

**Pakistan Information Commission**

1<sup>st</sup> Floor, National Arcade, 4-A Plaza

F-8 Markaz, Islamabad

Website: [www.rti.gov.pk](http://www.rti.gov.pk)

Phone: 051-9261014

Email: [appeals@rti.gov.pk](mailto:appeals@rti.gov.pk)

[rti@rti.gov.pk](mailto:rti@rti.gov.pk)



**In Pakistan Information Commission**

**Appeal No-471-08/2020**

**Pervez Said (Appellant)**

**Vs**

**Metropolitan Corporation of Islamabad (Respondent)**

**ORDER**

Date: October 16, 2020

**Mohammad Azam:** Chief Information Commissioner

**A. The Appeal**

1. The Appellant filed an appeal with the commission on 04/08/2020 in which he stated that he had requested information from Metropolitan Corporation of Islamabad, under the Right of Access to Information Act 2017.
2. The information sought by the Complainant, through application dated 10/07/2020, is as under:
  - i. “What measures, if any, have been taken or are planned to be taken by MCI to ensure equal treatment amongst all its employees, including its sanitary workers, particularly with regard to provision of PPE equipment as protection against the Covid-19 Virus?
  - ii. What is the reasoning behind the non-provision of PPE equipment, thus far to all sanitary workers in Islamabad, whether employed by MCI or private contractors?”

## **B. Proceedings**

3. Through a notice dated 11/08/2020 sent to the Metropolitan Corporation of Islamabad, the Commission called upon the Respondent to submit reasons for not providing the requested information.
4. The Respondent failed to respond to this notice hence through a hearing notice dated 02/10/2020 they were directed to appear before this Commission on the 13/10/2020.
5. No one appeared before the Commission on behalf of the Respondent

## **C. Discussion and Commission's View on Relevant Issues**

6. The key questions before the Commission are following:
  - a) "Whether the requested information belongs to the category of information that should be accessible to public?"
  - b) Has the Respondent taken any steps for the implementation of the Right of Access to Information Act 2017?
  - c) Whether the Appeal is maintainable against the Metropolitan Corporation of Islamabad?"
7. The Appellant has raised a very vital question regarding the safety of the, Sanitary workers who are on the forefront in fighting the fatal corona virus.
8. After reading through the requested information it can be concluded that it belongs to the category of information that the Public Body must actively disclose through its website, the information falls under Section 5 (1) (a) and (h) of the Act.
9. No Public Information Officer has been appointed by the Public Body to date, even though they were bound to do so within 30 days of the commencement of this Act, under Section 9 of the Right of Access to information act 2017.
10. This is a display of utter negligence on behalf of the Public Body who failed to even respond to the information request of the Appellant, breaching Section 12 of the Act and consequently violating Section 13 which contains the procedure for the acceptance and refusal of information requests.
11. The Sanitary worker's lives are at highest risk during this global pandemic, this information could have played a vital role in identifying and solving the issues related to any negligence towards the provision of protective equipment to the sanitary workers.

12. The Public Bodies are meant to aid citizens as much as possible and not create hurdles for them.
13. The Public Body must comply with the provision of Right of Access to Information Act 2107 and Article 19-A of the Constitution.

**D. Order**

14. The appeal is allowed. The Respondent is directed to provide the requested information to the Appellant, as per his request at the earliest, but in any case, not later than 10 working days of the receipt of this order. Furthermore, 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 by 20/11/2020.
15. Respondent is directed to notify Public Information Officer under Section 9 of the Act, put contact details on their web site as required under Section 5 (1) (h) of the Act and submit compliance report to the commission within 10 working days of the receipt of this order.
16. Copies of this order being sent to the respondent and the appellant for information and necessary action.



**Mohammad Azam**  
Chief Information Commissioner



**Fawad Malik**  
Information Commissioner

**Zahid Abdullah**  
Information Commissioner

Announced on:  
October 20, 2020

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