

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO. 1489-11-2021

Aamir Shahzad

Versus

National Transmission & Dispatch Company (NTDC)

Date of Hearing: 02.02.2022

Fawad Malik: Information Commissioner

Present: Nemo for the respondent whereas the appellant has filed a written request for condoning his presence as he is resident of Mansehra, KPK.

A. APPEAL

1. Mr. Aamir Shahzad, preferred his appeal dated November 22, 2021 before the Pakistan Commission on access to information, Islamabad. He alleged that the request for information has not been responded by the National Transmission & Dispatch Company (NTDC) within the frame of time stipulated under the Right of Access to Information Act, 2017.
2. Through an application dated 17.10.2021 addressed to the Chief Secretary Punjab, National Transmission & Dispatch Company (NTDC), he has desired the information. The detailed particulars of the requested information are:

“NTDC has taken a test for the post of IT Officer BS-16 on 22nd August, 2021, through NTS. Result has been shown but the merit list has not been displayed.”

B. PROCEEDINGS

3. The Commission vide notice dated November 30, 2021 directed the respondent to provide reasons in 7 working days of the receipt of the notice as to why the requested information has not been provided to the appellant within ten working days as required under section 14 of Right of Access to Information Act 2017.

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4. The notice was not responded; therefore the appeal was fixed for hearing on February 02, 2021 and both the parties were informed accordingly vide notices dated December 22, 2021.
5. At the time no one appeared to represent the respondent public body nor was the reply submitted.

C. COMMISSION'S VIEW.

6. The appellant one of the contestants for the test of IT officer BS-16 held on 22.08.2021 has shown his concern that the result has been displayed on the website but the merit list has not been displayed. In his application he has desired the display of the merit list on the website showing ranking of all the applicants in different quotas so that they are satisfied that the recruitment process was transparent and on merit.

7. While dealing with the matters related to information and record sought by the citizens under the Act 2017, the public bodies are under obligation to respond the applications as 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. The reply is not submitted and the hearing before the Commission was not represented by the public body. It is presumed that the respondent public body is wilfully avoiding the proceedings before the Commission and that the public body has nothing in the sleeves to submit in the defence. 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.

8. The display on the website of the merit list is not the concern of the appellant alone rather it is a matter of public importance for all who contested for the post.

9. Transparency in the working of the government departments is the essence for the enactment of the Act 2017. Its spirit is to ensure that the people of the Islamic Republic of Pakistan have access to the records held by the federal public bodies for making the government accountable to the people. This practice would improve the participation of the people in the public affairs aimed at reducing corruption and inefficiency in the governance and making the process of employment transparent free of favoritism and nepotism.

10. It is noticed that the respondent public body has not notified the designated officer till date therefore the Principal Officer is considered as the designated officer in terms of section 9 of the Act.

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D. ORDER.

11. The appeal is allowed. The Managing Director, National Transmission & Dispatch Company is directed to display the merit list on the website showing ranking of all the applicants in different quotas contesting for the test of IT officer BS-16 held on 22.08.2021, forthwith but in any case not later than five days of the receipt of this order.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on 7.2.2022

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