

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

Appeal No. 2173-08/2022

Nisar Momand

Vs

Water and Power Development Authority

Fawad Malik: Information Commissioner

**A. APPEAL**

1. Mr. Nisar Momand filed an application under the Right of Access to Information Act, 2017 seeking information pertaining to Mohmand Dam located in District Mohmand, Khyber Pakhtunkhwa. Through his application dated 01-08-2022 addressed to the Chairman, Ministry of Water and Power Development Authority (WAPDA), he has asked for the information detailed below.

- i. *“Details of approved PC-1 Mohmand Dam.*
- ii. *Copy of Agreement between the government and Mohmand tribe regarding construction of Mohmand Dam .*
- iii. *Complete details of the compensation Cheque issued by the government to the Mohmand Dam affectees.*
- iv. *Complete details of the total area acquired for Mohmand Dam.”*

2. Feeling aggrieved for the non-provision of the requested information within the time frame provided under the Act he has filed the appeal before Pakistan Commission on Access to Information, Islamabad.

3. Mr. Javed Iqbal Afridi, General Manager / Project Director, Mohmand Dam Hydropower Project assisted by Sajjad Zafar, legal advisor appeared on behalf of the WAPDA whereas Nisar Momand, appellant the local Member of Provincial Assembly appeared in person before the Commission during the course of hearing. The representative of the public body has produced before the Commission copy of approved PC-I pertaining to Mohmand Dam. The same is handed over to the appellant, present in person.

The representative of the public body has also produced before the Commission the letters written by him to the concerned Deputy Commissioners i.e. District Charsadha, District Mohmand Ghallani, District Bajur and District Malakand for the provision of the requested information / record for onward transmission to the Commission. Through the said letters the details pertaining to compensation cheques issued by the government to the affectees

of the dam and information regarding the total area acquired by the government for the construction of the dam is sought as the said record is available with the concerned district management.

4. The representative of the public body has initiated the process for the furnishing of the requested information, which is appreciated on their part. The public body has never denied the provision of the requested information under the umbrella of exemption clauses provided in the Act, meaning thereby that all the information and record sought by the appellant is admitted as public record, open for access. The representative of the public body has assured the Commission that the information and record will be made available to the appellant as and when made available.

## **B. ORDER**

The appeal is allowed. The General Manager / Project Director, Mohmand Dam Hydropower Project, Water and Power Development Authority, WAPDA House Peshawar is directed to furnish the appellant information and record detailed at serial number ii, iii & iv in para 1 of this order, by or before 25-11-2022. The PC-I mentioned at serial number (1) of the para number 1 of this order has already been furnished to the appellant.

Mohammad Azam  
Chief Information Commissioner

Fawad Malik  
Information Commissioner

Zahid Abdullah  
Information Commissioner

Announced on: October 27, 2022  
This order consists of 02 (two) pages, each page has been read and signed