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URGENT/ IMPORTANT



ADCA&C/PIC 2-82/5/258
GOVERNMENT OF THE PUNJAB
PUNJAB INFORMATION COMMISSION

Lahore, 10th of August 2015

Dr. Kamran Abid
Additional Registrar – I/ Designated PIO
Quaid-i-Azam Campus
University of Punjab
Lahore

Subject:- COMPLAINTS REGARDING NON-PROVISION OF INFORMATION UNDER THE PUNJAB TRANSPARENCY AND RIGHT TO INFORMATION ACT, 2013

ORDER:

Please refer to the attached complaint dated 15/7/2015 submitted by Dr. Naveed Ahmad (the complainant) under the Punjab Transparency and Right to Information Act, 2013.

2. The complainant has submitted that your office has provided him incomplete information, and that your reliance on section 13(b) of the Act to withhold requested information (i.e. qualification marks etc.) about eight other candidates considered by the Selection Board is based on wrong interpretation of the law. The Commission has reviewed your response (D/414/R dated 06/07/2015) to the complainant, besides considering the points that you raised through a telephonic discussion on the subject at 10:50AM on 07/08/2015. The Commission is of the view that the refusal of a part of the requested information cannot be justified by referring to section 13(b) of the Act. The very purpose of the Act is to promote transparency and accountability in the conduct of official business and, in this particular instance, the denial of requested information is likely to result in failure of the very purpose of the Act. The record pertaining to other eight candidates, who competed for an official position involving use of public authority and resources, cannot be treated as excluded from public access due to the privacy interest of relevant candidates. The candidates have competed for a public office and the public interest demands that the relevant records are made accessible to ensure transparency, fairness and public accountability. It may be noted here that, on a complaint of a similar nature (Mr. Faiz-ul-Basit, Additional Secretary Vs. Senior Secretary Punjab Assembly), the Punjab Information Commission had directed the Secretary, Punjab Assembly, on 21/11/2014 to provide the requested information to the aggrieved candidate. The public bodies must realize that the Punjab Transparency and Right to Information Act 2013 provides for

maximum disclosure of information, and information can only be withheld when it could be unambiguously established that its disclosure will harm one or more of the protected interests mentioned in section 13 of the Act.

3. In view of the above, the complaint is allowed and, in exercise of its powers u/s 6(1)(a) of the Act, the Commission directs you to provide complete information to the complainant without further delay. **Your compliance report must reach the Commission latest by 17/08/2015.**



(Mukhtar Ahmad Ali)

Information Commissioner

14-T, MM Alam Road, Gulberg II

Lahore

Tel: 042-35750315

CC: Dr. Naveed Ahmad, Assistant Professor, University Law College, University of the Punjab, New Campus, Lahore.