



In the Pakistan Information Commission, Islamabad
Appeal No 1841-04/22

Kashif Ali

(Appellant)

Vs.

Labour Welfare Department

(Respondent)

ORDER

Date: August 16, 2022

Zahid Abdullah: Information Commissioner

A. The Appeal

1. The Appellant filed an appeal, dated April 01, 2022, to the Commission, stating that he submitted an information request to the Director, Labour & Industries) ICT, Labour Welfare department, Islamabad on March 09, 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:
 1. *“Which class of employees/workers of the oil & Gas companies are treated as eligible for 5% from company’s yearly profit (WPPF).*
 2. *Whether following categories of workers/employees are eligible for 5% from company’s yearly profit (WPPF) or not.*
 - i. *Work charge/ Causal employees or oil and gas Tran’s provincial federal bodies.*
 - ii. *Daily wages employees of oil and gas Trans provincial federal public bodies.*
 - iii. *Direct contract employees of oil and gas Trans provincial federal public bodies.*
 - iv. *Regular confirmed employees of oil and gas trans provincial federal public bodies.*
 - v. *Out sourced through third party/ contractor employees of oil and gas trans provincial federal public bodies.*
 - vi. *Lump sump employees through private contractor, services supplied to public body for temporary posts.*
 - vii. *Lump sum employees through private contractor, services supplied to public to public body for temporary posts.*
 - viii. *Well chowkidars through third party contractors/ land owners.*
 3. *Whether this department is responsible for ensuring payment of 5% (WPPF) to workers or respective companies or not.*
 4. *Whether this department has taken any notice as OGDCL is /has not been paying 5% percent (WPPF) to workers/well chowkidars through third party contractors/ land owners, Please provide certified copies of direction/ guide line / letter sent to OGDCL or any public sector Company if any.*

B. Proceedings

3. The record on the file suggests that the Respondent submitted its response on the intervention of this commission on April 06, 2022 and its text is as under:
 - a) “In this regard it is submitted that all the questions mentioned in your letter from S.No.1 to 4 relates to Oil and Gas Development Corporation Ltd (OGDCL).
 - b) You are therefore, requested to approach in the OGDCL directly for obtaining above the information, please.”

C. Issues

4. The instant appeal has brought to the fore the following issue:
Is the Respondent custodian of the requested information under the Right of Access to Information Act, 2017, henceforth referred to as the Act, 2017?

D Discussion and commission’s views on relevant issues:

5. The Respondent has submitted that all the questions mentioned from S.No.1 to 4 relate to Oil and Gas Development Corporation Ltd (OGDCL).
6. Notwithstanding laudable motives of the Appellant for seeking information about salaries and benefits given to employees of OGDCL, the Respondent can only provide the information it is custodian of.
7. If so desired, the Appellant may file request for information to OGDCL under the Right of Access to Information Act, 2017 as it comes within jurisdiction of this law.

E. Order

8. The Appeal is disposed of as the Respondent; Labour Welfare Department is not the custodian of the requested information.
9. Copies of this order be sent to the Respondent and the Appellant for information and necessary action.

Mohammad Azam

Chief Information Commissioner

Fawad Malik

Information Commissioner

Zahid Abdullah

Information Commissioner

Announced on:

August 16, 2022

This order consists of 2 (two) pages, each page has been read and signed.