

Pakistan Information Commission
Government of Pakistan
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In the Pakistan Information Commission, Islamabad

Appeal No 954-03/21

Muhammad Rehan Paracha

(Appellant)

Vs.

Pakistan Telecommunication Company Limited
Through its President/CEO

(Respondent)

ORDER

Date: May 25, 2021

Zahid Abdullah: Information Commissioner

A. The Appeal

1. The Appellant filed Appeal on March 13, 2021 to the Commission, stating that he had submitted information requests to the President/CEO, PTCL on February 16, 2021 under the Right of Access to Information Act 2017 but did not received any response from the public body.

2. The information sought by the Appellant is as follows:

“1. Total number of PTCL employees dedicated for service/maintenance of Sector D-17/2 and total amount in Pak Rupees being paid to them on monthly basis as salary.

2. Total number of active connections in Sector D-17/2?

3. Total number of new PTCL connections installed in Sector D-17/2 during last five years?

4. Total number of PTCL connections refused/denied in Sector D-17/2 during last five years and reasons for refusal/denial?

5. Total number of new PTCL connections installed on road F Block D, D-17/2 during last five years?

6. Total number of PTCL connections refused by your department on road F, Block D, of Sector D-17/2 during last five years and refusal?

7. What action is being taken by your department to provide connections to people who have been refused and by what date maximum they will be provide with PTCL connections”.

B. Proceedings

3. Through a notice dated March 19, 2021, sent to President/Managing Director, PTCL, the Commission stated that “Under Section 14 of the Right of Access to Information Act 2017, each federal public body is bound to respond to a request as soon as possible and in any case within ten working days of receipt of the request. You are directed to provide reasons in writing within 7 working days of the receipt of this notice as to why the requested information has not been provided to the applicant, (copy of the information request and appeal thereon enclosed)”.
4. On April 14, 2021, the commission sent another notice to the Respondent but no response was submitted to this commission. Through this notice, the Commission directed the public body to “submit your written reply and arguments to Pakistan Information Commission within fifteen days of the receipt of this notice. Copies of the supporting documents may be annexed with the written arguments”. The Commission also stated through this notice that If the written arguments are not submitted within 15 working days, “the appeal will be decided Ex Parte in the light of the record available on file and the Right of Access to Information Act 2017”.

C. Discussion and Commission’s View on Relevant Issues

5. This commission is of the view that the requested information is of public importance as it involves information about the delivery of public service such as land-line telephone connection which is also essential for high-speed internet.
6. This commission holds that the delay or denial of internet connection dependant on land-line to be provided by the Respondent, PTCL as a public service is tantamount to infringing upon the constitutional right of access to information. This commission notes with concern that the Respondent, PTCL has not shared with the Appellant information which is adversely impacting his right of access to internet which is increasingly being recognized as a basic human right around the world.
7. The requested information will shed light on steps taken by the Respondent to provide basic necessity to the citizen.
8. This commission holds that any application submitted by any applicant for delivery of any service and any approval granted by a public body are public records and should not only be properly maintained by a public body but it should also be provided when requested by an applicant. Furthermore, citizens have every right to know the reasons why delivery of services is not possible in a given area.
9. This commission take strong exception to the fact that the Respondent, PTCL, a public body under Section 2 (d) of the Right of Access to Information Act 2017, not only failed to respond to the information request of the citizen, but it also failed to respond to the duly sent notices of this commission. If directions of this commission in Section D of this Order are not followed within the stipulated time-frame, it will be left with no option but to invoke Section 20 (f) of the Right of Access to Information Act 2017.

D. Order

10. Appeal is allowed. Managing Director, PTCL is directed to provide information mentioned in para 2 of this Order to the Appellant, at the earliest but not later than 7 working days of the receipt of this Order, with intimation to this office.
11. 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 in the

Template for the Compliance Report-Proactive Disclosure of Information under Section 5 of the Right of Access to Information Act 2017'. This template is available under 'Information Desk' category at the web site of the commission www.rti.gov.pk. The compliance report be submitted to this commission within 30 days of the receipt of this Order.

12. Copies of this order be sent to the Managing Director, PTCL and the Appellant for information and necessary action.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on:
May 25, 2021

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