



In the Pakistan Information Commission, Islamabad

Appeal No 998-04/2021

Zahid Hussain Wasim

(Appellant)

Vs.

Defence Housing Authority, Bahawalpur

(Respondent)

ORDER

Date: June 17, 2021

Zahid Abdullah: Information Commissioner

A. The Appeal

1. The Appellant filed Appeal on April 12, 2021, to the Commission, stating that he had submitted information requests to Administrator, Defence Housing Authority, Bahawalpur on January 04, 2021 under the Right of Access to Information Act 2017 but did not received any response from the public body.
2. The information sought by the Appellant is as follows:
“That, M/s EPCS (Private) Limited, Lahore has submitted its request to your good office to register as consultant company. Please provide all bidding documents along with qualification experience and experience certificates etc. that was submitted by M/s EPCS (Private) Limited, Lahore for registration as consultant”.

B. Proceedings

3. Through a notice dated April 27, 2021, sent to Administrator, Defence Housing Authority, Bahawalpur, the Commission stated that “Under Section 14 of the Right of Access to Information Act 2017, each federal public body is bound to respond to a request as soon as possible and in any case within ten working days of receipt of the request. You are directed to provide reasons in writing within 7 working days of the receipt of this notice as to why the requested information has not been provided to the applicant, (copy of the information request and appeal thereon enclosed)”.
4. Through a letter dated May 7, 2021, the Respondent shared the requested information with the Appellant with intimation to this office.
5. Through an E-mail dated June 07, 2021, the Appellant shared with the commission that the Respondent had shared “only company profile of M/s EPCS (Private Limited) has been provided in stead of all requested documents/data like certified copies of all bidding documents along with qualification, experience and experience certificates etc. that was

submitted by Ms EPCS (Private Limited), Lahore for registration as a consultant in DHA, Bahawalpur”.

C. Discussion and Commission’s View on Relevant Issues

6. This commission is of the view that documents submitted by firms/individuals to a public body for contracts are public documents as these documents reveal level of competence of the firms/individuals to carry out tasks funded by the tax-payers of the country.
7. The ‘Profile’ of an organisation may or may not indicate level of competence for the execution of projects, bidding documents along with qualification, experience and experience certificates surely help officials in deciding awarding or otherwise of projects to a firm. That is why, the disclosure of these documents is warranted by the letter and spirit of the Right of Access to Information Act 2017 to achieve the stated objectives of Act enunciated in its Preamble which are as under:
 - a. Making government more accountable to citizens’;
 - b. Greater level of participation of citizens in the affairs of the government’;
 - c. ‘Reducing corruption and inefficiency’;
 - d. Promoting sound economic growth’; and
 - e. Promoting good governance and respect for human rights.

D. Order

8. Appeal is allowed. Administrator, Defence Housing Authority, Bahawalpur is directed to provide complete information mentioned in para 2 of this Order to the Appellant, at the earliest but not later than 7 working days of the receipt of this Order, with intimation to this office.
9. Administrator, Defence Housing Authority, Bahawalpur is directed to notify Public Information Officer, (PIO), under Section 9 of the Act, put contact details of PIO on its web site as required under Section 5 (1) (h) of the Act and submit compliance report to the commission within 10 working days of the receipt of this order.
10. Administrator, Defence Housing Authority, Bahawalpur is directed to take immediate steps to proactively share through the web site all categories of information mentioned in Section 5 of the Right of Access to Information Act 2017 and submit the compliance report to the commission in the Template for the Compliance Report-Proactive Disclosure of Information under Section 5 of the Right of Access to Information Act 2017’. This template is available under ‘Information Desk’ category at the web site of the commission www.rti.gov.pk. The compliance report be submitted to this commission within 30 days of the receipt of this Order.
11. Copies of this order be sent to Administrator, Defence Housing Authority and the Appellant for information and necessary action.

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on:
June 17, 2021

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