

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO. 1191-07-2021

Kashif Ali Sundrani

Versus

Pakistan Petroleum Limited

Date of Hearing: 19.01.2022

Fawad Malik: Information Commissioner

Present: Mr. Muhammad Akif Khan, Sr. legal counsel on behalf of the Pakistan Petroleum Limited.

A. APPEAL

1. Mr. Kashif Ali Sundrani, preferred his appeal u/s 17 of the Right of Access to Information Act, 2017 before the Pakistan Commission on access to information, Islamabad on July 07, 2021. He alleged that the request for information has not been responded by the Pakistan Petroleum Limited (PPL) within the frame of time stipulated under the Act of 2017.
2. Through an application dated 20-06-2021 addressed to the Managing Director, Pakistan Petroleum Limited, he has desired the certified information. The detailed particulars of the requested information are:
 1. *“Firstly “To provide me certified Rate-List of existing annual land lease/ compensation rates per acre per annum (to be paid to land owners against their hired lands) of all categories / phases i.e. producing phase, drilling phase, settled, unsettled lands etc. of all the regions/ districts/ fields or otherwise under the administrative control of PPL throughout Pakistan.*
 2. *Secondly “To provide me certified copy of per acre permanent Land acquisition rate list at various PPL fields/locations etc. throughout Pakistan permanently acquired by PPL since 2016.”*

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B. PROCEEDINGS

3. The Commission vide notice dated 13.07.2021 directed the respondent to provide reasons in 7 working days of the receipt of the notice as to why the requested information has not been provided to the appellant within ten working days as required under section 14 of Right of Access to Information Act 2017.
4. The notice was responded by PPL to the affect that the Rate List of land acquisition authorities is not available with the respondent organization, that the PPL is a public limited company under the Companies Act, that for all long term projects the land is acquired on permanent / temporary basis through respective government under the Land Acquisition Act, 1894, that the per acre rates are determined by respective District Price Fixation Committee (DPFC) in accordance with the provisions of Land Acquisition Act, 1894 therefore Rate List of land acquisition authorities is not available with the respondent organization. The organization however has provided the latest rates for the land acquired through mutual negotiations by respondent with various land owners. The same is reproduced hereunder:

PROVINCE	DISTRICT	RATES PER ACRE / KANAL
SINDH	SANGHAR	80,000 / ACRE / ANNUM
	MATIARI	100,000 / ACRE / ANNUM
	SUJJAWAL	40,000 / ACRE / ANNUM
	OMER KOT	40,000 / ACRE / ANNUM
	NAUSHEROFEZ	70,000 / ACRE / ANNUM
	KASHMORE	70,000 / ACRE / ANNUM
PUNJAB	RAWALPINDI	14,500 / KANAL / ANNUM
	ATTOCK	8,500 / KANAL / ANNUM
BALUCHISTAN	The rates are determined by the Deputy Commissioner offices.	

C. COMMISSION'S VIEW

5. The appellant has asked for the provision of the certified Rate-List of existing annual land lease / compensation rates per acre per annum, paid to land owners of all categories / phases i.e. producing phase, drilling phase, settled, unsettled lands etc. of all the regions/ districts/ fields or otherwise under the administrative control of PPL throughout Pakistan and the certified copy of per acre permanent Land acquisition rate list at various PPL fields / locations etc. throughout Pakistan permanently acquired by PPL since 2016.
6. The respondent organization has primarily objected the provision of the desired information and record. It is stated that the rate list of land acquisition

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authorities is not available with the respondent organization. The land for the projects is acquired on permanent / temporary basis by respective government

through the concerned District Collector under the provisions of the Land Acquisition Act, 1894 and accordingly the per acre rates are also determined by the respective District Price Fixation Committee (DPFC) in terms of the Act, 1894. The respondent along with the reply has annexed a copy of the latest rates for the latest rates of the acquired land through mutual negotiations with various landowners but has regretted the availability of the desired rate list with the organization.

7. So far as the information requested by the appellant is concerned, in this behalf the response of the answering respondent is rational, logical and self-speaking. The lease / acquiring of land on temporary as well as permanent basis and subsequent compensation of land to the affected landowners is made through the Land Acquisition Collector of the concerned district in accordance with the provisions of Land Acquisition Act, 1894 and likewise the cost of leased / acquired land is determined by concerned District Collector of the district through an authorized District Price Assessment Committee (DPAC).
8. The appellant since has asked for the certified copies of the requested information which cannot be fulfilled by the asking respondent for the reason that the custody of the desired record is with the concerned District Collectors.
9. It is noticed that the respondent has not notified the designated officer so far, as mandated in section 9 of the Act.

D. ORDER.

10. The appeal is not allowed. The Managing Director, Pakistan Petroleum Limited is directed to notify the designated officer under section 9 of the Right of Access to Information Act, 2017 within a fortnight under intimation to the Commission.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner
Announced on 25.1.2022

Certified that this order consists of three (03) pages, each page has been read and signed.