

Pakistan Information Commission
Government Of Pakistan
Order

Appeal No: 3801-07/2024

Dr. Atta Ullah

Vs.

Ministry of Housing and Works

September 11, 2024

None appeared on behalf of the respondent however, the public body vide letter dated 16-08-24 addressed to the Commission and copy to the appellant has furnished the required information, which was further shared with the appellant vide letter dated 26-08-2024 under RGL No. 139877578 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.

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: 3647-05/2024

Muhammad Nauman Ul Haq

Vs.

National Database and Registration Authority (NADRA)

September 11, 2024

Salman Yousaf, Assistant Director, NADRA appeared on behalf of the public body.

2. After receiving the first notice on filing this appeal, NADRA / public body furnished written reply vide letter dated 11-06-24 along with copies of the advertisement etc. The Commission shared the said information with the appellant and in response to the sharing notice the appellant raised number of objections over the shared information and requested to take action against the public body under section 20 (f) of the Right of Access to Information Act, 2017. Copy of the rejoinder was handed over to the representative of the public body on 10-07-24. The public body furnished written reply of the said rejoinder vide letter dated 22-08-24 along with certified copies of the relevant record which was again shared with the appellant who acknowledged its receipt but again raised various objections alleging that the response is inadequate, erroneous and misleading. He also made prayer to initiate proceedings against the PIO and NADRA authorities who destroyed the record required by the appellant under query No. b, c, d and f of the RTI application dated 30-04-24.
3. The Commission has examined the information request of the appellant, memorandum of the appeal, written replies furnished by the public body after service of first notice and sharing the rejoinder of the appellant. The contents of the latest rejoinder dated 11-09-24 filed by the appellant have also been gone through. As far as query No. A is concerned, the appellant has shown satisfaction over the shared information. About query No. B of the information, it has been submitted that the reply furnished by the public body is not justified as the earliest call in question occurred on April 12, 2024 and at that time the period of one month had not lapsed and 12 days were remaining therefore, alleging the record of earlier call was destroyed by the public body intentionally. The representative of the public body has submitted that NADRA received the first notice of hearing from the Commission on 06-06-2024 vide diary No. Misc. 06 whereas the information request of the appellant dated 30-04-24 was not received in NADRA office. The Commission has examined the record, although the appellant has annexed an email dated 30-04-2024 sent to the public body however, the public body in its written reply has denied the receipt of the said email. In view of the above, the record was destroyed by the public body within one month

prior to the receipt of the first notice of the appeal hence, the allegation of the destruction of the record within one month is not established.

4. About query No. C, the public body in written reply submitted that the relevant information/rules and regulations etc are available on the website of NADRA. The appellant has objected that although the information is available on the website of NADRA but it lacks clarity on the selection criteria, weightage for qualification and skills. In this regard, the Commission observes that if any deficiency is noted by the appellant, it should be intimated to the public body and the public body shall clarify it on its website. This is the spirit of the Right to Information.

5. About Para D of the information request, the public body has furnished copy of an explanation/warning served to the concerned employee and he has been transferred to some other department. The appellant has show dissatisfaction over the said information and he has demanded copy of the transfer order. He has further stated that in compliance of regulations 34 (2) (d) warning should be placed in AAR Dossier of the concerned officer but no such record was provided in this regard. When copy of the warning has been shared with the appellant about action against the delegant officer, now demanding further records about warning letter and its placement in AAR Dossier, is beyond the scope of the RTI application of the appellant. As far as, the remaining objections of the appellant mentioned in his rejoinder from E to F are concerned, same has not been found tenable, as such no penal action is required against the public body as it has already shared the required information according to RTI application of the appellant. In view of the above, no further proceedings are required. 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: 3769-07/2024

Azhar Hussain

Vs

Securities and Exchange Commission of Pakistan (SECP)

September 11, 2024

Ms. Fatima Shabbir, SVP, SECP appeared on behalf of the public body.

2. On the last date of hearing, the public body while furnishing written reply clarify that SECP does not maintain electronic records of companies by its tenure or number of employees as referred in order 21-08-24 hence no data could be provided. The Commission specifically asked the Special Prosecutor as to whether it is in the domain of SECP being regulator to collect all the data from the registered private companies as required by the appellant and today it has been submitted that in earlier companies' regulations, no such provision was existing but now after amendment in companies regulations, SECP is authorized to collect such data and now onwards the record shall be maintained by SECP in such like cases. Accordingly, when the information required by the appellant before amendment in the regulation was neither maintained by SECP nor is available or held by the public body, no order can be passed for sharing the said information however it is encouraging to note that the regulator has adopted regulations to have more details about registered companies. This strengthens the spirit mentioned in the preamble of our Act. The Commission would expect that the Chairman, SECP completes the record in accordance with new regulations within 3 months which is a reasonable period for compliance of the order. The appeal is disposed of accordingly. The Registrar office is directed to put up this file before the Commission after laps of 3 months in order to know as to whether the SECP complied with the directions of the Commission or otherwise. It is expected that the SECP shall intimate the Commission about the action taken within this period.
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: 3715-07/2024

Arshad Hussain

Vs

National Energy Efficiency and Conservation Authority (NEECA)

September 11, 2024

None appeared on behalf of the public body.

