



**In the Pakistan Information Commission, Islamabad**

**Appeal No 856-01/21**

**Pervaz Iqbal**

**(Appellant)**

Vs.

**Lahore Electric Supply Company**

**(Respondent)**

**Order**

**Date:** June 24, 2021

**Mohammad Azam:** Chief Information Commissioner

**A. The Appeal**

1. The Appellant filed an appeal, date March 20, 2021, to the Commission, stating that he Submitted an information request to the Chief Executive Officer, Lahore Electric Supply Company dated January 26, 2021 under the Right of Access to Information Act 2017 but did not receive the requested information from the public body.

2. The information sought by the Appellant is as under:

*“In this regard, it is intimated that LESCO had floated tender no 354/PMU for procurement for 2/5 nos of accuracy class 0.2s energy meters upon which LESCO has issued purchase order no.334 dateed 16-10-2019 in addition to amendment no.01 in purchase order no.334 dated 11-03-2020 with 15% enhance quantity.*

*It is requested to provide the complete evaluation report carried out by LESCO under provisions of subject Act 2017 being a citizen of Pakistan to proceed further in the matter.”*

**B. Proceedings**

3. Through a notice dated March 31, 2021 sent to the Chief Executive Officer, Lahore Electric Supply Company called upon the Respondent to submit reasons for not providing the requested information.

4. Through another notice dated May 19, 2021 the Respondent was directed to submit written arguments within 15 days, otherwise the appeal will be decided Ex-Partee in the light of the record available on the file and the Right of Access to Information Act 2017.

5. The respondent through a letter vide No. HRD/ESTB/25999 dated May 26, 2021 requested to again share the copy appeal and information request.

6. The copy of the appeal and information request was again shared with the Respondent through a letter dated June 01, 2021 with the direction to submit written reply and arguments to Pakistan Information Commission before June 11, 2021.

7. Despite multiple notices the respondent did not shared the requested information / response.

### **C. Discussion and Commission's View on Relevant Issues**

8. The question for the consideration of the commission is that whether the information requested by the citizen is public information/ record? And whether the public body has fulfilled its duties as defined in the Right of Access to Information Act, 2017 hereafter referred as Act?
9. The information requested by the appellant belongs to the Section 5(e) of the Act, Section 5(e) is as under:

*“(e) The condition upon which members of the public body can acquire any license, permit, consent, approval, grant, allotment or other benefits of whatsoever nature from any public body or upon which transactions, agreements and contracts, including, contracts of employment which can be entered into with the public body, along with particulars about the recipients of any concession, permit, license or authorization granted by the public body,”*
10. The requested information is also declared as public record in Section 6(c) of the Act, which is as under:

*“(c) information regarding grant of licences, allotments and other benefits, privileges, contracts and agreements made by a public body.”*
11. The information requested by the appellant is declared as public record in section 5 (e) of the right of Access to Information act 2017 and the public bodies are bound to ensure that all such categories of the information and record defined in Section 5 of the Act are duly published including uploading over the internet or in a manner which best ensures that these are accessible to the public.
12. In the instant appeal the public body has failed to acknowledge and respond to the information request of the appealant. Moreover, despite sharing the copies of the information request and appeal on its own request, the respondent did not submit any response within the stipulated time period.
13. According to Section 9 of the Act, each public body shall, within thirty days of the commencement of this Act, notify one or more designated officials, not below the rank of an officer in BPS -19 or equivalent; but the Respondent has not so far nominated any official to deal with the information request of the citizen.

### **D. Order**

14. The appeal is allowed. The Chief Executive Officer, 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.
15. The public body 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 July 23, 2021.
16. The Respondent is also directed to designate Public Information Officer as required under Section 9 of the Act and upload its notification along with the name, designation and contact details on its website as required under Section 5 (1) (b) and (h) of the Act and submit compliance report to the commission within 10 working days of the receipt of this order.

17. Copies of this order be sent to the 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:

June 24, 2021

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