

Pakistan Information Commission

Government Of Pakistan

Order

Appeal No: 3865-07/2024

Shoaib Rehman

VS

Senate of Pakistan

October 22, 2024

Appellant present in person. Muhammad Javed Iqbal, Deputy Director, Senate Secretariat appeared on behalf of the public body.

2. The representative of the public body has furnished written reply vide letter dated 26-09-24. It is submitted that in terms of the order passed by the Chairman, Senate under Rule 52 of the Rules of Procedure and Conduct of Business in Senate 2012 read with section 7 (f) of the Right of Access to Information Act, 2017, the record required by the appellant has been declared classified hence cannot be shared with the appellant. It is further added that this Commission in an identical appeal titled "Muhammad Sajid vs Senate Secretariat" in its order dated 10-09-24 has endorsed the classification of the said record. In addition to the written reply, certified copy of the notification of the Chairman, Senate about the classification of the said record has been produced containing a note that the order about classification was approved by the Chairman, Senate vide approval dated 28-12-2019. The Commission has examined the relevant provision of section 7 (f) of the Right of Access to Information Act, 2017 wherein it is provided that nothing contained in section 6 shall apply to the records declared as classified by the Minister-in-charge of the Federal Government.

3. As far as reasoning required under the proviso of section 7 (f) that has been mentioned in the noting as well as in the order of the Chairman, Senate therefore, the information/record required by the appellant in the information request and appeal having been classified under section 7 (f) of the Right of Access to Information Act, 2017 cannot be shared with the appellant. The appeal stands disposed of. Copy of the order be shared with the appellant.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission

Government Of Pakistan

Order

Appeal No: 3820-08/2024

Shaban Malik

VS

Oil and Gas Development Company Limited (OGDCL)

October 22, 2024 Abdul Basit Advocate appeared on behalf of the public body.

2. The public body furnished the required information which was shared with the appellant vide letter dated 16-09-24 but no objection has been received from the appellant. It appears that the appellant is satisfied with the response of the public body. No further proceedings are required. The appeal stands disposed of.
3. Copy of the order be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission

Government Of Pakistan

Order

Appeal No: 3885-08/2024

Malik Amaar Ali

VS

Prime Minister's Office

October 22, 2024

None appeared on behalf of the public body. The commission has examined the contents of the information request and memorandum of appeal and found that the information has been addressed to the Secretary to the PM whereas the matters pertains to the Ministry of Commerce, therefore, this appeal is not maintainable however the appellants may seek the said information from the Ministry of Commerce by filing a fresh information request and If he is not provided the same, he may file a fresh appeal before this Commission. Copy of the order be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission

Government Of Pakistan

Order

Appeal No: 3892-08/2024

Iqbal Ahmed

VS

Drug Regulatory Authority of Pakistan (DRAP)

October 22, 2024 Rabnawaz Khan, Assistant Director, DRAP appeared on behalf of the public body.

2. The public body vide letter dated 23-09-24 informed that DRAP initiated the recruitment process through the Education Testing Counsel (ETO) of the Higher Education Commission, which was challenged before the Honorable Balochistan High Court, Quetta for non-observance of regional/ provincial special quotas. The recruitment process was on hold due to stay orders issued by the Honorable Balochistan High Court. Later on, the Policy Board of DRAP approved amendments in DRAP Employees Service Regulations, 2015 to observe regional/ provincial specific quotas in the employment of DRAP as per government instructions and directed to cancel the said recruitment process and initiate fresh recruitment. The Honorable Balochistan High Court vide order dated 27th August 2024 has directed to expedite the appointment process with full observance of provincial quota. Accordingly, the recruitment process has been withdrawn vide public notice published in Daily The News International Islamabad dated 02nd September 2024 and fresh recruitment process will be initiated after finalizing the quota roster of vacant posts in DRAP.
3. Copy of written reply was shared with the appellant who has acknowledged its receipt and filed objection vide email dated 28-09-24 agitating that the information provided is incomplete

and does not address several key aspects mentioned now at Serail No 1 to 8.

