

**IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD**

APPEAL NO. 897-02-2021

1. Miss Ambreen Zahra Naqvi
2. Miss Zahida Parveen

Vs

Directorate of Labour and Industries

Date: 6.7.2021

Fawad Malik: Information Commissioner

**A. APPEAL.**

1. Miss Ambreen Zahra Naqvi and Miss Zahida Parveen jointly filed an application dated 25.1.2021, in the office of the Directorate of Labour and Industries, Islamabad, under the Right of Access to Information Act, 2017 for the provision of the following information/record:
  1. *“Certified list of organizations, industries and NGO’s registered with Labour Department.*
  2. *Certified list of Work Places registered with Labour Department, where Anti-Harassment Committees are notified under “Protection against Harassment of Women at Workplace Act, 2010”.*
  3. *Certified list of notified anti-harassment committee under Protection against Harassment of Women at Workplace Act, 2010”.*
2. The application was not responded nor the information was provided with in the period provided in the Act, hence the appeal before the Pakistan Information Commission.

**B. PROCEEDINGS.**

3. After assuming the cognizance of the appeal the Commission issued notice dated 22.2.2021 followed by notice dated 3.6.2021 to the respondent public body for the provision of the information to the appellant and for the submission of the reply, but all in vain.

C. COMMISSION'S VIEW.

4. While dealing with the matters of public importance related to information and record sought by the citizens under the Act 2017, the public bodies are under obligation to respond the applications under the frame of time mandated in the Act. In the case in hand the respondent has not acknowledged the application, information is not provided to the applicant in the stipulated time frame and the notices of the Commission are ignored. It is presumed that the respondent public body is willfully avoiding the proceedings before the Commission and that the public body has nothing in the sleeves to submit in its defense. In such like circumstances the Commission is left with no option but to decide the appeal ex parte after going through the file in light of the Act and the law on the subject.
5. The appellants has requested the list of organizations, industries and NGO's registered with Labour Department and the list of notified anti-harassment committees constituted under the Protection against Harassment of Women at the Workplace Act, 2010. The appellants have asked for the information in a very important matter of public importance pertaining to the dignity of man enshrined in article 14 of the Constitution of Pakistan.
6. The Protection against Harassment of Women at the Workplace Act, 2010 was enacted on 11.3.2010. Section 3(1) of the Act of 2010 mandates the management of each organization to constitute an inquiry committee within thirty days of the enactment of the Act. Section 3(1) is reproduced as under:

*Inquiry Committee—*

*3(1)-Each organization shall constitute an Inquiry Committee within thirty days of the enactment of this Act to enquire into complaints under the Act.*

The “organization” has been defined in Section 2(1) of the Act, 2010 as under:

*“Organization” means a Federal or Provincial Government Ministry, Division or department, a corporation or any autonomous or semi-autonomous body, Educational Institutes, Medical facilities established or controlled by the Federal or Provincial Government or District Government or registered civil society associations or privately managed a commercial or an industrial establishment or institution, a company as defined in the Companies Ordinance, 1984 and includes any other registered private sector organization or institution;”*

7. The aim, objectives and functions of the directorate of labour and industries is to ensure the welfare of the workforce through the implementation of the laws for the improvement of working condition, environmental functions for the improvement of safety, health and working environment at the workplace. Protection of women from harassment at the workplace is the vested right of the women for keeping their dignity at the workplace guaranteed under the Constitution of Pakistan.
8. The Commission after going through the contents of the appeal and the relevant laws on the subject is of the view that the appellants being the female citizens have the preferential right to ask for the requested information in the public interest and in the larger interest of the working women.
9. It is noticed by the Commission that the respondent organization has not complied the mandatory provisions of section 5 & 9 of the Act, so far.

**D. ORDER.**

10. The appeal is allowed. The Director, Labour and Industries is directed to furnish all the requested information / record to the appellants sought through the application dated 10.2.2021, forthwith, but in any case not later than seven days of the receipt of this order.

He is further directed to implement the section 5 and 9 of the Act, in letter and spirit with out any further delay, under intimation to this Commission within one month of the receiving the order.

Mohammad Azam  
Chief Information Commissioner

Fawad Malik  
Information Commissioner

Zahid Abdullah  
Information Commissioner

Announced on 12.7.2021

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