

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO. 1384-10-2021

M. Tahir Khattak

Versus

Oil & Gas Development Company Limited

Date of Hearing: 09.03.2022

Fawad Malik: Information Commissioner

A. APPEAL

1. Through an application dated 26th August, 2021 addressed to the Public Information Officer/Managing Director, Oil & Gas Development Company Limited Mr. Muhammad Tahir Khattak has desired the information / documents invoking the Right of Access to Information Act, 2017. The detailed particulars of the requested information are:

1. *“Copy of applicable policy of Federal government or Provincial Government for utilization of welfare fund/ PC obligation through District Administration.*
2. *Copy of approval reflecting total allocation of funds for provision of clean drinking water to the locals in Chanda/Mela Oil Field out of welfare fund of OGDCL.*
3. *Copy of approved policy of OGDCL at Chanda/Mela Oil Field for distribution of water tankers among locals, verification of bills of water suppliers and payment of their monthly bills in the period of November 2018 to June 2020 (20 x months)*
4. *Copy of Ex-post facto sanction for the payment of bills of water suppliers for the period of November 2018 to June 2020 (20x months) at Chanda/Mela Oil Field.*
5. *Copy of notification reflecting extension in the water distribution policy No. 987/PA/DC/KT dated 04-07-2013 which was valid for one year i.e. up to 30-06-2014.*
6. *List of all water suppliers for the period of November 2018 to June 2020 (20 x months) who have received the bills of the said period at Chanda Mela Oil Field.*
7. *Copies of verified and approved monthly invoices (20 x months) of the water suppliers who have been paid accordingly for supply of water tankers for the period of November 2018 to June 2020 (20 x months) out of welfare fund at Chanda/Mela Oil Field.”*

2. The application was responded by the General Manager, CSR, Oil & Gas Development Company Limited vide letter dated 10th September, 2021. The reply is reproduced hereunder:

“It is to inform you that your request has been reviewed in the light of relevant provision of “Right of Access to Information Act, 2017”, resultantly the Company can provide information for item # 1, 5 & 6 only that falls under section 7 & 16 of the said Act. Please find enclosed record of information as per below details:

1. *Item # 1: Copy of applicable policy of Federal Government or Provincial Government for utilization of welfare fund / PCA obligation through district administration.*

2. *Item # 5: Copy of notification reflecting extention in the water distribution policy No. 987/PA/DC/KT dated 04-07-2013 which was valid for one year i.e. up to 30-06-2014.*
3. *Item # 6: List of all water suppliers for the period of November 2018 to June 2020 (20 x Months) who have received the bills of the said period at Chanda / Mela Oil Field.”*

3. Mr. Muhammad Tahir Khattak, preferred his appeal dated 2nd October, 2021 before the Pakistan Commission on access to information, Islamabad. He alleged that the request for information has either not been provided or provided irrelevant or incomplete information.

B. PROCEEDINGS

4. The Notice of the Commission was responded by the respondent as under:
 - i. *That at the very outset, it is submitted that Oil and Gas Development Company Limited (OGDCL) is the national oil and gas company of Pakistan and the flag bearer of Pakistan's Exploration and Production Sector. The Company is involved in Exploration, Drilling, Oil and Gas activities in Pakistan.*
 - ii. *That the applicant is misusing the forum of appeal as provided under section 17 the Right of Access to Information Act, 2017 ("Information Act, 2017) since the purpose of the Information Act, 2017 is not to fulfill the expectations or needs of the applicant but to improve access to record held by public bodies.*
 - iii. *The queries as raised by the applicant in the captioned case are responded as follows:*

S. No	Query	OGDCL Reply
2	<i>Copy of approval reflecting total allocation of funds for provision of clean drinking water to the locals in Chanda/Mela Oil Field out of welfare fund of OGDCL</i>	<i>It is to inform that the amount/fund for provision of clean drinking water is approved on need basis/requirements of the concerned locality. For this purpose, the Federal Government Ministry of Energy (Petroleum Division) has issued Guidelines for Utilization of Social Welfare Funds, 2021. Under these Guidelines a committee has established under the chairpersonship of elected member of the Constituency and DCO/DC of the district as the Secretary. Prior to these Guidelines, Federal Government issued similar Guidelines in the year 2014 which were superseded by Guidelines of 2017, which now have been superseded by existing Guidelines of 2021. (Copy attached at Annex-A).</i>

