

Pakistan Information Commission

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Appeal NO-325-02/2020

Moonus Kayinat Zahra

(Appellant)

Vs.

Maj. (Retd) Syed Muhammad Ali
Deputy Secretary (Admn)
Ministry of Interior

(Respondent)

ORDER

Date: September 21, 2020

Mohammad Azam: Chief Information Commissioner

A. The Appeal

1. The Appellant filed an appeal with the commission on 18/02/2020 in which he stated that he had requested information from Ministry of Interior under the Right of Access to Information Act 2017.
2. The information sought by the Complainant, through application dated 30/01/2020, is as under
 - I. "Please share a certified copy of Ministry's policy regarding the working of INGOs and NGOs in Pakistan.
 - II. How many International Non- Government Organizations (INGOs) have been banned in Pakistan since January 2018 till date? Please provide a list with name, date of banning and reason against each INGO?
 - III. How many Non- Government Organizations (NGOs) have been banned in Pakistan since January 2018 till date? Please provide a list with name, date of banning and reason against each NGO?
 - IV. How many INGOs are in appeal process?
 - V. How many NGOs are in appeal process?
 - VI. How many appeals of INGOs accepted or rejected till date, please provide a list?
 - VII. How many appeals of NGOs accepted or rejected till date, please provide a list?
 - VIII. Please provide the particulars of any officer designated as Public Information Officers under Section () in the Ministry of Interior."

B. Proceedings

3. Through a notice dated 20/02/2020, 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 15/09/2020 through the hearing notice sent on 01/09/2020 and both parties were informed accordingly.
5. No one appeared on behalf of the Respondent on the date of hearing on 15/09/2020.

C. Discussion and Commission's View on Relevant Issues

6. The Appellant in his request has desired the number of local and International NGOs that have been banned in Pakistan, since January 2018 to date. How many of these are facing appeal process and the number of appeals accepted or rejected till date. The Appellant has further inquired the particulars of designated Public Information Officer, notified by the Ministry of Interior
7. The Commission is of the view that the NGOs and INGOs fall under the definition of Public Bodies under Section 2 (iv) (h) which is as under:
"a non-governmental organisation which directly or indirectly receives or has received public funds, subsidy, tax exemption, piece of land or any other benefit involving public funds and any other non-governmental organisation or body registered under any law for the time being in force;
Hence giving the Commission complete power to adjudicate on the matter and provide aid the provision of requested information, which is"
8. The sort of information mentioned from (I) to (VIII) in the application is the sort of information that is encompassed within the definition of public record that ought to have been shared proactively by the PIO of each Public Body within 6 months of the commencement of this act.
9. The perusal of the requested information shows that it falls under Section 5 (1) (c), (h), 6 (a), (c) and (d) of the Act.
10. Section 10 (1) of the Act fixes responsibility on the designated Public Information Officer, (PIO) to ensure that "requests are dealt with promoting full compliance by the public body of its obligation under this Act".
11. It can be seen that the Respondent has failed to apply Section 12 and, the procedure laid down for acceptance and refusal of a request under Section 13 (1) & (2) of the Right of Access to Information Act 2017, as the respondent has not provided the requested information to the Appellant.
12. The respondent has failed to provide the requested information to citizen within a maximum of 20 working days of the receipt of the information request and thus failed to implement Section 14 (1) and (2) of the Right of Access to Information Act 2017.
13. This Commission notes with great concern the fact that multiple notices have been served to the public body but to no avail.

14. If directions of the commission in this Order are not followed, it will be left with no option but to invoke Section 20 (f) of the Right of Access to Information Act 2017.

D. Order

15. The appeal is allowed. The Respondent is directed to provide the requested information to the Appellant, as per his request at the earliest, but in any case, not later than 10 working days of the receipt of this order. Furthermore, the Respondent 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 by 2/11/2020.
16. Respondent is directed to put the contact details of the designated Public Information Officer 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.
17. Copies of this order being 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:
October 2, 2020

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



Pakistan Information Commission
Government of Pakistan
Islamabad