

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO. 769-12-2020

Mohammad Waseem Ellahi

Vs

Gujranwala Electric Power Company Limited

Date: 3.3.2021

Fawad Malik: Information Commissioner

A. APPEAL

1. Mr. Mohammad Waseem Ellahi feeling aggrieved has filed appeal before the Pakistan Information Commission alleging therein that the Chief Executive Officer, Gujranwala Electric Power Company Limited has not provided the information asked by the appellant in his application, under the Right of Access to Information Act, 2017.
2. The appellant has requested the following information from the office of the CEO, Gujranwala Electric Power Company Limited, Gujranwala.
 1. *Why both the bills of April and May 2020 are of zero amounts?*
 2. *Whether these bills were payable?*
 3. *If the bills were payable than why of zero amount?*
 4. *The figure of zero amounts reflected in the bill history will raise confusion. Whether this figure of zero can be removed?*
 5. *Whether any relief for Covid-19 has been provided in these bills?*
 6. *Why a consumer can enter only one complaint on the website of GAPCO?*
 7. *A few months earlier a complaint of transmission lines was filed on the website but of no avail. Inform in this regard.*
 8. *Whether a consumer has to wait for months for the redresser of the complaint?*

B. PROCEEDINGS

3. On the intervention of the Commission, the Dy. Manager (Operation) of the respondent public body filed reply before the Commission. The reply is annexed with the customer data summary of both the electricity connections of the appellant and a copy of the notification dated 26.3.2020 of the Prime Minister relief package for the deferred payment of electricity bills of domestic consumers up to 300 units. The text of the reply is reproduced as under:

It is submitted that consumer Muhammad Waseem Ellahi Advocate lodged complaint regarding energy billing during Covid-19. The record is checked and found that the

Reference Numbers of consumer's Meters are following: 03-12121-0069600 and 03-12121-0069700. The consumer's complaint is about zero amounts (instalments) during the billing months April and May 2020.

The record is checked and found that the Consumer 1st Meter i.e. 03-12121-0069600 consumed 135 units in April and 208 units in May 2020 with billing amounts 1115 and 2127 Rupees. The 2nd Meter i.e. 12121-0069700 consumed 95 units in April and 140 units in May 2020 with billing amounts 95 and 140 rupees.

As per Notification of Government of Pakistan Ministry of energy (Power Division) vides Notification No. 01(74)2019-20PF dated 26-3-2020 the relief was given to those domestic Consumers whose consumption was less than 300 units during the period of Covid-19 especially in April and May when corona was on peak.

The relief was given to consumers in the shape of billing amount deferred and issued zero amount bills as well as allowed three instalments. The zero amount doesn't mean the billing amount is wave off, its means the amount is deferred, you are liable to pay but in next billing cycles in the shape of instalments. It was optional for consumers either he could pay the total amount or pay in instalments.

The subjected complainant paid the total amounts of both bills which he was liable to pay. If he had paid total amounts instead of instalments or not taking/availed relief by himself that is his personal issue. The bills were justified and amounts were according to consumed units.

4. The reply and the documents submitted by the public body were shared with the appellant who in rebuttal has filed objection that the reply is incomplete and not satisfactory.

C. COMMISSION'S VIEW

5. The appellant, an electricity consumer in his request is concerned about the bills of April and May 2020, the pandemic period. He primarily wants to know the reason for the delivery of zero amount bills for the couple of the months and other incidental information thereto. The respondent in the reply has provided sufficient detail to meet the queries made in the request. The appellant has been provided in detail the Meter and the Billing & Payment information in tabular form. The reply is also supplemented with the notification through which the domestic consumers of electricity bills up to 300 units were provided relief package by the Prime Minister. The Commission is of the considered view that the queries to the extent of the bills in the request have been answered comprehensively by the respondent public body.
6. The other queries which are beyond the definition of 'public record' do not launch a request under the spirit of the Act. The Act can only be enforced when the citizen will demand information from the public bodies based on record. The record that is not held by the public bodies in printed or digital form cannot be compelled to be shared nor are the public bodies under obligation in the eventuality.

7. In appeals where the appellants are not satisfied with the reply or information shared by the public body are invited for filing objection thereto but the Commission is heedful that the appellant must advance the dissatisfaction with some healthy, weighing and logical reason and argument. Merely saying that he is not satisfied with the reply or information cannot be considered as a valid objection for the further interference of the Commission.
8. The procedure for the acceptance and refusal of the application for information is provided in section 13 of the Act. It is mandatory for the designated officer appointed by the public body to acknowledge the application before processing. If the applicant is entitled for the provision of the information than the same should be provided within the period mentioned in section 14 and in case the request merits rejection then to inform the applicant the reasons under which it is rejected in accordance with the provisions of the Act.
9. It is noticed by the Commission with concern that the respondent public body has not complied with the mandatory provisions of sections 5 & 9 of the Act.

D. ORDER

10. The appeal is closed with the direction to the Chief Executive Officer, Gujranwala Electric Power Company Limited, to process, in future, the applications under the Right of Access to Information Act, 2017 in accordance with the provisions of the Act.
He is further directed to make necessary arrangements for the implementation of sections 5 and 9 of the Act, under intimation to the Commission within 30 working days of the receipt of this order.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on 29.4.2021

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