



**In the Pakistan Information Commission, Islamabad**

**Appeal No 966-03/21**

**Syed Raza Ali Shah**

(Appellant)

Vs.

**Pakistan Institute of Medical Sciences**

Through its Executive Director

(Respondent)

**ORDER**

**Date:** May 25 2021

**Zahid Abdullah:** Information Commissioner

**A. The Appeal**

1. The Appellant filed Appeal on March 24, 2020 to the Commission, stating that he has submitted information requests to the Executive Director, Pakistan Institute of Medical Sciences on February 24, 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. Certified copy of policy documents/SoPs/guidelines for dealing with Covid-19 positive patients who also suffer from gynaecological emergency or other emergency situations.*  
*2. Certified information about challenges faced by doctors in para medical staff to deal such patients during Covid-19 pandemic”.*

**B. Proceedings**

3. Through a notice dated March 31, 2021, sent to Executive Director, Pakistan Institute of Medical Sciences, 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 pertains to the exercise of the right of access to health services. The requested information will shed light on steps taken by the Respondent to protect citizens against deadly Covid.
6. This commission is also of the view that the requested information will also shed light on steps taken by the Respondent to protect doctors and paramedical staff against Covid-19. It is common knowledge that the medical staff has been facing the brunt of this deadly Covid19 during the course of their official functions. In fact, they have been the first line of defence against Covid-19 in the country and the nation is indebted to their great services at the risk of their own lives.
7. This commission take strong exception to the fact that the Respondent, PIMS 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**

8. Appeal is allowed. The Executive Director, PIMS 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.
9. 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](http://www.rti.gov.pk). The compliance report be submitted to this commission within 30 days of the receipt of this Order.
10. Copies of this order be sent to the Executive Director, PIMS 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 2 (two) pages, each page has been read and signed.