

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

**Appeal No 1505-12/21**

**Waqas Ali**

**(Appellant)**

**Vs.**

**Pakistan Nursing Council (PNC)**

**(Respondent)**

**ORDER**

Date: February 07, 2022

Zahid Abdullah: Information Commissioner

**A. The Appeal**

1. The Appellant filed an appeal, dated December 01, 2021, to the Commission, stating that he submitted an information request to the Public Information Officer, Pakistan Nursing Council-PNC, on November 29, 2021 under the Right of Access to Information Act 2017 but did not receive any response from the public body.

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

*“ Reference to the right to information granted to citizens of Pakistan under Article 19-A of the Constitution of Pakistan, 1973 and The Right of Access to Information Act, 2017, I am submitted this request for information in respect of matters related to Ms. Fouzia Mushtaq Deputy Registrar, Pakistan Nursing Council – PNC.*

1. *“Recruitment Process including copies of (Advertisement, Qualifications, Experience, & Notification of Appointment)*
2. *Mode of Selection*
3. *Initial Appointment details including charge report*
4. *Copies of Acting/ Additional charge from 2016 to present (November 10, 2021) accordingly.*
5. *While acting as Registrar, all administrative actions taken or proceedings initiated against or in favor of Nursing Colleges.*
6. *All decisions made or actions taken/ proposed against colleges owned by M/S Pace Colleges (Pvt.) Ltd.*
7. *All decisions in respect of pre-enrolment of lady health visitors (LHV) students (session 2020-2022) including but not limited to detail of fee (with & without*

- penalty), received for pre-enrolment, how many applications were accept and declined with reasons.*
8. *Audit report of Accounts, maintained by Pakistan Nursing Council (PNC) since 2018 to till date.”*

#### **B. Proceedings .**

3. The Respondent failed to respond to the notice sent to the Registrar on December 09, 2021.
4. The commission sent hearing notice on December 22, 2021 but the Respondent did not attend the hearing held on January 06, 2021.

#### **C. Discussion and Commission’s View on Relevant Issues:**

5. This commission has noticed that the Respondent, Pakistan Nursing Council, (PNC) has not taken steps for the implementation of the Act.
6. In the instant appeal, the Respondent, PNC failed to provide “written acknowledgement in response to” a request for information filed by citizen as required under Section 10 (1) of the Act. The head of the PNC also failed to follow procedure enunciated in the Act for acceptance and refusal of request for information laid down in Section 13 (2) of the Act. The Respondent, PNC also failed in adhering to the timeline for responding to the information requests as required under Section 14 (1) and (2) of the Act as the PIO did not respond to the information request at all.
7. The Respondent, PNC, has neither designated Public Information Officer, as required under the Right of Access to Information Act 2017 nor ensured implementation of Section 5 of the Act.
8. The commission gave ample time to the Registrar, PNC but it failed to respond the notices of this commission. As such, this commission is left with no other option but to decide the instant Appeal ex Parte.
9. This commission maintains that requested information pertaining to Fouzia Mushtaq Deputy Registrar, Pakistan Nursing Council – PNC such as recruitment Process including copies of (Advertisement, Qualifications, Experience, & Notification of Appointment), mode of Selection, appointment details including charge report, copies of Acting/ Additional charge from 2016 to present (November 10, 2021), while acting as Registrar, all administrative actions taken or proceedings initiated against or in favor of Nursing Colleges, all decisions made or actions taken/ proposed against colleges owned by M/S Pace Colleges (Pvt.) Ltd., all decisions in respect of pre-enrolment of lady health visitors (LHV) students (session 2020-2022) including but not limited to detail of fee (with & without penalty), received for pre-enrolment, how many applications were accept and declined with reasons and Audit report of Accounts, maintained by Pakistan Nursing Council (PNC) since 2018 to till date is public information under the provisions of the Right of Access to Information Act, 2017.
10. This commission is of the view that once final decision has been taken, all records on the file is public, unless any record, or, part of the record attracts any of the exemption clauses mentioned in Section 7 and Section 16 of the Right of Access to Information Act, 2017 which does not seem to be the case in the instant Appeal.

**D. Order**

11. Appeal is allowed. The Respondent is directed to share certified copies of the records/information requested in para 2 of this Order, at the earliest but not later than 7 working days of the receipt of this Order, with intimation to this commission.
12. The Respondent is directed to designate Public Information Officer as required under Section 9 of the Act, and put name, designation, telephone number and E-mail of the PIO at top right corner of the home page of its web site and submit compliance report to this effect to this commission within 10 working days of the receipt of this Order.
13. Copies of this Order be sent to the Respondent and the Appellant for information and necessary action.

**Mohammad Azam**

Chief Information Commissioner

**Fawad Malik**

Information Commissioner

**Zahid Abdullah**

Information Commissioner

Announced on: February 08, 2022

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