

Pakistan Information Commission
Government of Pakistan

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In the Pakistan Information Commission, Islamabad

Appeal No 1239-08/21

Amjad Aziz

(Appellant)

Vs.

Sui Northern Gas Pipeline Limited

(Respondent)

ORDER

Date: December 14, 2021

Mohammad Azam: Chief Information Commissioner

A. The Appeal

1. The Appellant through an email dated August 02, 2021 filed an appeal to the Commission, stating that he Submitted an information request through an email to the Managing Director, Sui Northern Gas Pipelines Limited on June 19, 2021 under the Right of Access to Information Act 2017 but did not receive the requested information from the public body.
2. The information sought by the Appellant is as under:
 - “ *What are the responsibilities of SNGPL?*
 - (a) *What general facilities Services are being provided to consumer(s) in return of payment of consumer bill(s)?*
 - (b) *. In which year SNGPL started receiving complaints of low-pressure gas problems in PP-17 (UC-74), Rawalpindi-XI? Total number of above-mentioned complaints and record of removal of complaints in this regard be shared in details.*
 - (c) *d. Name(s), designation(s), landline number(s). Cell No(s) and their period of posting(s) be shared of the following:*
 - i. *General Manager, SNGPL, Regional Office, Al-Mansha Plaza, Opp: IESCO Office, Humak Morr, G.T. Road, Rawalpindi. (complete staff list).*
 - ii. *SNGPL, Complaint Center, 57-C Block/C Satelite Town, Near Wapda House, Rehmanabad Murrce Road, Rawalpindi. (complete staff list).*
 - (d) *What major measure(s) have been adopted to resolve the low pressure gas problems in PP-17 (UC-74) with complete details since January, 2019 till May, 2021?*
 - (e) *Did SNGPL management bothered to inform our MNA/MPA (PP-17) UC 74 about low pressure gas and measures adopted by SNGPL to resolve the issue? If yes the details may please be shared since January, 2019 to May, 2021).*

- (f) g. Did SNGPL receive any Grant/Special Grant from our MNA/MPA (PP 17) UC-74 in respect of LOW PRESSURE GAS in the year 2019, 2020 and 2021? If yes the details be shared.
- (g) Did SNGPL approve any new Scheme(s) for spreading new pipe line(s) for PP-17 UC-74 improve gas pressure? The approval related documents be shared? (Meeting(s) Notice(s), Meeting Minute(s), Annual Development Programme(s) etc.
- i. What was the Annual Budget of SNGPL in respect of LOW PRESSURE GAS IMPROVEMENT Work in the year 2019-2020 and 2020-2021. especially for PP-17, UC-74 Area?
- j. How much amount SNGPL spent from his fund(s) in respect of PP-17 against LOW PRESSURE GAS IMPROVEMENT Work since January 2019 to May 7, 2021
- k. How much amount SNGPL received from PP-17, UC-74 Consumers in respect of GAS BILLS in the year 2019, 2020 (from Jun-Dec) and in the year 2021 (from January-May)?
- l. Did SNGPL authorities receive any complaint(s) of LOW PRESSURE GAS of PP-17, UC-74 area? How many consumer(s) telephonically or in writingly informed about it? Details please.
- m. Did SNGPL management arrange an open hearing of consumers in PP-17 or in Regional Office Rawalpindi against low pressure gas/improvement of low pressure gas? If yes then complete data be provided.
- n. n. Did SNGPL management arrange a visit of PP-17, UC-74 especially in connection with low pressure gas or for improvement of low pressure gas? If yes please provide details.
- o. o. Did SNGPL administration approve bonus/Honoraria/Financial Incentives to SNGPL employees/Contractors Workers after completion of low pressure gas work in PP-17. UC-742
- p. How many visit(s) did Contractor(s)/concerned officer(s) in PP-17, UC-74 after receiving complaint(s) of low pressure gas? (name(s), date(s), time(s) and report(s)/survey(s) if any be supplied.
- q. Did SNGPL Management visit PP-17 after completion of low pressure gas work? If yes how many time(s)? Name(s), date(s), time(s) and report(s)/survey(s) be shared, please.
- r. r. SNGPL may please share all the low pressure gas survey/drill/re-drill report(s) of PP-17, (UC-74) since January, 2019 till May, 2021.
- s. Is any special reason(s) that SNGPL did not share survey/drill/re-drill report(s) to PP-17, UC-74 consumers?
- t. Will SNGPL management provide the full name of General Manager. Assistant General Manager and others deputed staff in Regional Office, Rawalpindi (Humak Morr) alongwith their qualifications, experiences and achievements since January 2019 till date?
- u. The total period of their service 1. as SNGPL employee may also please be shared? Will SNGPL management provide the full name of Incharge, Complaint Center, alongwith subordinates deputed at Complaint Center, Rawalpindi (57-C Block / C

Satelite Town, Near Wapda House, Rehmanabad Murree Road) alongwith their qualifications and experiences since January 2019 till date? The total period of their service as SNGPL employee may also please be shared?

