

Pakistan Information Commission
Government of Pakistan



1st Floor, National Arcade, 4-A Plaza

F-8 Markaz, Islamabad

Website: www.rti.gov.pk

Phone: 051-9261014

Email: appeals@rti.gov.pk

  @PkInfoComm



In the Pakistan Information Commission, Islamabad

Appeal No 507-08/20

Khurram Iqbal

(Appellant)

Vs.

Lahore Electric Supply Company

Through Chief Executive Officer

(Respondent)

Order

Date: January 18, 2021

Mohammad Azam: Chief Information Commissioner

A. The Appeal

1. The Appellant filed an appeal, dated 12-08-2020, to the Commission, stating that he Submitted an information request to the Sub Divisional Officer (SDO) of Mandi Ahmedabad Sub-Division, Lahore Electric Supply Company dated 14-07-2020 under the Right of Access to Information Act 2017 but did not received the requested information from the public body.
2. The information sought by the Appellant is as under;

" پاکستانی شہری ہونے کی حیثیت سے آئین پاکستان کے آرٹیکل 19 اے کے تحت میں یہ جاننا

چاہتا ہوں کہ سب ڈویژن منڈی احمد آباد میں اس وقت کتنے ملازمین موجود ہیں اور ان تمام

ملازمین کے نام، عہدے اور گریڈ کے ساتھ مکمل فہرست مہیا کی جائے۔"

B. Proceedings

3. Through a notice dated September 04, 2020 sent to the Chief Executive Officer, Lahore Electric Supply Company, the Commission called upon the Respondent to submit reasons for not providing the requested information.
4. The Respondent did not respond to the notice of the commission. The appeal was fixed for hearing on October 20, 2020 and both the Respondent and the Appellant were informed according through a notice dated October 06, 2020.

5. No one appeared on behalf of the Respondent to attend the hearing held on October 20, 2020.

C. Discussion and Commission's View on Relevant Issues

6. The Commission observed that the information requested by the Appellant could be accessed under Section 5(a) of the Right of Access to Information Act 2017, hereafter referred as Act.

Section 5 (a) states that;

“(a) description of the public body's organisation and functions, duties, powers and any services it provides to the public, including a directory of its officers and employees, indicating their duties and functions and their respective remunerations, perks and privileges;”

7. On consideration of the facts arising in this appeal, it is evident that the Respondent has failed to adhere to the mandatory timelines laid down in the Section 14 of the Act for responses of the public bodies in relation to information requests of the citizens.

Section 14 (1) states,

“Subject to the provisions of this Act, a public body shall be required to respond to a request as soon as possible and in any case within ten working days of receipt of the request.”

8. In the instant appeal, the Respondent neither replied to information request of applicant nor responded to the notices of the commission. This commission is of the view that the wilful delay or denial of the requested information causes undue cost to citizens and the commission.
9. According to Section 19 (d) of the Act, this commission is bound to make sure the all information determined in Section 5 of the Act available on the website of the public bodies. In this regard, the Pakistan Information Commission has developed a template to ensure proactive disclosure of information. The template is available on the website of this commission i.e. www.rti.gov.pk
10. The Respondent has also failed to implement Section 9 of the Act, in the instant appeal the Chief Executive Officer, Lahore Electric Supply Company deemed to be Public Information Officer, (PIO).

Section 9 states that;

“Each public body shall, within thirty days of the commencement of this Act, notify one or more designated officials, not below the rank of BPS-I9 or equivalent:

Provided that where no designated official has been notified or he is absent or not available, principal officer of the public body shall be the designated official:”

11. If directions of the commission in this Order are not followed, it will be left with no option but to invoke Section 20 (f) of the Right of Access to Information Act 2017.

D. Order

12. The appeal is allowed. The Chief Executive Officer of Lahore Electric Supply Company is directed to provide the information requested in Para-2, with intimation to this office, at the earliest, but in any case, not later than 10 working days of the receipt of this Order.
13. The Respondent is directed to notify Public Information Officer, (PIO), under Section 9 of the Act, put the notification to this effect on its web site as required under Section 5 (1) (b) of the Act.
14. The Respondent is also 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 by February 18, 2021.
15. Copies of this order be sent to Chief Executive Officer, Lahore Electric Supply Company and the Appellant for information and necessary action.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on:
January 18, 2021

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