



In the Pakistan Information Commission, Islamabad

Appeal No E328-09/2022

Sajid Ur Rahman

(Appellant)

Vs.

Printing Corporation of Pakistan

(Respondent)

ORDER

Date: November 01, 2022

Mohammad Azam: Chief Information Commissioner

A. The Appeal

1. This commission has received an appeal from Mr. Sajid Ur Rahman dated September 03, 2022, through online appeal management system, stating that he submitted an information request dated August 26, 2022 under the Right of Access to Information Act 2017 to the Manager, Printing Corporation of Pakistan. The Respondent public body has not responded to his information request as required under section 13 of the Right of Access to Information Act, 2017. Therefore, the appellant has filed his appeal to the Commission.
2. The information sought by the Appellant is as under:

“It is requested to provide Gazette Notification No. F 1(2)/2022-Estt-II dated the 23rd February, 2022 issued by the Election Commission of Pakistan addressed to the Manager, Printing Corporation of Pakistan Press Islamabad in terms of Article 19(a) of the Constitution of Islamic Republic of Pakistan read with Section 3, 11 and 14 of the Right of Access to Information Act, 2017. For facility of reference, a copy of the said notification is enclosed herewith.”

B. Proceedings

3. Through a notice dated September 13, 2022, sent to Managing Director, Printing Corporation of Pakistan, the Commission stated that “Under Section 14 of the Right of Access to Information Act 2017, each federal public body is bound to respond to a request as soon as possible and in any case within ten working days of receipt of the request. You are directed to provide reasons in writing within 7 working days of the receipt of this notice as to why the requested information has not been provided to the applicant, (copy of the information request and appeal thereon enclosed)”.
4. The appeal was fixed for hearing on October 25, 2022 and both parties were informed through notices sent on October 18, 2022.

5. Mr. Hameed Akhtar, Deputy Manager, Printing Corporation of Pakistan and the appellant attended the hearing and provide a copy of the requested notification to the appellant. The appellant expressed his satisfaction.

C. Discussion and Commission's View on Relevant Issues

6. The commission has to decide:

The question for the consideration of the commission is that whether the Respondent has provided complete information to the appellant? And whether the public body has fulfilled its duties as defined in the Right of Access to Information Act, 2017 hereafter referred as Act?

7. The Respondent has provided the requested document to the appellant and he is satisfied with the response of the public body. However, the Respondent is also bound to fulfill its duties mentioned in Section 5 and Section 9 of the Act.
8. The fact that the citizens are forced to exercise the Right of Access to Information Act 2017 and have to wait for many months even for the information that should be available on the websites of the public bodies demonstrates that public bodies have not carried out steps for the proactive disclosure of information as required under Section 5 of the Act, 2017.
9. 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.
10. This Commission maintains that the information proactively published under Section 5 of the Right of Access to Information Act 2017 should be 'accessible' for all citizens, including the blind, low-vision, physically disabled, speech and hearing impaired and people with other disabilities. Apart from the interpretation of 'accessible' in section 5 of the Act, section 15 (5) of the ICT Rights of Persons with Disabilities Act 2020 requires federal public bodies to ensure accessibility of web sites to the special needs of persons with disabilities and it is as under:

"The government shall ensure that all websites hosted by Pakistani website service providers are accessible for persons with disabilities".

D. Order

11. The appeal is disposed of to the extent of the provision of the information to the appellant.
12. Director General, Printing Corporation of Pakistan 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 in the Template for the Compliance Report-Proactive Disclosure of Information under Section 5 of the Right of Access to Information Act 2017'. This template is available under 'Information Desk' category at the web site of the commission

www.rti.gov.pk. The compliance report be submitted to this commission within 30 days of the receipt of this Order.

13. The Respondent is also directed to notify Public Information Officer, (PIO), under Section 9 of the Act, put contact details of PIO on its 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.
14. Copies of this order be sent to Director General, Printing Corporation of Pakistan and the Appellant for information and necessary action.

Mohammad Azam
Chief Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on: November 01, 2022

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