3	<i>Copy of approved policy of OGDCL at Chanda/Mela Oil Field for distribution of water tankers among locals, verification of bills of water suppliers and payment of their monthly bills in the period of November 2018 to June 2020 (20 x months)</i>	<i>As discussed above, there is no approved Policy of OGDCL, rather the welfare activities are governed under the Federal Government Ministry of Energy (Petroleum Division) Guidelines for Utilization of Social Welfare Funds, 2021.</i>
4	<i>Copy of Ex-post facto sanction for the payment of bills of water suppliers for the period of November 2018 to June 2020 (20x months) at Chanda/Mela Oil Field.</i>	<i>As discussed above, there is no - approved Policy of OGDCL, rather the welfare activities are governed under the Federal Government Ministry of Energy (Petroleum Division) Guidelines for Utilization of Social Welfare Funds, 2021.</i>
5	<i>Copy of notification reflecting extension in the water distribution policy No. 987/PA/DC/KT dated 04-07-2013 which was valid for one year i.e. up to 30-06-2014.</i>	<i>Copy attached at (Annex-B)</i>
6	<i>List of all water suppliers for the period of November 2018 to June 2020 (20 x months) who have received the bills of the said period at Chanda Mela Oil Field.</i>	<i>Copy attached at (Annex-C)</i>
7	<i>Copies of verified and approved monthly invoices (20 x months) of the water suppliers". Of Welfare fund at Chanda / Mela Oil Field.</i>	<i>As discussed above, there is no approved Policy of OGDCL, rather the welfare activities are governed under the Federal Government Ministry of Energy(Petroleum division) Guidelines for Utilization of Social Welfare Funds, 2021</i>

It is further to note that as per clause 4 of the E&P will open a joint account with DCO/DCS concerned and will deposit the Social Welfare Contribution fund within one month of signing of PCA and subsequently by 31 January each year and as per clause 5 the schemes would be executed and monitored by DCOs DC's through relevant agency.

5. The appellant being not satisfied with the reply has filed the rejoinder.

C. COMMISSION'S VIEW

6. The appellant has desired the information pertaining to policy of Federal government or Provincial Government for utilization of welfare fund / PC obligation through District Administration, approval reflecting total allocation of funds, policy of OGDCL, Ex-post facto sanction, notification reflecting extension in the water distribution policy No. 987/PA/DC/KT dated 04-07-2013 which was valid for one year i.e. up to 30-06-2014, List of all water suppliers for the period of November 2018 to June 2020 (20 x months) who have received the bills of the said period at Chanda Mela Oil

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Field for provision of clean drinking water to the locals in Chanda/Mela Oil Field out of welfare fund of OGDCL.

7. The respondent along with the reply has provided the copies of the Guidelines for Utilization of Social Welfare Funds, 2021, notification reflecting extension in the water distribution policy No. 987/PA/DC/KT dated 04-07-2013 which was valid for one year i.e. up to 30-06-2014 and list of all water suppliers for the period of November 2018 to June 2020 (20 x months) who have received the bills of the said period at Chanda Mela Oil Field. It is also apprised that there is no approved Policy of OGDCL, rather the welfare activities are governed under the Federal Government Ministry of Energy (Petroleum Division) Guidelines for Utilization of Social Welfare Funds, 2021 and that committee has been established under the chairpersonship of elected member of the Constituency and DCO/DC of the district as the Secretary.
8. The appellant has objected the reply in his rejoinder. His objections are that the reply to the queries is either incorrect or irrelevant and that the copies of the attached annexures are not provided. Keeping in juxtaposition the request and the reply it reflects that all the queries are addressed by the public body comprehensively. Further probe and interrogation in to the reply is beyond the scope of the Act and the Commission. The Commission doesn't need to proceed any further with the appeal.

D. ORDER

9. The appeal is disposed of.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on 01.4.2022

Certified that this order consists of 04 pages, each page has been read and signed.