

Appeal No. 1948-06/2022

Syed Raza Ali Shah

Vs

Allama Iqbal Open University

Fawad Malik: Information Commissioner

A. APPEAL

1. Mr. Syed Raza Ali Shah filed an application under the Right of Access to the Information Act, 2017 before the Registrar / Public Information Officer, Allama Iqbal Open University, Islamabad. Through his application dated 19-05-2022 he has requested the following information:

- a. Information about total positions and how many times announced for Professor and Associate Professor (Sociology) for Allama Iqbal Open University (AIQU) Islamabad during the period of January 2019 to date. Please share copy of each advertisement for the positions.*
- b. List of applications who applied for the positions of Professor and Associate Professor (Sociology) during the above mentioned period. The information is required in the given format.*
- c. List of eligible candidates for the position of Professor and Associate Professor (Sociology).*
- d. Copies of External Evaluation Reports of each candidate who got eligibility.*
- e. Copy of interview panel decision/marks sheet.*
- f. Copy of minutes of meeting of the executive council for decision on recruitment of the candidate(s).*
- g. Certified copy of criteria for the announced position and copy and other policy / document relevant to the matter.*

h. Certified list of interview panel along with their designation, BPS and Institution name who undertook the interviews for the said position(s).

<i>S r. N o.</i>	<i>Name of Cand idate</i>	<i>Provin ce of candid ate</i>	<i>Educ ation</i>	<i>Professi onal Experien ce (in years)</i>	<i>No. of publica tions of candid ate</i>	<i>Writte n test result (if any)</i>	<i>Inter view mark s (if appli cable)</i>	<i>Exte rnal eval uati on rep ort</i>
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2. Feeling aggrieved for the non-provision of the information, he has filed an appeal before the Pakistan Commission on access to information, Islamabad.

B. PROCEEDINGS

3. The Public Information Officer/Assistant Registrar (Establishment), Allama Iqbal Open University, Islamabad vide letter dated 8.6.2022, was directed to provide reasons in writing within seven working days as to why the requested information has not been provided to the applicant as under section 14 of the Right of Access to Information Act 2017, each public body is bound to respond to a request as early as possible and in any case not later than ten working days of the receipt of the request.
4. The reply was not submitted therefore the appeal was fixed for hearing before the Commission on 29.6.2022 but neither was the reply submitted nor any one appeared to represent the respondent public body.

C. COMMISSION’S VIEW

5. 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 willfully 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.

6. The bare reading of the request depicts that the information and record sought by the appellant is enlisted in the category of public record as defined in the Act. Each public body is under compulsion to proactively publish including uploading over the internet in a manner to ensure its accessibility to the citizens, all the record detailed in section 5 of the Act.
7. 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 practise would improve the participation of the people in the public affairs aimed at reducing corruption, nepotism, discrimination, misuse of power and inefficiency in the governance.

D. ORDER

8. The appeal is allowed. The Public Information Officer/Assistant Registrar (Establishment), Allama Iqbal Open University, Islamabad is directed to furnish the appellant all the requested information detailed supra in para 1 of this order, forthwith, but in any case not later than seven days of the receipt of this order.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on 19.07.2022

Certified that this order consists of 03 pages, each page has been read and signed