

Pakistan Information Commission
Government of Pakistan

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In the Pakistan Information Commission, Islamabad
Appeal No 1520-12/21

Yousaf Bhatti

(Appellant)

Vs.

Wafaqi Mohtasib (Ombudsman)

(Respondent)

ORDER

Date: April 28, 2022

Zahid Abdullah: Information Commissioner

A. The Appeal

1. The Appellant filed an appeal, dated December 08, 2021, to the Commission, stating that he submitted an information request to the Regional Director, Wafaqi Mohtasib (Ombudsman) on October 29, 2021 under the Right of Access to Information Act 2017 but did not receive any response from the public body.
2. The information sought by the Appellant is as follows:

Most respectfully stated that, I sent the Contempt of Court Case against Sui Northern Gas Pipelines, Limited, who not implement your order of Complaint No. WMS-ONL/0001634/21, dated 04.05.2021, through TCS No. 40605668885, dated 29.10.2021, to your office for redressal of my grievances (COPY ATTACHED).

2. After passing 20 days, I did not received any kind positive response by your office, as yet.

3. In this Connection, I need the following public record of above said case, under Section No. 14(1) of the Right to Access Information Act, 2017

i. Attested Copy of the above said Contempt of Court of Case.

ii. Attested copies of passed order of Regional Office, Multan, on the above said Contempt of Court of Case

iii. Attested Copy of Final order of Regional Office, Multan, on the above said Contempt of Court of Case.

iv. It is, therefore, requested that all above said 03 public record of the case, may kindly be sent to the undersigned applicant address, within 10 working days, under Section No.14 of the Right to Access Information Act, 2017.

B. Proceedings

3. The record on the file shows that the Respondent submitted its response on December 31, 2021 and its relevant portions are as under:

“It is stated that, on receipt of implementation applications from the complainant, implementation meeting was held on 25.11.21 and was adjourned for 21.12.21. On 21.12.21, the representative of the Agency informed that the competent authority had imposed ban on all type of new connection installation till further orders and assured to implement the findings of the HWM in the cited complaint after the lifting of ban. A

written reply has been desired till 06.01.2022. No contempt of court proceedings were started. The complainant asked for provision of copy of show cause notice but no show cause was issued as the agency had assured to implement the findings after uplifting the Ban. The Findings WMS-ONL/1634/21 already had been issued to the complainant at his mailing address”.

1. Through a letter dated January 27, 2022, the Respondent submitted its response which is as under:

“Kindly refer your Registrar letter of dated 11.01.2022 received through UMS No 172556238, received dispatch from Pakistan Information Commission on dated 19 01 2022 and received on 21.01.2022

In this connection, I am sharing following information Required Information

Sr. No	Required Information by appellant dated 07.12.2021	Received Information by Wafaqi Mohtasib
1	Attested Copy of the above said Contempt of Court of Case.	Not Received
2	Attested copies of passed order of Regional Office, Multan, on the above said Contempt of Court of Case.	Not Received
3	Attested copies of passed order of Regional Office, Multan, on the above said Contempt of Court of Case.	Not Received

Prayer It is, therefore, requested that

1. That answer of Director General of Wafaqi Mohtasib, Islamabad, dated 06.01.2022 is irrelevant, against the above said requisite formation and is liable to set aside, as Non-Speaking Order.
2. That the Answer of Director General, Wafaqi Mohtasib, Islamabad may kindly be set aside.
3. That the direction may kindly be passed to the Director General the requisite information may kindly be provided to the undersigned appellant, without further delay”.

4. The representative of the Respondent reiterated the stance earlier submitted on December 21, 2022 in the hearing held on April 21, 2022.

C. Discussion and Commission’s View on Relevant Issues

5. This commission holds that some of the requested information available with the Respondent has been provided to the Appellant.
6. The Appellant is seeking access to records pertaining to contempt of court proceedings which the Respondent has not initiated.
7. The Respondent has submitted before this commission that “on receipt of implementation applications from the complainant, implementation meeting was held on 25.11.21 and was adjourned for 21.12”. It is reasonable to conclude that this meeting with the officials of the Agency concerned was held after written communication with the officials of the Agency. Even if this meeting was not held after issuing of the Show Cause Notice as maintained by

the Respondent, the Appellant is entitled to the correspondence of the Respondent with the Agency for this meeting.

D. Order

8. The Appeal is allowed. The Respondent is directed to share with the Appellant certified copies of the correspondence between the Respondent and the Agency for the implementation meeting held on 25.11.21 on receipt of implementation applications from the complainant.
9. Copies of this Order be sent to the Respondent and the Appellant for information.

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on: April 28, 2022

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