

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO. 651-10-2020

Muhammad Ayyub
Vs
Multan Electric Power Company

Date: 23.8.2021

Fawad Malik: Information Commissioner

A. APPEAL

1. Mr. Muhammad Ayyub, filed an appeal before the Pakistan Information Commission under the Right of Access to Information Act, 2017, complaining therein the non provision of the information requested from the office of Superintendent Engineer, WAPDA, Dera Ghazi Khan.
2. The information and record sought from the office of S.E, WAPDA, Dera Ghazi Khan through letter dated 4.02.2020 is reproduced as under:

- 1- " کہمبے شفتنگ ریکارڈ
- 2- ٹیوب ویل کنکشن و نہری فیز کنکشن ریکارڈ دوران عرصہ ایکسین ممتاز علی سولنگی کہ کن لوگوں کو دئے گئے اور گوشوارہ جات درخواست دہندگان کنکشن۔
- 3- ترانسفارمر شفتنگ ریکارڈ۔
- 4- ٹینڈرز
- 5- ورک آرڈرز
- 6- *Completion Plan.*
- 7- *Completion Plan*
- 8- تعلیمی اسناد ایکسین ممتاز علی سولنگی۔
- 9- آرڈر T.A جاوید بزدار۔
- 10- ریکارڈ تنخواہ اور مراعات T.A جاوید بزدار
- 11- ڈیلی ویجز بہرتی ملازمین ریکارڈ۔
- 12- غیر پاس شدہ TMA کالونیاں کا کنکشن ریکارڈ۔"

B. PROCEEDINGS:

3. The notice of the commission is responded by the Executive Engineer (OP), MEPCO Division, Dera Ghazi Khan vide his letter dated 12.02.2021. He has required

clarification to the information and queries raised by the appellant, respectively. The same are reproduced here under:-

1. *“Mention name wise that which are required.*
2. *Mention name wise Account No. wise all s/Phase and three phase connection which you required.*
3. *Mention name wise transfer shifting record which are required;*
4. *Mention name wise which are required;*
5. *Mention name wise Work order which are required*
6. *Mention name wise completion which are required*
7. *Mention name wise estimates are required*
8. *The educational record of undersigned cannot be produced due to personal record as per SOP / PIC act and duly verified.*
Further these are available to MEPCO for verification
9. *Clarify the station and period of posting of Javed Buzdar*
10. *Period of Muhammad Javed Buzdar TA is not mentioned for salaries and other benefits*
11. *Undersigned is not authorized to engage/ appoint the daily wages labour*
12. *Mention the names and A/C Nos of the connection and housing colonies are required*
13. *Furthermore, as per PIC ACT, 50 pages will be produced free of cost and remaining will be charged to you @ Rs2,00 per page in advance.”*

C. COMMISSION’S VIEW

4. The appellant has shown his complete dissatisfaction against the irresponsible reply of the answering Public Body. The reading of the request represents clearly, the appellant has requested from the respondent organization. The reply to the contrary is vague, evasive, dodgy and meaningless. It is surprising that a national organization has fallen so low in understanding the simple questions. Evidently, on the one hand it amounts to an effort on the part of the answering organization, willfully and deliberately delaying the provision of the requested information thereby denying the fundamental right of access to information to the citizen while playing foul with the Commission on the other hand. The willful and deliberate delay caused by the Executive Engineer (OP), MEPCO Division, Dera Ghazi Khan is obviously evident from the letter dated 12.02.2021 warranting imposition of fine under section 20(f) of the Act.
5. Subject to the provisions of the Act, the citizens must not be denied access to the information and record held by the public bodies for promoting the fundamental and statutory rights guaranteed under Article 19A of the Constitution of Islamic Republic of Pakistan and Right of Access to Information Act, 2017 respectively and for facilitating and encouraging the disclosure at the earliest. Furthermore the designated officer is supposed to facilitate and assist the applicants for the purpose instead of misleading them from pillar to post.
6. 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 practise would improve the participation of the people in the public affairs aimed at reducing corruption and inefficiency in the governance.
7. The information and record sought by the appellant is the category of record that ought to have been published, placed on the notice board of the office and uploaded

on the website of the organization as mandated in the Act for making its proactive disclosure and accessible to the general public .

D. ORDER

8. The appeal is allowed. The S.E, WAPDA, Dera Ghazi Khan is directed to furnish the appellant all the information and record mentioned in his application, forthwith but not later than seven days of the receipt of this order.

He is further directed to implement sections 5 & 9 of the Act in letter and spirit within one month of receiving this order.

Keeping in view the conduct of the Engineer (OP), MEPCO Division, Dera Ghazi Khan evident from his letter dated 12.02.2021 in preventing, wilfully obstructing and delaying the disclosure of information and record to the appellant, he is issued warning to be careful in future while dealing with the application under the Act.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner
Announced on 23.8.2021

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