

**Pakistan Information Commission**

**Government of Pakistan**

**Order**

**Appeal No:3494-02/24**

**Nadeem Umer**

**Vs.**

**Islamabad Healthcare Regulatory Authority**

**Order:**

**Ijaz Hassan Awan**

Date; May 23, 2024

Appellant not present. Muhammad Ismail Habib, Law Officer, IHRA appearing on behalf of the respondent/public body.

2. The appellant vide his information request addressed to the public body dated 14-02-2024 has required the following information,

“In July 2021, Zahoor Ahmed – a resident of Gujjar Khan Rawalpindi – lodged a complaint to the IHRA stating that his 26-year old son died due to the negligence and mistreatment of doctors at Quaid-e-Azam International Hospital. According to media reports, an inquiry was initiated into the complaint of above mentioned citizen. Please provide following information in this regards,

1. Current status of the above-mentioned complaint.
2. Copy of the inquiry report conducted on the above-mentioned complaint.”
3. Since, the required information was not provided by the public body to the appellant therefore he filed this appeal.
4. On filing the appeal notice was issued to the public body and in response to the said notice, the respondent/public body put an appearance through law officer.
5. On the last date of hearing, the public body furnished written reply which was shared with the appellant vide letter dated 14-05-24 under UMS No. 60982335. Although the appellant has not responded to this sharing letter but the Commission has examined the information request of the appellant and written reply of the public body and relevant law on the subject. The appellant in his information request address to the public body

has required the current status of a complaint filed by Zahoor Ahmed – a resident of Gujjar Khan Rawalpindi in respect of his 26-year-old son's death which occurred due to alleged negligence and mistreatment of doctors at Quaid-e-Azam International Hospital, Rawalpindi and copy of the inquiry report conducted on the said complaint.

3. The public body has taken plea that the required information is related to personal treatment for an individual and falls under the category of exemption from disclosure under section 7 (h) of the Right of Access to Information Act, 2017.

4. The law officer appearing on behalf of the public body has submitted that the required information/inquiry report is a confidential document and enjoys exemption under section 7 (h) of the Right of Access to Information Act, 2017 but the Commission does not agree with the plea of the public body. Under section 5 of the Right of Access to Information Act, 2017 the principal officer of each public body shall, within six months of the commencement of this Act, ensure that the following categories of information and records are duly published including uploading over the internet or in a manner which best ensures that these are accessible subject to reasonable restrictions based on limited resources. Under section 5 (i) of the Right of Access to Information Act, 2017 reports including performance reports, audit reports, evaluation reports, **inquiry or investigative reports** and other reports that have been finalized are to be proactively uploaded/published by the public body on its website. The inquiry, in this case, is in respect of the death of a 26-year-old son of Zahoor Ahmed was admitted in Quaid-e-Azam International Hospital and about his death was due to alleged negligence and mistreatment of doctors has occurred and the father of the deceased filed complaint against the concerned doctors upon which inquiry is conducted and finalized therefore certified copy of the said inquiry to be shared with the appellant as per his information request under the law.

5. The said document does not fall within the category of exemption provided under section 7 and 16 of the Right of Access to Information Act, 2017 and is to be proactively published/uploaded on the website of the public body therefore plea of the public body seeking exemption from disclosure is turned down.
6. The matter relates to the precious life of a young citizen of Pakistan who would otherwise have been an asset for his family and the country. It is highly essential that matters relating to public health and

life are dealt with full care, consciousness and diligence be taken to task by the concerned agencies. This order is approved for reporting in the press in the best public interest.

7. The Chief Executive Officer, Islamabad Healthcare Regulatory Authority is directed to furnish certified copies of the required information to the appellant and the Commission within 10 days.
8. Adjourned for submission of compliance/implementation report on 16-06-2024.

Announced on: May 23, 2024

Certified that this order consists of 3 (three) pages, each page has been dictated, read, corrected and signed.

**Ijaz Hassan Awan**

Information Commissioner

**Shoaib Ahmed Siddiqui**

Chief Information Commissioner