

Pakistan Information Commission
Government of Pakistan



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In the Pakistan Information Commission, Islamabad

Appeal No 671-10/20

Shazia Mehboob

(Appellant)

Vs.

Ministry of Information and Broadcasting

(Respondent)

Order

Date: April 23, 2021

Mohammad Azam: Chief Information Commissioner

A. The Appeal

1. The Appellant filed an appeal, dated October 07, 2020, to the Commission, stating that he Submitted an information request to the Secretary, Ministry of Information and Broadcasting dated 02-07-2020 under the Right of Access to Information Act 2017 but did not received the requested information from the public body.
2. The information sought by the Appellant is as under:
 1. *“List of the movement certified journalists? [Name of journalist, designation, and organization of association (Gender Wise breakup)*
 2. *What are the government assessment criteria for issuing Accreditation Card (AC)?*
 3. *Certified list of journalists hold Accreditation Card [Name, designation and organization of association]*
 4. *Certified details of journalists associated with the government-run media who hold AC? Name of journalist, designation and organization of work]*
 5. *Certified details of journalists associated with private media organizations, who hold AC? Name of journalist, designation and organization of work]*
 6. *Certified details of journalists associated with foreign media, who hold AC? Name of journalist, designation and organization of work]*
 7. *What is an estimated time for issuing an AC to a journalist for first time?*
 8. *Eligibility criteria and procedure for a journalist to avail AC.*
 9. *How many applications are received for the issuance of AC from 2015 to date.*

10. *How many new AC are issued from 2015 to date.*
11. *How many AC are renewed from 2015 to date.*
12. *List of the facilities that a journalist can avail using AC.*”

B. Proceedings

3. Through a notice dated November 05, 2020 sent to the Joint Secretary (Admn) / Public Information Officer, Ministry of Information and Broadcasting the Commission called upon the Respondent to submit reasons for not providing the requested information.
4. Through another notice dated December 08, 2020 send to the Respondent was again directed to submit written arguments within 15 days, otherwise the appeal will be decided Ex Parte in the light of the record available on the file and the Right to Information Act 2017.
5. The Respondent did not respond to the notice of the commission. The appeal was fixed for hearing on February 02, 2021 and both the Respondent and the Appellant were informed according through a notice dated January 18, 2021
6. No one appeared on behalf of the Respondent to attend the hearing held on February 02, 2021.

C. Discussion and Commission’s View on Relevant Issues

7. The Commission observed that the information requested by the Appellant could be accessed under Section 5(a) (d) and (e) of the Right of Access to Information Act 2017, hereafter referred as Act.

Section 5 (a) states that:

“(a) description of the public body's organisation and functions, duties, powers and any services it provides to the public, including a directory of its officers and employees, indicating their duties and functions and their respective remunerations, perks and privileges;”

Section 5 (d) states that:

“Relevant facts and background information relating to important policies and decisions which have been adopted, along with a statement of policies adopted by the public body and the criteria, standards or guidelines upon which discretionary powers are exercised by it;”

Section 5 (e) states that:

“The condition upon which members of the public body can acquire any license, permit, consent, approval, grant, allotment or other benefits of whatsoever nature from any public body or upon which transactions, agreements and contracts, including contracts of employment which can be entered into with the public body, along with particulars about the recipients of any concession, permit, license or authorization granted by the public body.”

8. On consideration of the facts arising in this appeal, it is evident that the Respondent has failed to adhere to the mandatory timelines laid down in the Section 14 of the Act for responses of the public bodies in relation to information requests of the citizens.

Section 14 (1) states that:

“Subject to the provisions of this Act, a public body shall be required to respond to a request as soon as possible and in any case within ten working days of receipt of the request.”

9. In the instant appeal, the Respondent neither replied to information request of applicant nor responded to the notices of the commission. This commission is of the view that the wilful delay or denial of the requested information causes undue cost to citizens and the commission.
10. According to Section 19 (d) of the Act, this commission is bound to make sure the all information determined in Section 5 of the Act available on the website of the public bodies. In this regard, the Pakistan Information Commission has developed a template to ensure proactive disclosure of information. The template is available on the website of this commission i.e. www.rti.gov.pk
11. 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

12. The appeal is allowed. The Public Information Officer of Ministry of Information and Broadcasting is directed to provide the information requested in Para-2, with intimation to this office, at the earliest, but in any case, not later than 10 working days of the receipt of this Order.
13. The Respondent is also directed to upload notification of the Public Information Officer along with the name, designation and contact details on its website as required under Section 5 (1) (b) and (h) of the Act and submit compliance report to the commission within 10 working days of the receipt of this order.

14. The 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 May 23, 2021.
15. Copies of this order be sent to the Secretary, Joint Secretary (Admn) / Public Information Officer of Ministry of Information and Broadcasting, Principal Information Officer, Press Information Department and to the Appellant for information and necessary action.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on:
April 26, 2021

This order consists of 4 (four) pages, each page has been read and signed.