2. The public body vide letter dated 22-08-24 filed written reply along with certified copies of the relevant documents which were shared with the appellant vide letter dated 23-08-24 under RGL No. 139877911 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: 3822-08/2024

Naeem Khan Ghouri

Vs

Oil and Gas Development Company Limited (OGDCL)

September 11, 2024

- Abdul Basit Adovcate appeared on behalf of the public body.
2. Written reply has been furnished by the public body which was received in the Registrar office on 06-09-24. Said reply contains answers all the queries of the appellant along with schedule of the oil field. Let written reply along with its enclosure (Schedule of oil field) be shared with the appellant. Since answers furnished by the public body of the queries of the appellant have been found appropriate after sharing the same, no further proceedings are required. 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: 3696-06/2024

Saddia Mazhar

Vs

Oil and Gas Development Company Limited (OGDCL)

September 11, 2024

Abdul Basit Advocate appeared on behalf of the public body.

2. The public body vide letter dated 11-07-24 furnished written reply along with relevant documents pertaining to the required document which was shared to the appellant who acknowledged its receipt but showed dissatisfaction stating that she had just been sent only policy document which was not asked for. The Commission after examining the written reply and certified copies of the relevant documents found that the public body had not only furnished the policy document but also answered all the queries of the appellant in an appropriate manner covering the queries of appellant, however it was observed that perhaps the Registrar Office while sharing the information with the appellant, might have not attached some of the documents with the sharing letter, therefore, it was ordered to send the appellant, all the documents which have been sent through sharing letter dated 23-08-24. The appellant though has again acknowledged the receipt of the said documents but again agitated the same stance that she had only been provided the policy document and nothing else. The Commission has examined the information request, written reply furnished by the public body and rejoinder filed by the appellant and found that answer of all queries of the appellant have been appropriately given by the public body, therefore no further actions is needed. 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: 3726-06/2024

Ali Soomro

Vs

Pharmacy Council of Pakistan

September 11, 2024

Fazal Hadi Advocate appeared on behalf of the public body.

2. Reply of rejoinder of the appellant has not been furnished and another adjournment is sought, which is granted.
3. Adjourned to 15-10-2024

Ijaz Hassan Awan

Information Commissioner

Shoaib Ahmad Siddiqui

Chief Information Commissioner

Pakistan Information Commission

Government Of Pakistan

Order

Appeal No: 3811-08/2024

Faisal Khan Durrani

Vs

Pakistan Agriculture Storage and Services Corporation (PASSCO)

September 11, 2024

Nasir Saeed Khan, Manager, PASSCO appeared on behalf of the public body.

2. The public body vide letter dated 16-08-24 furnished written reply along with copies of the relevant documents which was shared with the appellant on 26-08-24 under RGL No. 139877676 but no response has been received in spite of laps of more than 15 days. 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: 3827-08/2024

Shahbaz Akmal Jandran

Vs

Ministry of Interprovincial Coordination

September 11, 2024

Non appeared on behalf of the public body.

2. The public body vide letter dated 16-08-24 informed that the subject information pertains to the Pakistan Cricket Board and the Prime Minister in terms of Rule 3 of Rules of Business 1973 has been pleased to transfer the administrative control of PCB from the Ministry of Interprovincial Coordination to the Cabinet Division, therefore, Cabinet Division should be approached for having the required information.
3. The Commission shared copy of the said written reply with the appellants on 26-08-24 under RGL No. 139877678 but no response has been received.
4. In view of the above the appellants may approach the Cabinet Division for having the required information. The appeal stands disposed of as above.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission

Government Of Pakistan

Order

Appeal No: 3761-07/2024

Mukhtiar Ahmad Khan

Vs

Pakistan Post

September 11, 2024

Fazal Karim, Deputy DGM, Pakistan Post appeared on behalf of the public body.

2. Written reply has been filed by the public body taking plea that the information sought by the appellant does not come within the purview of a matter of public importance as inscribed in Article 19 A of the Constitution of Pakistan and explained by the Supreme Court of Pakistan in citation 2023 PLD 661 titled as Qazi Faiz Esa vs President of Pakistan. The Commission has examined the contents of information request and appeal. Apart from the objections filed by the public body the Commission has noted that the appellant has filed an information request and the appeal as Chairman, Shoni Dharti Youth Council Hyderabad where as under section 11 of the Right of Access to Information Act, 2017, it is provided that any citizen of Pakistan in his individual capacity may make a request to the public body through the designated officer, therefore, the appeal in hand is not maintainable which is dismissed however the appellant may file fresh information request in an individual capacity to the public body concerned and if the required information is not provided he may file a fresh appeal. 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