

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO. e-133-07-2021

Adeel Ahmad

Versus

Sui Southern Gas Company Limited

Hearing Date: 08.09.2021

Fawad Malik: Information Commissioner

APPEAL

1. Mr. Adeel Ahmad, filed e appeal before the Pakistan Information Commission invoking the Right of Access to Information Act, 2017.
2. Earlier, he requested following information from the office of the Managing Director, Sui Southern Gas Company Limited through application dated 20.04.2021.

“As per RTI Act, you are requested to provide the calculations used for evaluation of additional GSD in March 2021 bill, as per RTI Act it is requested to provide the calculations of additional and previously vacated GSD based on supporting data with in 10 days.”

PROCEEDINGS

3. The Deputy General Manager (Coordination), Sui Southern Gas Company Limited, Karachi vide letter dated 13.7.2021, was directed to provide reasons in writing within seven working days as to why the requested information has not been provided to the applicant as under section 14 of the Right of Access to Information Act 2017, each public body is bound to

respond to a request as early as possible and in any case not later than ten working days of the receipt of the request.

4. The notice of the Commission was not responded therefore the appeal was fixed for hearing before the Commission on 08.09.2021 and both the appellant as well as the respondent were informed accordingly vide notices dated 10.08.2021.
5. No one appeared before the Commission to represent the respondent public body nor was the reply submitted.

COMMISSION'S VIEW

6. While dealing with the matters related to information and record sought by the citizens under the RTI Act of 2017, the public bodies are under obligation to respond the applications as mandated in the Act. In the case in hand the respondent has not acknowledged the application, information is not provided to the applicant in the stipulated time frame and the notices of the Commission are waived. The reply is not submitted and the hearing before the Commission was not represented by the public body. It is presumed that the respondent public body is willfully avoiding the proceedings before the Commission and that the public body has nothing to offer in the defense. In such like circumstances the Commission is left with no option but to decide the appeal ex parte after going through the file in light of the Act.
7. The appellant has sought information and record vis-à-vis the calculations used for evaluation of additional GSD in March 2021 bill of Sui Southern Gas Company Limited and the calculations of additional and previously vacated GSD based on supporting data. Section 5 of the Act mandates the sort of information and record to be uploaded on the website and affixed on the notice board of the organization for the general access to the public at large. Transparency in the working of the government departments is the essence for the enactment of the Act 2017. Its spirit is to ensure that the people of the Islamic Republic of Pakistan have access to the records held by the federal public bodies for making the government accountable to the people. This practice would improve the participation of the people in the

public affairs aimed at reducing corruption, nepotism and inefficiency in the governance.

8. Right of access to the record and information in the matters of public importance is constitutional and statutory right of the citizens provided under the Constitution of Islamic Republic of Pakistan and the Right of Access to Information Act, 2017 respectively which cannot be denied or delayed at the whims of the government hierarchy.

ORDER

9. The appeal is allowed. The Deputy General Manager (Coordination), Sui Southern Gas Company Limited, Karachi is directed to provide the appellant all the requested information detailed in para 2 of this order, forthwith but not later than seven days of the receipt of this order. He is further directed to comply the mandatory provisions of Sections 5 & 9 of the Act in letter and spirit, within 30 days of the receiving of this order, under intimation to the Commission.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on 15.09.2021

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