

March 28, 2024,

TL2024/0328/3A

The Secretary,
Energy and Power Department
Street No 2 Shami Road Peshawar
Peshawar, KP

**Subject: Uploading of Information about PIOs on the website of Energy and Power Department,
Government of Khyber Pakhtunkhwa as per Section 5(k) of Khyber Pakhtunkhwa Right to
Information Act 2013**

Dear Sir,

Transparency International Pakistan would like to bring to your attention the lack of information regarding a designated Public Information Officer (PIO) in accordance with the Khyber Pakhtunkhwa Right to Information Act 2013 on the department's website: <https://ep.kp.gov.pk/> accessed on March 28, 2024.

Section 5 (k) - Proactive Disclosure, Khyber Pakhtunkhwa Right to Information Act 2013 is quoted below for your reference,

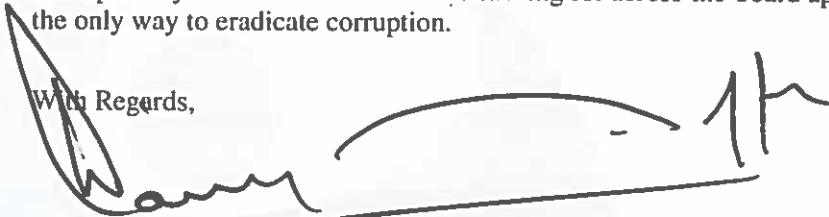
"a description of the manner in which requests for information may be made to the public body, including the name, title and contact details of all [Public Information Officers]; and"

TI Pakistan acknowledges the fact that Access to Information laws are an important step towards transparency and social accountability. TI Pakistan has been striving for the enactment and implementation of RTI laws in Pakistan since 2002 so that the citizens are able to exercise their right to information.

Transparency International Pakistan requests the Secretary, Energy and Power Department to issue directives for the compliance with Section 5 (k) Khyber Pakhtunkhwa Right to Information Act 2013 and uploading the mandatory information including the particulars of public information officer (PIO) on the department's website.

Transparency International Pakistan is striving for across-the-board application of Rule of Law, which is the only way to eradicate corruption.

With Regards,



Advocate Daniyal Muzaffar
Trustee/Legal Advisor
Transparency International Pakistan

Copies forwarded for the information with request to take action under their mandate to:

1. Chief Minister, Govt of Khyber Pakhtunkhwa, Peshawar
2. Chief Secretary, Govt of Khyber Pakhtunkhwa, Peshawar
3. Chief Information Commissioner, Khyber Pakhtunkhwa Information Commission, Peshawar
4. Registrar, Peshawar High Court, Peshawar



Note:

This is to clarify that Transparency International Pakistan is not a complainant, it acts as a whistleblower and operate under Article 19-A, of the Constitution of Pakistan which gives the right to public to know how government is being run by public officers. Article 19-A makes the right to access of information pertaining to a public authority a fundamental right, and a three member bench in case of Mukhtar Ahmad Ali vs the Registrar, Supreme Court of Pakistan, Islamabad, headed by Chief Justice Qazi Faez Isa in the landmark judgment on 16 October 2023, in CP No. 3532/2023, has declared that

“What previously may have been on a need-to-know basis Article 19A of the Constitution has transformed it to a right-to-know, and the Access to information is no longer a discretion granted through occasional benevolence, but is now a fundamental right available with every Pakistani which right may be invoked under Article 19A of the Constitution”