ministry of Science and Technology and the Appellant for information and necessary action.

Mohammad Azam  
Chief Information Commissioner

Fawad Malik  
Information Commissioner

Zahid Abdullah  
Information Commissioner

Announced on:  
July 22, 2020

This order consists of 3 (three) pages, each page has been read and signed