

**PUNJAB INFORMATION COMMISSION
LAHORE**

Ms. Muhammad Imran Zia
House 489, Neelam Block, Allama Iqbal Town, Lahore
(the Complainant)

Vs.

Project Director, Punjab Land Development Company (PLDC), Lahore
(the Respondent)

ORDER:

The Complainant submitted a complaint to the Commission on 7/09/2015 alleging that the Respondent had not provided him the requested information within the time period specified in section 10(7) of the Punjab Transparency and Right to Information Act 2013. The information sought by the Complainant, through his application dated 17/08/2015, is as follows:

1. Departmental Organogram;
2. List of all employees;
3. List of Estate Officers worked/ currently working in PLDC with date of joining since the establishment of PLDC;
4. Details regarding appointment and experience of Mr. Waseem Bhatti, ex. employee of PLDC;
5. Whether PLDC has issued any experience letter in favour of Mr. Waseem Bhatti or not;
6. If yes, name of the issuing authority.

2. Through a letter dated 22/09/2015, the Commission directed the Respondent to "either immediately provide the requested information to the complainant and/or explain the reasons, including rebuttal if any, of alleged non-response or delay in deciding the application submitted by the complainant." The Public Information Officer (PIO) of PLDC responded, vide letter dated 30-09-2015 and stated that the application of the complainant had been duly acknowledged, whereas some of the requested information was provided on 23/09/2015 after taking into account the advice extended by the Legal Advisor of PLDC. He further stated that the requested information regarding appointment and experience letter of Mr. Waseem Bhatti, ex. employee of PLDC, was not provided, as the same was exempt under section 13(1)b & e of the Act. The Commission called the parties for hearing held on 20/10/2015. During the hearing, the complainant stated that he had not been provided complete information regarding his questions number 2, 3 & 4. The PIO reiterated that

some of the requested information had been provided, whereas remaining information could not be provided in view of above referred exceptions.

3. The Commission is of the view that the information sought through questions number 2 & 3 is about list of employees, their designations and dates of joining; and its disclosure is not likely to harm anyone's privacy, life, safety or health. In fact, it is a statutory obligation of public bodies to disclose such information u/s 4(b) & (g) of the Act. The information sought through question number 4 is about details of appointment and experience of Mr. Waseem Bhatti, an ex-employee of PLDC; and disclosure of much of the requested information is unlikely to harm anyone's privacy, life or safety of relevant person. However, any information on record, which relates to health or family of Mr. Bhatti, can be withheld in accordance with section 13(3) of the Act. The information about, *inter alia*, eligibility criteria, short listing, qualifying marks, merit lists, appointment orders and relevant minutes or file noting cannot be treated as exempt from disclosure under the Act. In general, the threshold for invoking privacy interest to withhold information has to be much higher in the case of government employees and candidates, who compete for public sector jobs.

4. The complaint is allowed. The Respondent and the PIO are directed to provide the requested information to the Complainant as soon as possible but not later than 11/01/2016. However, any information relating to medical record or family of Mr. Bhatti may be withheld. It is further directed that the Respondent and the PIO must ensure implementation of section 4 & 8 of the Act. A copy of this order may be sent to the Complainant for information.

(Mukhtar Ahmad Ali)
Information Commissioner

Announced on:
31/12/2015