

APPEAL NO. 812-12-2020

Muhammad Waseem Elahi

Vs

Federal Insurance Ombudsman Secretariat, Karachi

Date: 18.2.2021

Fawad Malik: Information Commissioner

A. APPEAL.

1. Mr. Muhammad Waseem Elahi has filed his appeal under the Right of Access to Information Act 2017, before the Pakistan Information Commission. In the appeal he has complained that he has not been provided the requested information by the public body.
2. The appellant under his Right of Access to Information Act 2017 has requested the following information and record from the office of Federal Insurance Ombudsman Secretariat, Karachi.
 1. *“Share the landline bills of phone numbers 021-99207760-61-62 from January 2020 to date.*
 2. *All pages of each bill required.*
 3. *Do you maintain incoming / outgoing call records of these phone numbers on some register etc.*
 4. *On average how many calls are being made and received daily through these phone numbers?*
 5. *How many personals in your office use this phone number?*
 6. *Is there some designated personnel appointed to respond the queries of complaints coming throughout from Pakistan?*
 7. *Is there some other phone number also to get some information / up-date status of someone’s under process complaint?*
 8. *What is the FIO’s SOP regarding landline phone number, call records?*
 9. *Complete details of personals using these phone numbers required along with their salaries, designations, allowances, perks etc.*
 10. *Currently how many complaints against any staff of FIO are under process?*

B. PROCEEDINGS.

3. The Federal Insurance Ombudsman Secretariat, Karachi, vide letter dated 30.12.2020 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 are 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 Deputy Director, Federal Insurance Ombudsman submitted the reply as under;

..... provision of information about telephone numbers and bills pertaining to the Federal Insurance Ombudsman, in this connection, as per Section 6 of the Act 2017, enumerating the categories of the public record, which may require but the information required by Mr. Waseem Ellahi is not covered.

5. The appeal was fixed for hearing on 10.2.2021 when Mr. Zia-ul-Haq, advisor appeared to represent the public body. He requested for time to prepare the brief hence the appeal was adjourned for 17.2.2021.

C. COMMISSION'S VIEW.

6. The appellant has requested the information related to the official telephone numbers 021-99207760-61-62, installed in the office of the respondent public body. The respondent has denied the information for the sole reason that it is not specifically mentioned in the declaration of public record under section 6 of the Act.
7. The section 5(g) of the Act requires publication including uploading over the internet, record pertaining to detailed budget of the public body including proposed and actual expenditures. The expenditures include the phone bills as well. The Commission is of the considered view that the information regarding the office telephone and incidental thereto, asked by the appellant are the category of public record, open for disclosure. Apart from the requested information the respondent is required to comply with the mandatory provision of section 5 of the Act.
8. Telephones provided by the government in offices are paid from the exchequer of taxes recovered from the citizens. The citizens therefore have the right to inquire the expenditures made from the tax money. 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 practice would improve the participation of the people in the public affairs aimed at reducing corruption and inefficiency in the governance.
9. 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 application as mandated in the Act. In the case in hand the respondent has not acknowledged the application and information is not provided to the applicant in the stipulated time frame.
10. The respondent has not notified the designated officer as mandated in section 9 of the Act.

D. ORDER.

11. The appeal is allowed. The respondent is directed to provide the appellant the requested information forthwith, but in any case not later than seven days of the receipt of this order.
The respondent is further directed to make arrangements for the implementation of sections 5 & 9 of the Act under intimation to the Commission by 31.3.2021.

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner
Announced: 23.2.2021

