

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO. 550-9-2020

Dr. Arfa Zahra Ijaz

Vs

Federal Postgraduate Medical Institute, Lahore

Date: 2.2.2021

Fawad Malik: Information Commissioner.

A. APPEAL.

1. Dr. Arfa Zahra Ijaz feeling aggrieved with reference to admission in FCPS-II on the basis of nepotism and against the merit has sought the details and basis for the selection of candidates for the said program and has asked for making the merit list public, by filing appeal before the Pakistan Information Commission invoking her right under Right of Access to Information Act 2017.
2. Through her application the appellant has requested the following information;
  - *Criteria for in selection of candidates FPGMI, Sheikh Zayed Hospital, Lahore. (Session 2020) July-August.*
  - *Merit List of shortlisted candidates for interview in the department of Nephrology (FCPS-II), in FPGMI, Sheikh Zayed Hospital, Lahore. (Session 2020) July-August.*

B. PROCEEDINGS.

3. On the intervention of the Commission the Deputy Dean, Federal Postgraduate Medical Institute has provided the following information and record to the appellant;
  - i. Proforma for calculation of merit.
  - ii. Merit list of applicants who applied for FCPS-II Nephrology.
  - iii. Merit list of shortlisted candidates and
  - iv. Criteria for selection of candidates;
    - a) Marks for publication were awarded to those candidates whose research articles were published in the PMDC, HEC approved journals or journal indexed in the PubMed. Dr. Arfa Zahra Ijaz publications did not meet the criteria. It is pertinent to mention that there are certain online journals/sites which published fake and irrelevant articles on payment, thereby usurping the rights of candidates who had genuine research articles.
    - b) The selected candidate, namely Dr. Hooria Shafique, applied through the same advertisement for the “Change of Supervisor” and shortlisted/selected purely on merit following due process and rules in a transparent manner

against single available training slot. She had secured more marks for shortlisting than Dr. Arfa Zahra Ijaz (applicant).

4. The appellant through her letter dated 26.12.2020 has requested the Commission to look into the matter while complaining that the information provided clearly mention that only three candidates were called for interview but it should be noted that the selected candidate (Dr. Hooria Shafique) was not even in the top three candidates.

C. COMMISSION'S VIEW.

5. The appellant in her request has demanded the merit list of shortlisted candidates for interview and criteria for selection of candidates in FCPS-II program in FPGMI, Sheikh Zayed Hospital, Lahore for the session 2020. All the requested information and record detailed in para 3 has been provided by the public body to the satisfaction of the appellant. The appellant has also acknowledged the effective provision of the information.
6. The subsequent application filed by the appellant with the request to look into the matter as she is not satisfied with the selection process cannot be entertained by the Commission. This Commission is established to ensure that the people of the country have improved access to the record and information held by the public authorities to promote the participation of the people in public affairs and to ensure upholding of transparency and good governance in the working of the government. Probe and inquiry against the public body or surfacing the irregularities or malpractices in the working of the government does not fall under the domain of this forum therefore if any irregularity is committed in the selection or short listing of candidates in FPGMI, Sheikh Zayed Hospital, this Commission does not hold any powers to penetrate into, nor is it built-in in the functions of the Commission. Be that as it may but the expectations of the appellant to the extent of interference of the Commission in the irregularities are beyond the scope of the Commission. This Commission is constituted under the Right of Access to Information Act 2017, to facilitate the citizens to have access to the public record that however may be instrumental and useful to surface any irregularity or malpractice in the working system of the public body. . If the appellant has any objection or is not satisfied with the process or criteria for the selection of candidate, she may approach the Board of Governors of the institute, the relevant forum, if so advised, but this Commission is only meant for the provision of the information and record subject to reasonable restrictions mentioned in the Act.
7. Transparency in the working of the government departments is the essence for the enactment of the Act 2017. Its spirit is to ensure that the people of the Islamic Republic of Pakistan have access to the records held by the federal public bodies for making the government accountable to the people. This practice would improve the participation of the people in the public affairs aimed at reducing corruption and inefficiency in the governance.
8. It is mandatory for the public bodies to publish including uploading over the internet and computerization for the voluntary disclosure of the categories of record and information mentioned in section 5, within six months of the commencement of the Act.

9. The Commission has noticed that the respondent public body has not notified the designated officer as mandated in section 9 of the Act.

D. ORDER.

10. The appeal is disposed of having borne fruit.

Copy of this order be sent to the Chairman, Federal Post Graduate Medical Institute, Sheikh Zayed Hospital, Lahore with the direction to make arrangements for the implementation of section 5 and 9 of the Act in letter and spirit, within one month of receiving this order, under intimation to the Commission.

Mohammad Azam  
Chief Information Commissioner

Fawad Malik  
Information Commissioner

Zahid Abdullah  
Information Commissioner

Announced on 9.2.2021.

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