



**In the Pakistan Information Commission, Islamabad**

**Appeal No 1012-04/21**

**Abdul Rauf**

**(Appellant)**

**Vs.**

**Multan Electric Power Company**

**(Respondent)**

**Order**

**Date:** September 29, 2021

**Mohammad Azam:** Chief Information Commissioner

**A. The Appeal**

1. The Appellant filed an appeal, dated April 21, 2021, to the Commission, stating that he Submitted an information request to the Secretary, Banking Mohtasib dated April 07, 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:

1- بن شفیق کالونی جس کا نیا نام چند ماہ قبل اضافی آبادی رکھا گیا ہے، جو زم زم ٹاؤن فیزول اور فیزول کے ساتھ قبرستان کے مشرقی جانب نزد چوہدری یعقوب یوب ویل 82/6R واقع ہے جہاں چند سال قبل بجلی کی مکمل تنصیبات بمعہ الیکٹرک پولز اور ٹرانسفارمر کی گئی ہے، مالکان کی جانب سے حصول بجلی کی غرض سے دی گئی درخواست، فائل کی مصدقہ کاپی فراہم کی جائے۔

2- اضافی آبادی ابن شفیق کالونی کو دی گئی بجلی کی ترسیل کے لئے دیئے گئے اجازت نامے کی مصدقہ کاپی، لیٹر کی کاپی۔

3- مذکورہ بالا کالونی کے لئے میٹر و پولیشن یا دیگر کسی ادارہ کی جانب سے جاری کردہ این او سی کی مصدقہ کاپی۔

4- کالونی مالک کی جانب سے جمع کرائے جانے والی کل رقم کی تفصیل اور رسیدوں کی کاپیز

5- بجلی کی تنصیبات کی اجازت دینے والے افسر کا نام، عمدہ، مقام، رابطہ نمبر اور اجازت دینے کی وجہ اور جس قانون کے تحت اجازت دی گئی اس قانون کی کاپی۔

6- رہائشی سکیم اور اس کے مالکان ایف بی آر کی جانب سے کلیمزس لیٹر کی مصدقہ کاپی

7- مذکورہ بالا رہائشی سکیم کی ادارہ ماحولیات کی جانب سے جاری کردہ این او سی کی کاپی مصدقہ

8- پنجاب بلڈنگ اور ہاؤسنگ کالونیز اتھارٹی کی جانب سے مذکورہ بالا کالونی کو اجازت نامے وغیرہ کی مصدقہ کاپی۔

- 9۔ رہائشی سکیم میں لگائے جانے والی بجلی کی تاروں، الیکٹرک پولز، ٹرانسمارمر کی مکمل تفصیل کی مصدقہ کاپی۔
- 10۔ جس نوٹیفکیشن کے تحت اجازت دی گئی اس کی مصدقہ کاپی
- 11۔ کالونی میں لگائے جانے والے میٹروں کی مکمل تفصیل
- 12۔ بجلی کی تنصیبات کے لئے کن کن اشیاء کی ضرورت ہوتی ہے۔ تمام کی ترتیب وار تفصیل اور مصدقہ کاپی فراہم کی جائے۔
- 13۔ مذکورہ بالا سکیم کو کس مہینے، سال، اجازت دی گئی مکمل تفصیل کی مصدقہ کاپی
- 14۔ نئی رہائشی سکیموں، ہاؤسنگ کالونیز کو بجلی جاری کرنے کے لئے کونسی مجاز اتھارٹی، مانیٹرنگ آفیسر کا نام، عہدہ، فون نمبر وغیرہ کی تفصیل کی مصدقہ کاپی۔

## B. Proceedings

3. This commission through a notice dated May 03, 2021 sent to the Director (Public Relations) / Public Information Officer, Multan Electric Power Company called upon the Respondent to submit reasons for not providing the requested information. However no response was received from the respondent.
4. The appeal was fixed for hearing on August 03, 2021 and both parties were informed through notices sent on June 25, 2021.
5. This commission on June 30, 2021 received a copy of internal correspondence letter send by the Public Information Officer to Additional Chief Engineer Operation requesting to direct the concerned formation to do the needful within 7 working days.
6. To provide another opportunity to the respondent to submit its response, the appeal was again fixed for hearing on September 07, 2021 and both parties were informed through notices sent on August 03, 2021.
7. No one appeared on behalf of the Respondent to attend the hearing held on September 07, 2021.

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

6. The commission has to decide that whether the information requested by the citizens falls within the ambit of the public record and whether the public body has responded or not to the information request and notices of the commission within time limit mentioned in the Right of Access to Information Act, 2017, hereafter referred to as Act.  
Moreover, the commission also has to decide if the information requested by a citizen can be used in any court case, the public bodies shall provide that information to the appellant or not under the act.
7. The information requested by the appellant is declared as public record in section 5 (a) and (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.
8. This commission holds as the requested information falls under the category of information that should be available on the website of the Respondent under Section 5 of the Act so the Respondent can not refuse to share such information.

9. This commission maintains that the disclosure of the requested information to know the legal status of the said housing society and the services provided there.
10. The designate official of the public body is responsible for ensuring the requests are dealt with promoting full compliance by the public body for its obligation under this Act. The public body has failed to responds the information request and also to the notice of the commission. The commission observes that the wilful delay in the provision of the information to the citizen causes undue cost to the citizens both in terms of money and time.
11. 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](http://www.rti.gov.pk)
12. 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**

13. The appeal is allowed. The Director (Public Relations) / Public Information Officer, Multan Electric Power 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.
14. 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 October 17, 2021.
15. Copies of this order be sent to the Director (Public Relations) / Public Information Officer, Multan Electric Power Company and the Appellant for information and necessary action.

**Mohammad Azam**

Chief Information Commissioner

**Fawad Malik**

Information Commissioner

**Zahid Abdullah**

Information Commissioner

Announced on:

September 29, 2021

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