

**Pakistan Information Commission**  
**Government of Pakistan**

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**In the Pakistan Information Commission, Islamabad**

**Appeal No 991-04/21**

**Nadeem Umer**

**(Appellant)**

Vs.

**Directorate General Civil Defence**

**(Respondent)**

**Order**

**Date:** August 10-, 2021

**Mohammad Azam:** Chief Information Commissioner

**A. The Appeal**

1. The Appellant filed an appeal through email on April 07, 2021, to the Commission, stating that he Submitted an information request to Director General, Directorate General Civil Defence dated March 16, 2021 under the Right of Access to Information Act 2017 but did not receive the requested information from the public body.
2. The appeal filed by the Appellant is as under:
  1. *“Please provide the following details about Mr. Afzaal Haroon, bahadar Khan Kundi and Mr. Tahir Shah,*

| <i>Appointment Date</i> | <i>Designation</i> | <i>Current Charge/Serving As?</i> | <i>Additional Charge (if any)</i> | <i>Highest Qualification</i> | <i>Year</i> | <i>Board/Institute</i> | <i>Roll Number</i> | <i>Degree/certificate is attested/verified from the relevant board?</i> |
|-------------------------|--------------------|-----------------------------------|-----------------------------------|------------------------------|-------------|------------------------|--------------------|---|
|                         |                    |                                   |                                   |                              |             |                        |                    |   |
|                         |                    |                                   |                                   |                              |             |                        |                    |   |

2. *When Mr. Zaman (Instructor BS 16), Miss Shumaila (Steno Typist BS 14) and Miss Tehreem Rashid (BS 14) were appointed, please provide the copy of the newspaper of each advertisement against which these officials was hired, along with the following information,*
  - Total number of the applicants for each post.*
  - List of the short-listed candidates for each post along with their qualification, experience and details of additional certification (if any).*
  - Copy of the selection criteria for each post.*
  - Written and Interview Marks of each short-listed candidate for each post.*
  - Date of birth of each short-listed candidate for each post.*
  - Did the department verified the degrees / certificates of these officials from the relevant board / Higher Education Commission.*
  - Please provide the roll number, program name (degree), university/college/board name, passing year of the selected candidates.*

3. *Whether it is a fact that the cadre of the following employees is changed?*
  - a. *Mr. Imran Javed (from Admin Office BS 16 to Platoon Commander)*
  - b. *Mr. Waqas (from Demonstrator BS 4 to Section Leader BS 9)*
  - c. *Mr. Mubashar (from Dispatch Rider to LDC)*
  - d. *Mr. Shahaab (from Dirver to LDC)*

*Please provide the notification, approval(s), copy relevant rules / policy on which cadre is changed of the above-mentioned employees. ”*

## **B. Proceedings**

3. This commission through a notice dated April 15, 2021 sent to Director General, Directorate General Civil Defence called upon the Respondent to submit reasons for not providing the requested information.
4. Through another notice dated May 21, 2021, the Respondent was directed to submit written arguments before June 04, 2021, otherwise the appeal will be decided Ex-Partee in the light of the record available on the file and the Right of Access to Information Act 2017.
5. The Appeal was fixed for hearing on July 13, 2021 and both parties were informed through notices sent on June 18, 2021.
6. Mr. Muhammad Muzaffar Siddique, Deputy Director, Civil Defence attended the meeting and requested for time to provide the requested information to the civil. The hearing was adjourned for August 03, 2021.
7. The Appeal was again fixed for hearing on August 03, 2021. Mr. Tariq Jawad Qazi, Director, Civil Defence attended the hearing and informed that commission that Director General Civil Defence is not willing to provide the requested information.

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

8. The commission has to decide that whether the information requested by the citizens falls within the ambit of the public record and whether the public body has responded or not to the information request and notices of the commission within time limit mentioned in the Right of Access to Information Act, 2017, hereafter referred as Act.
9. The information requested by the appellant is declared as public record in section 5 (e) of the right of Access to Information act 2017 and the public bodies are bound to ensure that all such categories of the information and record defined in Section 5 of the Act are duly published including uploading over the internet or in a manner which best ensures that these are accessible to the public.
10. The citizen has the right to get this information / document about the qualification and experience of the government employees. Disclosure of such information will reduce the trust gap between the public bodies and the citizens.
11. Disclosure of this information will also improve the check and balance on the performance of the public bodies and by practicing Right to Information laws the citizen will able to make the public bodies accountable for their performance.
12. This commission has passed orders on several cases of similar nature in which public bodies have been directed to provide all the details about the recruitment process. As such kind of information comes under public record and will help to bring transparency and accountability of the government officials.
13. According to Section 9 of the Act, 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; but the Respondent has not so far nominated any official to deal with the information request of the citizen.

14. According to Section 19 (d) of the Act, this commission is bound to make sure the all information determined in Section 5 of the Act available on the website of the public bodies. In this regard, the Pakistan Information Commission has developed a template to ensure proactive disclosure of information. The template is available on the website of this commission i.e. [www.rti.gov.pk](http://www.rti.gov.pk)
15. If directions of the commission in this Order are not followed, it will be left with no option but to invoke Section 20 (f) of the Right of Access to Information Act 2017.

#### **D. Order**

16. The appeal is allowed. The Director General, Directorate of Civil Defence is directed to provide the information requested in Para 2 with intimation to this office, at the earliest, but in any case, not later than 10 working days of the receipt of this Order.
17. The public body is also 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 August 07, 2021.
18. The Respondent is also directed to designate Public Information Officer as required under Section 9 of the Act and upload its notification along with the name, designation and contact details on its website as required under Section 5 (1) (b) and (h) of the Act and submit compliance report to the commission within 10 working days of the receipt of this order.
19. Copies of this order be sent to the Director General, Directorate General Civil Defence and the Appellant for information and necessary action.

**Mohammad Azam**

Chief Information Commissioner

**Fawad Malik**

Information Commissioner

**Zahid Abdullah**

Information Commissioner

Announced on:  
August 10, 2021

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