

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

Appeal No 1847-03/22

Roshan Ali

(Appellant)

Vs.

National Technology Council - NTC

(Respondent)

ORDER

Date: May 17, 2022

Zahid Abdullah: Information Commissioner

A. The Appeal

1. The Appellant filed an appeal, dated March 30, 2022, to the Commission, stating that he submitted an information request to the Chairman, National Technology Council, on March 10, 2022 under the Right of Access to Information Act 2017 but did not receive the requested information from the public body.
2. The Appellant sought following information about the post of Data Entry Operator advertised on March 04, 2022 is as under:-

1. *“Merit Criteria and Merit Calculation Formula for the above posts.*
2. *Final consolidated Merit/ Qualification list along with waiting list which must include test marks, Academic marks, Higher Qualification marks, Professional Training marks, Experience marks, and interview Attendance sheet of above post*
3. *Interview attendance sheet of above post*
4. *Educational, training experience, Domicile certificates of the selected candidate of the above post*
5. *Office order under of the selected candidates of the above post.*
6. *Name designation of the Recruitment Committee members and minutes of meeting regarding the above post*

Provide the hard copy of the above documents of the selected candidates for Interview for satisfaction.

Hope that, for the sake of transparency, you will provide me my required information within

Stipulated time. According to your HR section kindly display me the above merit list the said post.

1. *Photocopy of National ID Card*
2. *Photocopy of Previous letter which has forward to NTC on 10-03-2022*
3. *Photocopy of Test Interview letter*
4. *Photocopy of TCS Receipt*

5. *Photocopy of TCS online Receipt of Receiving date”*

B Proceedings

3. In response to the notice of the commission, the public body submitted its following response:

“In reference to your above referred letter, Mr. Roshan Ali applied for the post of Data Entry Operator (equivalent to PPS-4) on one year contract, in National Technology Council Islamabad for which written test and interviews of the short listed candidates were carried out on 04 March 2022 at 9:00 am at National Skills University Islamabad.

2. Five Member Selection Board/Committee was formed by the BOG of NTC as follows Prof Dr. Muhammad Mukhtar: Vice Chancellor NSU Islamabad, Member BoG NTC (In Chair),

Ms Rabia Firdous, Deputy Director, HRM HEC; Mr. Muhammad Raza Deputy Director, QAA HEC,

Mr. Muhammad Nazim Siddique, Deputy Registrar, Hitech University Taxila, Mr. Muhammad Fahd Amin, Acting Registrar, NTC

3. Written test was conducted followed by interviews on the same day. The merit was calculated on the basis of marks out of 100 in which 10 marks were allocated to typing test. 30 marks for written test and 60 for interview Mr. Roshan Ali secured 3.1 marks in typing. 12 in written test and 38.8 marks in interview making a total of 53.9 marks out of 100. He secured 4 position as per merit list. The offer of employment was given to candidate securing highest marks as per rules”.

4. The Appellant submitted his rejoinder which is as under:

“In reference to your letter no NTC/10/003/Gen, with Dated 20-04-2022, according to paragraph no 3 I am not satisfied with the said information which you provided to Pakistan Information. Commission indly provide me the following data for satisfaction

- 1. Merit Criteria and Merit Calculation Formula for the above posts which was signed by all Members*
- 2. Final Consolidated Merit/Qualification list along with waiting list which must include test marks.*
- 3. Academic marks, Higher Qualification marks, Professional Training marks, Experience marks and interview marks for the above post.*
- 4. Interview Attendance sheet of above post Educational, Training, Experience, Domicile certificates of the selected candidate the above post Office order of the selected candidate of the above post*
- 5. Name designation of the Recruitment Committee members and minutes of meeting regarding the above post”.*

C. Discussion and Commission’s View on Relevant Issues

5. This commission holds that the access to the requested information in the instant Appeal is a matter of public importance. This commission has already settled issue at hand in Appeal No. 942-03/21, Abdullah Rashed Waraich Vs. Pakistan Housing Authority Foundation which was upheld by the Honourable Islamabad High Court. In this Order, the commission held that information such as consolidated result of written test of the posts, attendance sheet of written tests, online applications submitted by candidates who were shortlisted for interview, educational certificates/degrees of the candidates who were shortlisted for interview, answer sheets of all candidates who were called for interview, attendance sheet of interviews, evaluation Proforma containing detail of academic records, marks obtained in written as well

as in interviews by the candidates shortlisted for interview, duly signed by Departmental Selection Committee, recommendations of the Departmental Selection Committee regarding selection of candidates is a matter of public importance.

6. This commission holds that the disclosure of the requested information would shed light on the level of transparency adopted in the entire recruitment process and hence help achieve stated objectives of the Act enunciated in its Preamble which are as under:
 - a) Making government more accountable to citizens’;
 - a. Greater level of participation of citizens in the affairs of the government’;
 - b. ‘Reducing corruption and inefficiency’;
 - c. Promoting sound economic growth’; and
 - d. Promoting good governance and respect for human rights.
7. This Commission has observed that information of public importance mentioned in Section 5 of the Act is not being published through the web site of federal public bodies. In fact, the Web sites of federal public bodies contain generic information and not specific information as required under Section 5 of the Act. This is despite the fact that Principal Officer of each public body was required to ensure proactive disclosure of information through web site within 6 months of the commencement of the Right of Access to Information Act, 2017.
8. This commission has also noticed that even when Public Information Officer, (PIO) is designated under the Act, information to this effect is either not provided on the web site, or, if it is provided, it is not displayed at a prominent place on the web site.
9. This commission holds that the federal public bodies should ensure that the name, designation, telephone number and E-mail of the PIO is placed at top right corner of the home page of their web sites. Furthermore, as a PIO is designated by post, any change to this effect should be immediately updated on the web site.
10. This Commission maintains that the information proactively published under Section 5 of the Right of Access to Information Act 2017 should be ‘accessible’ for all citizens, including the blind, low-vision, physically disabled, speech and hearing impaired and people with other disabilities. Apart from the interpretation of ‘accessible’ in section 5 of the Act, section 15 (5) of the ICT Rights of Persons with Disabilities Act 2020 requires federal public bodies to ensure accessibility of web sites to the special needs of persons with disabilities and it is as under:

“The government shall ensure that all websites hosted by Pakistani website service providers are accessible for persons with disabilities”.
11. Entrusted with the solemn responsibility of protecting and promoting citizens’ constitutional right of access to information in matters of public importance, this commission will leave no stone unturned for the implementation of the Right of Access to Information Act 2017. Citizens of Pakistan through their elected representatives have included in the Act the provision of imposing fine on public official who wilfully delay or deny access to the requested information so that they do not have to pay the undue cost in terms of time and money in exercising their right of access to information because of the dereliction of the duty of a public official.

D. Order

12. Appeal is allowed. Chairman, National Technology Council 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.
13. Chairman, National Technology Council is directed to 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. 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.
14. Chairman, National Technology Council 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 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 10 working days of the receipt of this Order.
15. Chairman, National Technology Council is directed to ensure accessibility of the information proactively published on its web site under Section 5 of the Right of Access to Information Act 2017 for all citizens, including the blind, low-vision, physically disabled, speech and hearing impaired and people with other disabilities and submit compliance report to this effect using 'Web accessibility checklist'. This checklist 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 at the earliest but not later than 10 working days of the receipt of this Order.
16. Copies of this order be sent to Chairman, National Technology Council and the Appellant for information and necessary action.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on: May 18, 2022
This order consists of 4 (four) pages, each page has been read and signed.