

Pakistan Information Commission

Government of Pakistan

1st Floor, National Arcade, 4-A Plaza

F-8 Markaz, Islamabad

Phone: 051-9261014

Website: www.rti.gov.pk

Email: appeals@rti.gov.pk

  @PkInfoComm



In the Pakistan Information Commission, Islamabad

Appeal No 1005-04/21

Muhammad Aman Ullah

(Appellant)

Vs.

Federal Public Service Commission

(Respondent)

ORDER

Date: June 15, 2021

Zahid Abdullah: Information Commissioner

A. The Appeal

1. The Appellant filed Appeal on April 12, 2021, to the Commission, stating that he had submitted information requests to Secretary, Federal Public Service Commission, on March 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:

“I applied for lecturer Islamiat under consolidated advertisement no. 2/2020 and case no. F4-37H/2020R. Screening test was held on October 12, 2020. My roll no. is 015304. You have not announced result of screening test of this case, I want to get result of screening test of all candidates of this case including me which has not been uploaded on your website till to date. INFORMATION REQUEST (SPECIAL QUESTION): Please, I want to know that (1) why you don't upload result of screening test of all candidates on your website likewise other testing agencies? (2) Why list of qualified candidates for interview is not uploaded on your website?”.

B. Proceedings

3. Through a notice dated April 26, 2021, sent to Secretary, Federal Public Service Commission, 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 May 25, 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 its written response and also asked that “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 by June 09, 2021, “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. The requested information brings into play Section 4 and Section 5 of the Right of Access to Information Act 2017. Section 4 of the Act pertains to the indexation and computerisation of the records and states "principal officer of each public body shall ensure that the record held by that body is properly maintained, so as to enable it to comply with its obligation under this Act".
6. All federal public bodies are required to publish through their web sites all finalised reports according to Section 5 (1) (i) of the Act. As such, the Respondent, Federal Public Service Commission is required to share with the Appellant, and, also publish on its web site, Screening test, (if it has been finalised), held on October 12, 2020 for the post of lecturer Islamiat.
7. This commission take strong exception to the fact that the Respondent, Federal Public Service Commission, 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. Secretary, Federal Public Service Commission is directed to share with the Appellant, and, also publish on its web site, Screening test, (if it has been finalised), held on October 12, 2020 for the post of lecturer Islamiat, at the earliest but not later than 7 working days of the receipt of this Order, with intimation to this office.
9. Secretary, Federal Public Service Commission is directed to notify Public Information Officer, (PIO), under Section 9 of the Act, put contact details of PIO on its 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.
10. Secretary, Federal Public Service Commission 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.
11. Copies of this order be sent to Secretary, Federal Public Service Commission and the Appellant for information and necessary action.

Mohammad Azam

Chief Information Commissioner

Fawad Malik

Information Commissioner

Zahid Abdullah

Information Commissioner

Announced on: June 15, 2021

This order consists of 2 (two) pages, each page has been read and signed.