4. The Commission has examined the original information request, reply furnished by the public body and objections of the appellant. The queries mentioned in the original information request and the documents required therein cannot be provided as the process of recruitment has since been canceled and now fresh recruitment is to be made. As far as the information now required by the appellant in his rejoinder is concerned, none of the said information is contained in the original information request of the appellant so, the information request sought in the rejoinder beyond the scope of the original request cannot be entertained. Therefore the appeal stands disposed of. Copy of the order be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission

Government Of Pakistan

Order

Appeal No: 3930-09/2024

Boota Imtiaz

VS

Faisalabad Electric Supply Company (FESCO)

October 22, 2024

None appeared on behalf of the public body. The information furnished by the public body was shared with the appellant vide letter dated 19-09-24 containing answers of the queries of the appellant which was shared with the appellant vide letter dated 25-09-24 under RGL No. 139878727 but no objection has been received from the appellant. It appears that the appellant is satisfied with the response of the public body. No further proceedings are required. The appeal stands disposed of.

2. Copy of the order be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission
Government Of Pakistan
Order
Appeal No: 3826-08/2024
Muhammad Shafique Mughal
VS
Election Commission of Pakistan (ECP)

October 22, 2024 Muhammad Bilal, LDC, ECP appeared on behalf of the public body.

2. Information furnished by the public body was shared with the appellant vide letter dated 12-09-2024 under RGL No. 139878390 but no response has been received. It appears that the appellant is satisfied with the response of the public body. No further proceedings are required. The appeal stands disposed of.

3. Copy of the order be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission
Government Of Pakistan
Order
Appeal No: 3726-06/24
Ali Soomro
VS
Pharmacy Council of Pakistan

October 22, 2024 Muhammad Fahad, Assistant Director (Admin), PCP appeared on behalf of the public body.

2. The public body has furnished written reply vide letter dated 07-08-24 replying to the queries of the appellant mentioned at serial No. 1, 2 6 and 7 of the information request whereas about queries No. 3 to 5, it was submitted that it is not relevant with the said department. Said written reply was shared with the appellant who has acknowledged its receipt and raised certain objections which are taken up one by one.
3. About query No. 1, the public body submitted that qualification criteria for category-A is mentioned in Pharmacy Act 1967. Section 2 (f) of the said Act states that "Pharmacist" means a person who is registered under section 24 in Register "A" or Register "B". Copy of the Pharmacy Act, 1967 was also annexed with the written reply. The Commission has gone through the provision of Section 25 of the Act which laid down the criteria/registration of a Pharmacist and it addresses query No. 1 of the appellant therefore the objection of the appellant about that is turned down.
4. As far as Query No. 2 is concerned, the public body answered that form-D 5-year course was introduced in 2005 as per SRO 740(1) 2005 dated 25-07-2005 and prior to that 4-year course program was operative till 2008 and the last batch was recognized till 2008. The written reply of query No. 2 completely addresses the said query and objection raised by the appellant in his rejoinder is invalid.
5. Similarly, answers to query 6 have been found appropriate.
6. About the remaining queries it has been categorically mentioned in the written reply by the public body that said queries do not relate to the public body and if the appellant believes that said reply is false or incorrect he may approach for taking action against the public body under the law. In view of above, the appeal stands disposed of. Copy of the order be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission
Government Of Pakistan
Order
Appeal No: 3951-09/2024
Farooq Dawood
VS
Ministry of Interprovincial Coordination

October 22, 2024

None appeared on behalf of the public body.

2. Information furnished by the public body was shared with the appellant vide letter dated 24-09-2024 under RGL No. 139878657 but no response has been received from the appellant. It appears that the appellant is satisfied with the response of the public body. No further proceedings are required. The appeal stands disposed of.
3. Copy of the order be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner