

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

Appeal No. 1927-05/2022

Pervez Iqbal

Vs

Sukkur Electric Power Company

Fawad Malik: Information Commissioner

A. APPEAL

1. Mr. Pervez Iqbal filed an application under the Right of Access to Information Act, 2017. Through his application dated 06.04.2022 addressed to the Chief Executive, Sukkur Electric Power Company he has requested the complete evaluation report pertaining to tender no. NCB-S-13/2021 opened on 13-01-2022 for the procurement of energy meters.
2. Feeling aggrieved for the non-provision of the information he has filed an appeal before Pakistan Commission on access to information, Islamabad.

B. PROCEEDINGS

3. The Chief Executive Officer, Sukkur Electric Power Company vide letter dated 31.05.2022, was directed to provide reasons in writing within seven working days as to why the requested information has not been provided to the applicant as under section 14 of the Right of Access to Information Act 2017, each public body is bound to respond to a request as early as possible and in any case not later than ten working days of the receipt of the request.
4. The reply was not submitted therefore the appeal was fixed for hearing before the Commission on 20.07.2022 but neither was the reply submitted nor any one appeared to represent the respondent public body.

C. COMMISSION'S VIEW

5. While dealing with the matters related to information and record sought by the citizens under the Act 2017, the public bodies are under obligation to respond the applications as mandated in the Act. In the case in hand the respondent has not acknowledged the application, information is not provided to the applicant in the stipulated time frame and the notices of the Commission are ignored. The reply is not submitted and the hearing before the Commission was not represented by the public body. It is presumed that the respondent public body is willfully avoiding the proceedings before the Commission and that the

public body has nothing in the sleeves to submit in the defense. In such like circumstances the Commission is left with no option but to decide the appeal ex parte after going through the file in light of the Act.

6. The bare reading of the request depicts that the information and record sought by the appellant is enlisted in the category of public record as defined in the Act. Each public body is under compulsion to proactively publish including uploading over the internet in a manner to ensure its accessibility to the citizens, all the record detailed in section 5 of the Act.
7. Transparency in the working of the government departments is the essence for the enactment of the Act 2017. Its spirit is to ensure that the people of the Islamic Republic of Pakistan have access to the records held by the federal public bodies for making the government accountable to the people. This practise would improve the participation of the people in the public affairs aimed at reducing corruption, nepotism, discrimination, misuse of power and inefficiency in the governance.

D. ORDER

8. The appeal is allowed. The Chief Executive Officer, Sukkur Electric Power Company, Sukkur is directed to furnish the appellant all the requested information detailed supra in para 1 of this order, forthwith, but in any case not later than seven days of the receipt of this order.

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.