

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO. 971-04-2021

Tariq Jamal

Versus

Model Customs Collectorate (E & C)

Date: 26.7.2021

Fawad Malik: Information Commissioner.

A. APPEAL.

1. Mr. Tariq Jamal filed an appeal before the Pakistan Information Commission under the Right of Access to Information act, 2017 alleging therein the non-provision of the information by the Model Customs Collectorate (Enforcement & Compliance), Federal Board of Revenue, Peshawar. He being a candidate for the post of sepoy in pursuance to the advertisement by FBR has requested the following information/record through his application dated 17.3.2021 addressed to the Collector:

1. *Merit Criteria and Merit Calculation Formula for the above post.*
2. *Copy physical Test result for the above result.*
3. *Final Consolidated Merit List having Physical Test marks, interview marks.*
4. *Interview attendance sheet of interview for the above post.*
5. *Educational and Domiciles certificates of the selected candidates.*
6. *Appointment/Office Orders of the Selected Candidates.*
7. *Name and designation of the Recruitment Committee members and minutes of meeting regarding the above post.*

B. PROCEEDINGS.

2. The notice of the Commission was replied vide letter dated 28.4.2021 by the Additional Collector HQ, Peshawar as under:

“It is stated that over seventeen (17) thousand applicants appeared for physical test against the vacant posts of Sepoy advertised by FBR for MCC (E&C) and MCC (A&F), Peshawar. In wake of 3rd wave of COVID-19 the working strength of staff has been decreased up to 50% in the light of Federal Government directives. Furthermore, the Incharge HQ Admin Branch has also been tested positive for COVID-19 and went into quarantine for 15 days. The record required by the applicant is being gathered and may take some more time. The same shall be provided to the applicant as soon as possible.”

C. COMMISSION’S VIEW.

3. The organization has not disputed the sharing of requested information in the response nor has pleaded the exemption of record in the light of the Act rather requested more time for gathering the record through letter dated 28.4.2021.
4. Mr. Ehsan Ellahi, S.O appeared before the Commission on behalf of the Federal Board of Revenue at the time of hearing of appeal on 14.7.2021. He has not provided the information/record. The appeal cannot be kept pending for indefinite period.
5. Transparency in the working of the government departments is the essence for the enactment of the Act, 2017. Its spirit is to ensure that the people of the Islamic Republic of Pakistan have access to the records held by the federal public bodies for making the government accountable to the people. This practice would improve the participation of the people in the public affairs aimed at reducing nepotism, corruption and inefficiency in the governance.

D. ORDER.

6. The appeal is allowed. The Collector, Model Customs Collectorate (Enforcement & Compliance), Federal Board of Revenue, Peshawar is

directed to provide the appellant the requested information forthwith but not later than seven days of the receipt of this order.

He is further directed to implement section 5 of the Right of Access to Information Act, 2017 within one month of the receipt of this order under intimation to the Commission.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on 26.7.2021

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