

**Pakistan Information Commission  
Government of Pakistan**

1<sup>st</sup> Floor, National Arcade, 4-A Plaza

F-8 Markaz, Islamabad

Website: [www.rti.gov.pk](http://www.rti.gov.pk)

Phone: 051-9261014

Email: [appeals@rti.gov.pk](mailto:appeals@rti.gov.pk)

  @PkInfoComm



**In the Pakistan Information Commission, Islamabad  
Appeal No 1845-04/22**

**M. Anwar**

**(Appellant)**

**Vs.**

**Poverty Alleviation & Social Safety Division**

**(Respondent)**

**ORDER**

Date: October 31, 2022

Zahid Abdullah: Information Commissioner

**A. The Appeal**

1. The Appellant filed an appeal, dated April 19, 2022 to the Commission, stating that he submitted an information request to the Secretary, Poverty Alleviation & Safety Division on March 18, 2022 under the Right of Access to Information Act 2017 but did not receive the requested information from the public body.
2. The information sought by the Appellant is as follows:

جناب عالی - گزارش ہے کہ میری بیوی تحسین انور شناختی کارڈ نمبر 45301-46520 298 کی جانب سے احساس سروے " میں اہل ہونے کی بنیاد پر پہلی قسط وصول کی گئی تھی مگر اب 8171 ویب پورٹ پر چیک کرنے پر نا اہل بنایا جا رہا ہے اور شادی شدہ ہونے کا شانی کارڈ ہونے کے باوجود غیر شادی شدہ بتایا جا رہا ہے، میں نے اس سلسلے میں 10-03-2022 کو آپ کو ایک تحریری شکایت از سال کی (کالی مسلک ہے جسکی کاپی حتر مہ ثانی نشتر صاحبہ معاون خصوصی وزیر کو بھی ارسال کی جس پر ابھی تک کوئی Poverty Alleviation and Social Protection اعظم اسلامی جمہوریہ پاکستان کے تحت ایک پاکستانی Right Of Access To Information Act کاروائی نہیں ہوئی ہے اس لئے آپ سے گزارش کہ 2017 ہونے کے نامے مجھے احسان کفالت پروگرام میں اہلیت اور نا اہلیت کے متعلق پالیسی اور قوانین کی تحریری تفصیلات اور میری بیوی کو شادی شدہ ہونے اور شادی شد و کا شناختی کارڈ کا مال ہونے کے باوجود غیر قانونی طور پر نا اہل کرنے ہ" کی تعمیلات د سال کی جائیں اور اس مسئلہ کو مل کیا جائے - نوازش ہو گی درخواست گزار نیر انور خانزاد

**B. Proceedings**

3. Hearing on the instant Appeal was fixed for October 06, 2022 vide letter dated September 20, 2022. The Respondent did not attend the hearing.

**C. Issues**

4. The instant appeal has brought to the fore the following issues:
  - (a) Has the Respondent followed the procedure enunciated in the Right of Access to Information Act, 2017 for responding to the information request?
  - (b) Is the requested information permissible under the Right of Access to Information Act, 2017?

**D Discussion and commission's views on relevant issues:**

5. In the instant Appeal, the record on the file shows that the Respondent demonstrated utter disregard to the provisions of the Act, 2017.
6. In the instant appeal, the Respondent failed to provide written acknowledgement of the request for information filed by the citizen as required under Section 10 (1) of the Act.
7. The Respondent also failed in following the procedure enunciated in the Act for acceptance and refusal of request for information laid down in Section 13 (2) of the Act.
8. The Respondent 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.
9. The Respondent failed to respond to notices of the commission and also failed to attend the hearing.
10. The commission holds that requested information about policy regarding eligibility, or, otherwise to get help under ISAS program is public information and it should not only be provided to the Appellant but should have been made available on the web site of the public body. It is right of the Appellant to know reasons as to why his wife has been declared ineligible after receiving one installment. Furthermore, he has the right to know records/information which led to the change in the marital status of his wife which is described on the Portal as 'unmarried'.
11. 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.
12. 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".

**E. Order**

13. The Appeal is allowed. The Respondent is directed to provide the Appellant 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 office.
14. The Respondent 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 Act 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](http://www.rti.gov.pk). The compliance report be submitted to this commission within 10 working days of the receipt of this Order.

15. The Respondent 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](http://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 the Respondent and the Appellant for information and necessary action.

**Mohammad Azam**

Chief Information Commissioner

**Zahid Abdullah**

Information Commissioner

Announced on: October 31, 2022

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