

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO.693-11-2020

Taimoor Khan
Vs
National Assembly Secretariat

Dated: 3.3.2021

Fawad Malik: Information Commissioner

A. APPEAL.

1. Mr. Taimoor Khan, invoking the Right of Access to Information Act, 2017 has filed his appeal dated 27.10.2020 before the Pakistan Information Commission stating therein that he visited the website of the National Assembly, indeed the notes of the speeches are available on the website, but to find out the speech of any particular member, one has to search the speeches of all sessions of the Assembly. He further alleges that the speeches are not categorized constituency wise therefore the information is not available in accessible form as required under the Right of Access to Information Act 2017.
2. The appellant in the public interest, through his application dated 3.8.2020, has requested the following information from the office of the Deputy Secretary/Public Information Officer of the National Assembly Secretariat, Islamabad.
 - i. *Mujahid Ali – is a member of the National Assembly of Pakistan from NA-11 (old) and current NA-20 Mardan – for his second consecutive term. I need transcripts of all his speeches made in the National Assembly from the date of his election in 2013 to date.*
 - ii. *Amir Haider Khan – is a member of the National Assembly of Pakistan from NA-09 (old) and current NA-21 Mardan – for his second consecutive term. I need transcripts of all his speeches made in the National Assembly from the date of his election in 2013 to date.*
3. The Deputy Secretary, National Assembly Secretariat responded to the request of the appellant vide letter dated 12.8,2020, as follows:-

“You are hereby informed that requested information is available at the official website of National Assembly of Pakistan i.e. www.na.gov.pk in the “House Debates” Section.”

B. PROCEEDINGS:

4. On the intervention of the Commission the Secretary, National Assembly Secretariat filed the written reply which reads as follows:-
 1. *“That the record relating to the debates of the Honourable Members is available on the website of the National i.e. www.na.gov.pk.*
 2. *The appellant may search desired record following the path mentioned below:*
 - (1) *Click icon “House Debates” on the front page of the website.*
 - (2) *Click “More”*
 - (3) *Select “Tenure”*
 - (4) *Select “Parliamentary Year”*

(5) Select “**Session**”

(6) Select “**date**”.

3. *That the debates of the Honourable Members are available since 14th August, 1947 i.e. first session of the Constituent Assembly.*
 4. *That the record has already been categorized as explained in the proceeding para.*
 5. *That further categorization of such a huge record spanning over 74 years is not feasible and a researcher has to search required record from the website.*
 6. *That the website of the National Assembly contains plethora of record regarding Questions; Acts & Bills; Resolutions; House Debates; committees’ agenda and reports; and other publications and such record has been maintained/indexed as per the best parliamentary practices.*
 7. *That the National Assembly Secretariat has a well-established Record Room supervised by a BS-18 officer and sufficient allied staff. The record is maintained in accordance with relevant provisions of the Secretariat Instructions.*
5. The reply and information through letter dated 13.01.2021 was shared with the appellant but he through his letter dated 08.01.2021, addressed to the Commission conveyed his dissatisfaction with the information. The relevant part is reproduced as under;
- It is stated that the requested information will be available on the website however, my stance is that the information is not accessible form and the department in his response admitted this fact.*
- If a common citizen doesn’t know in which session of National Assembly his elected representative has made speech or raised any question, he has to read all the proceeding of the complete parliamentary year.*
6. Mr. Usman Ali, Deputy Secretary appeared before the Commission to represent the National Assembly Secretariat on 3.3.2020 i.e. date of hearing. He apprised the Commission that the objection of the appellant is not correct. In fact the debates of the members are available on the official website since 14th August, 1947 i.e. from the very first session of the Constituent Assembly. The record is categorised and is being updated periodically on daily basis. He has also provided the route to search out any particular speech, in the written reply.

C. COMMISSION’S VIEW.

7. The appellant has requested the transcripts of the speeches made in the National Assembly from 2013 to date, by the members of the Assembly namely Mujahid Ali and Amir Haider Khan elected from NA-20 & NA-21 Mardan respectively.
8. The designated officer has promptly responded to the request and informed the appellant that the desired information is available in generally accessible form at the official website of the National Assembly of Pakistan in the “House Debates” section. He has also provided the link i.e. www.na.gov.pk as required under section 13(2)(b)(ii) of the Act.
9. The appellant feeling not pleased has appealed against the response of the public body alleging therein that indeed the notes of the speeches are available on the provided link, but to find out speech of any particular member, one has to search the speeches of all sessions of the National Assembly. He has further alleged that the speeches are not categorized constituency wise therefore is not in accessible form as required under the Act.
10. After going through the response and the written reply filed by the public body the Commission is of the considered view that the respondent has promptly and validly informed the applicant regarding the availability of the information in generally accessible form as required under the Act. Later through the written reply the public body has in a more elaborated manner informed the appellant the route that can be followed for the search of the desired speeches. It has been apprised that the debates of the Members of the Assembly right from 14th August, 1947 i.e. the first session of the Constituent Assembly, are available to the access

of the public at large and that the record is being maintained in accordance with the relevant provisions of the Secretariat Instructions.

11. The term “accessible form” although is not defined in the Right of Access to Information Act, 2017 but still the “accessible form”, while dealing with the matters related to the right of access to information would be considered and include all forms that cover all category of people present in a society, including the disable and handicapped persons. The public bodies while posting the record on the website must keep in mind the access for all categories of the citizens.

D. ORDER.

12. The appeal is not allowed. The designated officer of the National Assembly is directed to make sure that the record posted on the official website of the Assembly is in accessible form for all categories of citizens, including the blind, low-vision, speech and hearing impaired and the persons with any other disability.

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner
Announced on 9.3.2021

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