

**In the Pakistan Information Commission, Islamabad**

Appeal No. 118-09/19

Zaman Manzoor Dogar (Appellant)

V/S

Chief Executive Officer,  
Lahore Electric Supply Company Limited (Respondents)

Date: 23.01.2020

**Fawad Malik. Information commissioner**

**A. APPEAL**

1. The brief facts of the instant appeal are that Zaman Manzoor Dogar (appellant) filed his appeal before the Commission on 24.09.2019 with the assertions that on 03.09.2019, he filed his application to Lahore Electric Supply Company Limited (LESCO) through its Chief Executive Officer seeking public information, but despite the lapse of statutory period his request has not been complied with. The detail of the requested information is reproduced as under:-

- a. *“Please provide us detail about the procedure of new connection of electricity from your good office.*
- b. *Please provide us information when any person get new connection from your company how much he paid the fee for electricity meter?*
- c. *Electricity Meter is public property or private property? Electricity meter is your company property or client property (who already paid fee for meter)*

- d. *Please provide us detail if any person did not pay electricity Bill you have option to take electricity meter with you? If yes under what law? If it is illegal what plenty impose on your servant and what procedure will be adopted to file an application against him?*
- e. *What is the procedure of termination of your any public servant?*
- f. *What is the procedure for filling an application about your any servant if he misuse his power? What is punishment? How many days are required to conclude any inquiry pending against any your subordinate?*
- g. *If any application is filed before your good office, how many days required to concluded it?*
- h. *As per our information electricity meter is client property, and when he applied for new electricity connection of your good office clients were charged the amount of meter? Your office authorize only to disconnect electricity connection? Not to authorize to take away electricity meter with them? If any of your subordinate do this? What is procedure to get electricity meter as early as possible? What plenty impose on that your servant who did this illegal act?*
- i. *Please provide us detail if any client declares as defaulter how many days notice issued to client before disconnection? (NLR 1982 civil663).*
- j. *What about PLD 1988 LH 512? As per my information this judgment your office is not authorize to take away electricity meter with them although he is not paid electricity bill? If anyone did this what is punishment for your servant and what is procedure to file complain? Which remedy is for client? How many damages paid to client for his mental toured?*
- k. *What is the policy/procedure of detection bill? Domestic premises? A.C. premises? How many months you will take to recover bill?*
- l. *If any client found guilty of direct hooking what is the procedure to deal with him? What plenty impose on him?*
- m. *Billing procedure for unregistered consumer who found guilt direct hooking?*

- n. If any client found guilty of electricity meter slowness? Plenty? How much detection bill will charged?*
- o. Who is the responsible for approval of detection bill?*
- p. Service of detection bill?*
- q. What is procedure of revision of detection bill?*
- r. What is procedure about the litigation disputes on detection?*
- s. What is the procedure of recovery of detection bill?"*

2. The appeal is accompanied with a copy of the information request and receipt of the courier link to prove the filing of the request.

## **B. PROCEEDINGS**

3. The Commission served upon the respondent notice dated 30 September 2019, directing to provide reasons in writing within seven working days as to why the applicant has not been provided the requested information. Along with the notice a copy of the information request and appeal were also sent to the respondent.
4. In response to the notice the respondent vide letter dated 11.10.2019, has requested to provide the enclosures.
5. The appeal was fixed for hearing on 21.01.2020 and both the parties were informed accordingly vide notice dated 19.10.2019, but nobody appeared on behalf of the respondent.

## **C. DISCUSSION AND COMMISSION'S VIEW**

- a. The very purpose of Right of Access to Information Act. 2017 is to ensure that the citizen have access to records held by the public authorities to make the government under accountable to the people for reducing corruption and inefficiency.
- b. Instead of adopting the procedure provided under the Act to process the information request the respondent has adopted the course of preventing and delaying the provision of the information.
- c. The Sec 5 of the Act make it obligatory for each public body, within six months of the commencement to ensure that all categories of record and information mentioned in the section are duly published including uploading over the internet.
- d. The information sought by the appellant falls within the category of information which ought to have been disclosed proactively by the public bodies under the Act.

- e. The Commission has noticed that although the applicant has sent his request through courier link and the receipt thereof has been produced and later along with the notice dated 30.09.2019 a copy of the information request and appeal were sent to the respondent with the direction to do the needful.
- f. The Commission is of the view that the respondent public body has deliberately prevented and unreasonably delayed the disclosure of information which is considered willful obstruction in the functioning of the Commission. The respondent failed to provide the requested information within 10 working days of the receipt of the request for information as required under section 14 of the Act.

#### **D. ORDER**

6. The appeal is allowed. The Chief executive officer, LESCO is directed to provide the requested information to the appellant within ten working days of the receipt of this order. A fine equivalent to salary of fifteen days, under section 20(f) of the Act is imposed upon the Chief Executive Officer LESCO for causing delay in the provision of the information. This fine be deducted from the salary of the Chief Executive Officer (LESCO) and compliance report be submitted to the Commission by 06.03.2020.

**Mohammad Azam**

Chief Information Commissioner

**Fawad Malik**

Information Commissioner

**Zahid Abdullah**

Information Commissioner

Certificate: It is certified that this order consists of four (4) pages. Each page has been read and signed.