



In the Pakistan Information Commission, Islamabad
Appeal No 1867-04/22

Allah Yar

(Appellant)

Vs.

Multan Electric Supply Company

(Respondent)

ORDER

Date: August 02, 2022

Zahid Abdullah: Information Commissioner

A. The Appeal

1. The Appellant filed an appeal, dated April 18, 2022 to the Commission, stating that he submitted an information request to the Chief Executive Officer MEPCO, on March 25, 2022 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:

“Reference:

- i. *Prime Minister Delivery Unit Complaint No. 220510-1981245.*
- ii. *Chief Engineer (O&M) T&G, MEPCO Ltd Multan letter No. 382427/CE(O&M) T&G/MEPCO dated 27-09-2021.*
- iii. *The Executive Engineer (OP) MEPCO Divison Chistian letter No. 3480-81/Admn/CTN dated 04-10-2021 (Not to MEPCO HQs)*

With due respect, it is submitted that on my request, an inquiry on account of bogus certificates (submitted by some MEPCO officials) was held at MEPCO HQs, Multan vide letter cited at reference. You are humbly requested to please provide me a copy of afore-said inquiry report (Along with Complete Annexure) for my information and further action as considered appropriate at my end.”

B. Proceedings

3 The record on the file suggests that the Respondent submitted its response on the intervention of this commission on June 15, 2022 and its text is as under:

“It is apprised that said matter is under investigation by enquiry committee, the certificates are being sent to respective Boards and Universities for verification. Accordingly to Dy. Director (HRM) MEPCO HQ Multan vide Letter No. 46238-39 dated 15-06-2022. As verification from respective institutions received, enquiry committee will finalize the proceeding and submit the report.

Keeping in view of above, kindly grand further time one month at least as educational institutions take time for verification please.”

5 Hearing on the instant Appeal was held on July 21, 2022 vide letter dated June 24, 2022. The Respondent submitted its response and its text is as under:

“It is apprised that Dy. Director (HRM) MEPCO HQ Multan vide Letter No. 53441-42 dated 14.07.2022 has intimate to this office, to this office, certificate are being sent to

respective Boards and Universities for verification vide their Letters No. 48829 dated 27.06.2022, 48848 dated 27.06. 2022, 48849 dated 27.06.2022 and 48850 dated 27.06. 2022. As verification from respective institutions received, enquiry committee will finalize the proceeding and submit the report.

Keeping in view of above, kindly grant further time of one month at least as educational institutions take time for verification please.”

C. Issues

6. The instant appeal has brought to the fore the following issue:
At what stage can enquiry report be made public?

D Discussion and commission’s views on relevant issues:

- 7 The Respondent, MEPCO has submitted before this commission that “*certificate is being sent to respective Boards and Universities for verification*” and as “*verification from respective institutions received, enquiry committee will finalize the proceeding and submit the report. The Respondent, MEPCO also submitted that “kindly grant further time of one month at least”.*

- 8 This commission holds that the requested enquiry has not attained the status of finality. Section 16 of the Act deals with the exemptions and enlists situations wherein requested information/records cannot be shared. As such, the enquiry report at this stage cannot be shared under Section 16 (1) (b) (ii) of the Act, 2017 as it may cause “Harm the detection, prevention, investigation or inquiry in a particular case”

- 9 This commission also holds that once this enquiry report attains the status of finality, its certified copy should not only be provided to the Appellant, it should also be proactively disclosed through the web site of the Respondent as required under Section 5 (1) (i) of the Act, 2017.

E. Order

- 10 The Appeal is disposed of as the required enquiry report has not attained status of finality at this stage.
- 11 The Respondent is directed to ensure that once the requested enquiry report attains the status of finality, its certified copy should not only be provided to the Appellant, it should also be proactively disclosed through the web site of the Respondent as required under Section 5 (1) (i) of the Act, 2017, with intimation to this office.
- 12 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 02, 2022

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