

Pakistan Information Commission  
Information Service Academy  
Zero Point, Islamabad



## Appeal No 171-11/19

**Muhammad Waseem Elahi** (Appellant)

Vs.

**Sui Northern Gas Pipelines Limited, (SNGPL) Pakistan Environment  
Protection Agency** (Respondent)

### ORDER

Date: January 20, 2020

**Zahid Abdullah:** Information commissioner

#### **A. The Appeal**

1. The Appellant filed an appeal with the commission on October 29, 2019 in which he stated that he had requested information from Sui Northern Gas Pipelines Limited under the Right of Access to Information Act 2017.

2. The information sought by the Appellant, through application dated October 16, 2019, is as under:

*1. Certified copies of SOP, Circular, Notifications, Authorities, Laws, Policy, Rules and Regulations approved & issued from Board or Relevant Management Team from Time to Time regarding recovery of arrears from disconnected defaulter consumers.*

#### **B. Proceedings**

3. Through a notice dated November 13, 2019, the Commission called upon the Respondent to submit reasons for not providing the requested information within 10 working days.

4. The hearing date was fixed for 26/12/19 through the hearing notice sent on 01/12/19 and both parties were informed accordingly.

5. Through a letter date: 16/12/2019, Mr. Shahid Maqsood, General Manager (Sales) for Managing Director, share with the commission the following,

*“This is with reference to your letter No. Appeal-171-11/19 dated 13.11.2019, received on 18.11.2019, regarding the subject cited above.*

*We wish to inform that Sui Northern Gas Pipelines Limited (SNGPL) was incorporated as a private limited Company in 1963 and converted into a public limited company in January 1964 under the companies Act 1913, now The Companies Act 2017, and is listed on Pakistan Stock Exchange (PSX). It is engaged in the business of Transmission, Distribution and Sale of gas. It has an independent Board of Directors and its all affairs are managed and controlled by the Board which exercises statutory powers available to it.*

*In the light of above, we wish to clarify that Right of Access to Information Act, 2017 is applicable to all the public bodies of Federal Government. SNGPL is neither a Ministry / Division, an attached department of a Division nor does it qualify as a “Public body” in terms 2017 Act *ibid*.*

*This is for your information and further necessary action please.”*

*6. In the hearing held on 26/12/19, the commission apprised the representative of the Respondent that it was a public body under Section 2 of the Right of Access to Information Act 2017 and submit its response before the commission by 30/12/19. However, no response was submitted by the Respondent.*

### **C. Discussion and Commission’s View on Relevant Issues**

*7. The commission is of the view that the Respondent is a public body as it is “engaged in the business of Transmission, Distribution and Sale of gas”. The Respondent receives public funds from national exchequer for the development of infrastructure for Transmission, Distribution and Sale of gas.*

*8. The Respondent is also a public body as according to its own web site, the President of Pakistan has more than 31 percent shares in SNGPL. As such, the Respondent is a public body under Section 2 (d) of the Right of Access to Information Act 2017 which is as under:*

*“Any incorporated or unincorporated body of the Federal Government functioning under the control or authority of another public body or wherein once or more public bodies own or have controlling interest or provide substantial funding;”*

9. The Respondent is also a public body in accordance with the Section 2 (5) of the Right of Access to Information Act 2017 which is as under:

“Any other organization which undertakes a public function, to extent of that function;”

#### **D. Order**

10. The appeal is allowed. The Respondent is directed to provide the requested information to the Appellant at the earliest, but in any case, not later than 10 working days of the receipt of this order. Furthermore, the Respondent is 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 20/02/2020.

11. Copies of this order be sent to the Respondent and the Appellant for information and necessary action.

Mohammad Azam  
Chief Information Commissioner

Fawad Malik  
Information Commissioner

Zahid Abdullah  
Information Commissioner

Announced on:  
January 20, 2020

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