



In the Pakistan Information Commission, Islamabad

Appeal No E169-10/21

Faseeh Ul Hassan

(Appellant)

Vs.

Employees Old-Age Benefits Institution

(Respondent)

ORDER

Date: July 18, 2022

Mohammad Azam: Chief Information Commissioner

A. The Appeal

1. This commission has received an appeal from Mr. Faseeh Ul Hassan dated October 11, 2021, stating that he submitted information request dated September 27, 2021 under the Right of Access to Information Act 2017 to the Registrar, Cooperative Societies Department. The Respondent public body has not responded to his information request as required under section 13 of the Right of Access to Information Act, 2017. Therefore, the appellant has filed his appeal to the Commission.
2. The information sought by the Appellant is as under:

یہ کہ ضلع سیالکوٹ کی تحصیل سمبڑیاں تحصیل ڈسکہ سے کتنے کتنے افراد ای او بی آئی میں رجسٹرڈ ہیں؟
یہ کہ ضلع سیالکوٹ کی تحصیل سمبڑیاں تحصیل ڈسکہ کے کتنے اینٹوں کے بھٹے ای او بی آئی میں رجسٹرڈ ہیں متعلقہ بھٹوں کی لسٹ بمعہ ایڈریس تصدیق فراہم کرنے کی استدعا ہے۔

یہ کہ ضلع سیالکوٹ کی تحصیل سمبڑیاں تحصیل ڈسکہ تحصیل سیالکوٹ میں موجود بھٹوں پر کام کرنے والے کتنے مزدوری ای او بی آئی میں رجسٹرڈ ہیں؟
یہ کہ ضلع سیالکوٹ کی تحصیل سمبڑیاں تحصیل ڈسکہ تحصیل سیالکوٹ میں موجود رجسٹرڈ بھٹوں پر کام کرنے والے ای او بی آئی میں رجسٹرڈ مزدوروں کی لسٹ بمعہ ولدیت، رجسٹریشن نمبرز بمعہ بھٹے پر ان کے کام کی نوعیت عہدہ مکمل معلومات کی تصدیق شدہ لسٹ کی کاپی فراہم کرنے کی استدعا ہے۔

B. Proceedings

3. Through a notice dated October 21, 2021, sent to Deputy Director General / Public Information Officer, Employees Old-Age Benefits Institution 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. The Appeal was fixed for hearing on February 08, 2021 and both parties were informed through notices sent on December 24, 2021.

5. The appeal was again fixed for hearing on April 05, 2022. Mr. Abdul Ahad, Public Information Officer, Employees Old-Age Benefits Institution attended the hearing and submitted the required information before the Commission.
6. The information submitted by the public body was shared with the appellant on April 06, 2022.
7. The appellant on April 14, 2022 submitted rejoinder to the response of the public body which is as under:

“EOBI letter reference No. EOBI/HO/CS/202/ point no 4 of the application is explicitly mentioned by the Public information officer EOBI in the letter which is. The list of the said workers are required including names with father name along with EOBI’s registration no is required but the information provided contains only numbers and incomplete information.”
8. Rejoinder submitted by the appellant was shared with the public body on April 18, 2022, with the directions to respond to the queries of the appellant within 10 working days.
9. The Appeal was fixed for hearing on June 21, 2021 and both parties were informed through notices sent on May 17, 2021.
10. Mr. Abdul Ahad, Public Information Officer, Employees Old-Age Benefits Institution appeared before the Commission during the hearing held on June 21, 2021 and submitted response which is as under:

“This refers to your letter dated: 08.04.2022 on above cited subject wherein it was informed that appellant is satisfied in respect of information provided to him except the list of insured persons working to brick kilns of Daska Sialkot including their names, fathers’ name along with EOBI’s registration numbers.

In this regard it is stated that as per section 7 (g) of The Right of Access to the Information Act, 2017 record of personal information including privacy of any individuals is exempted from the preview of the Hon’ble Commission, hence the same cannot be disclosure with the appellant.”
11. The response submitted by the public body was shared with the appellant on May 26, 2022.

C. Discussion and Commission’s View on Relevant Issues

12. The commission has to decide whether the remaining information i.e. names, father name and addresses of the brick kilns employees falls within the ambit of the public record or not under the Right of Access to Information Act, 2017, hereafter referred to as Act.
13. The public body in response to the notice of the Commission provided list of the Brick Kilns in District Sialkot and total number of the employees of each brick kiln registered with EOBI as requested by the appellant.
14. The public body has refused to share the father’s name and address of the brick kilns employees and stated that *“as per section 7 (g) of the Right of Access to Information Act, 2017 record of personal information including privacy of any individual is exempted from disclosure.”*
15. This Commission maintains that remaining information i.e. names, father names, EOBI registration number and postal address of the employees of brick kiln do not fall within the definition of public record. Such information cannot be shared with the public without their written consent.

16. However, if the appellant needs the requested information to confirm his own data from the record of the EOBI, he may file new information request with the specific information that he needs.

D. Order

23. Appeal is disposed of as the Respondent has provided the requested information to the appellant and the remaining information does not fall within the definition of the public record.
26. Copies of this order be sent to Public Information Officer, Employees Old-Age Benefits Institution and the Appellant for information and necessary action.

Mohammad Azam

Chief Information Commissioner

Fawad Malik

Information Commissioner

Zahid Abdullah

Information Commissioner

Announced on: July 18, 2022

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