

-Pakistan Information Commission



1st Floor, National Arcade, 4-A Plaza

F-8 Markaz, Islamabad

Website: www.rti.gov.pk

Phone: 051-9261014

Email: appeals@rti.gov.pk

  @PkInfoComm



Appeal NO-528-08/2020

Usman Fahim

(Appellant)

Vs.

Peshawar Electric Supply Company

(Respondent)

ORDER

Date: November 10, 2020

Mohammad Azam: Chief Information Commissioner

A. The Appeal

1. The Appellant filed an appeal with the commission on 27/08/2020 in which he stated that he had requested information from Peshawar Electric Supply Company under the Right of Access to Information Act 2017.
2. The information sought by the Complainant, through application dated 29/07/2020, is as under:
“I appeared for the test of Junior Engineer conducted by CTS. My roll No. was 1408662 and as per the result displayed on the website of the CTS I secured 60 marks. I was later on contacted telephonically for the verification of my educational credentials which were also shared with them. So far I have not been called for interview.

It is therefore requested that I may be apprised of the latest position of the recruitment process and may also be provided with the aggregate merit with the aggregate merit list as well as the recruitment criteria being followed along with the quota wise merit list.”

B. Proceedings

3. Through a notice dated 27/08/2020, the Commission called upon the Respondent to submit reasons for not providing the requested information.
4. The Respondent did not respond to the notice and the hearing date was fixed for 06/10/2020 through the hearing notice sent on 23/09/2020 and both parties were informed accordingly.
5. No one appeared on behalf of the Respondent on the date of hearing on 06/10/2020.

C. Discussion and Commission's View on Relevant Issues

6. The Appellant is demanding the disclosure of information related to the recruitment process and the merit list, in the test conducted for the post of Junior Engineer.
7. The perusal of the information shows that it falls under Section 5 (1) (d) and (e), of the Act. The Public Bodies are bound to disclose such information on their website. Furthermore, the requested information is public record under Section 6(d) of the Act.
8. The Respondent has failed to appoint a Public Information Officer violating Section 9 and consequently Section 10 as well, which lays down the function of a designated official.
9. No response was given by the public body to the information request of the citizen and the notices of the Commission, hence violating Section 12, 13 and 14 of the Act.
10. It can be seen that the Public Body has not taken any steps for the implementation of the Right of Access to Information Act 2017.
11. This Act was enacted in order to ensure smoother, greater and more effective access to information and provide a framework for effectuating the Right to Information under the Article 19-A of the constitution.
12. The Commission is of the view that the requested information must be provided to the Appellant as it is his fundamental right and failure is a blatant violation of law.

D. Order

13. The appeal is allowed. The Respondent is directed to provide the requested information to the Appellant, with intimation to this office, at the earliest, but in any case, not later than 10 working days of the receipt of this Order.
14. Respondent is directed to notify Public Information Officers, (PIOs), under Section 9 of the Act, put their contact details on their 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.

15. Respondent 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 26/11/2020.
16. Copies of this order be sent to the Respondent and the Appellant for information and necessary action.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on:
November 10, 2020

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