- v. *Is any disciplinary case(s) evet initiated against them (Complaint Center, Incharge and Staffy)? If yes then the charges and decision(s) in their favours or against them be shared, please.*
- w. *Are they ever transferred to other post(s)? [Regional Office staff and Complaint Center staff) if yes the details may please be shared*
- x. *Will SNGPL management provide the full name of Focal Person(s) alongwith with their subordinate(s), deputed for Wafaqi Mohtasi Secretariat, Islamabad for Rawalpindi specially (PP-17, UC-74) [regarding low pressure gas) alongwith their qualification(s) and experience(s) since January, 2019 till date? The total period of their service as SNGPL employee may also please be shared?*
- y. *Did they found any disciplinary proceeding(s) from Wafaqi Mohtasib Secretariat, Islamabad. If yes the full detail(s) in this regard be share please.”*

B. Proceedings

- 3. Through a notice dated August 23, 2021, sent to Chief Executive Officer / Managing Director, Sui Northern Gas Pipelines Limited the Commission stated that “Under Section 14 of the Right of Access to Information Act 2017, each federal public body is bound to respond to a request as soon as possible and in any case within ten working days of receipt of the request. You are directed to provide reasons in writing within 7 working days of the receipt of this notice as to why the requested information has not been provided to the applicant, (copy of the information request and appeal thereon enclosed)”.
- 4. Through a notice dated September 28, 2021 sent to Chief Executive Officer / Managing Director, Sui Northern Gas Pipelines Limited the Respondent was directed to submit written reply and arguments to Pakistan Information Commission within 15 days, otherwise the appeal will be decided Ex-Partee in the light of the record available on file and the Right of Access to Information Act, 2017.
- 5. The Appeal was fixed for hearing on November 16, 2021 and both parties were informed through notices sent on November 01, 2021.
- 6. The Respondent neither submitted written response in the instant appeal, nor attended the hearing held on November 16, 2021.

C. Discussion and Commission’s View on Relevant Issues

- 7. The commission has to decide that whether the information requested by the citizens falls within the ambit of the public record and whether the public body has responded or not to the information request and notices of the commission within time limit mentioned in the Right of Access to Information Act, 2017, hereafter referred to as the “Act”.

8. The information requested by the appellant is declared as public record in Section 5 (a) (b) and (i) of the right of Access to Information act 2017 and the public bodies are bound to ensure that all such categories of the information and record defined in Section 5 of the Act are duly published including uploading over the internet or in a manner which best ensures that these are accessible to the public.
9. The citizen has the right to get this information / document to know about the performance of the public body. Disclosure of such information will reduce the trust gap between the public bodies and the citizens.
10. Disclosure of this information will also improve the check and balance on the performance of the public bodies and by practicing Right to Information laws the citizen will able to make the public bodies accountable for their performance.
11. The public body is failed to the respond to the notices of commission and also did not attend the hearing held on November 16, 2021.
12. According to Section 9 of the Act, each public body shall, within thirty days of the commencement of this Act, notify one or more designated officials, not below the rank of an officer in BPS -19 or equivalent; but the Respondent has not so far nominated any official to deal with the information request of the citizen.
13. This commission has observed that the public bodies are reluctant to share the basic information to the citizen which should be available on their website under the Section 5 of the Act, the citizens have to approach the commission for information due to the the wilful delay or denial by the public which causes undue cost to citizens and the commission.
14. This Commission maintains that the information proactively published under Section 5 of the Right of Access to Information Act 2017 should be 'accessible' for all citizens, including the blind, low-vision, physically disabled, speech and hearing impaired and people with other disabilities. Apart from the interpretation of 'accessible' in section 5 of the Act, section 15 (5) of the ICT Rights of Persons with Disabilities Act 2020 requires federal public bodies to ensure accessibility of web sites to the special needs of persons with disabilities and it is as under:

“The government shall ensure that all websites hosted by Pakistani website service providers are accessible for persons with disabilities”.

D. Order

15. Appeal is allowed. Chief Executive Officer / Managing Director, Sui Northern Gas Pipelines Limited is directed to provide complete information mentioned in para 2 of this Order to the Appellant, at the earliest but not later than 7 working days of the receipt of this Order, with intimation to this office.
16. Chief Executive Officer / Managing Director, Sui Northern Gas Pipelines Limited is also 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 in the Template for the Compliance Report-Proactive Disclosure of Information under Section 5 of the Right of Access to Information Act 2017'. This template is available under 'Information Desk' category at the web site of the commission www.rti.gov.pk. The compliance report be submitted to this commission within 30 days of the receipt of this Order.

17. The Respondent is also directed to designate Public Information Officer as required under Section 9 of the Act and upload its notification along with the name, designation and contact details on its website as required under Section 5 (1) (b) and (h) of the Act and submit compliance report to the commission within 10 working days of the receipt of this order.
18. Copies of this order be sent to Chief Executive Officer / Managing Director, Sui Northern Gas Pipelines Limited and the Appellant for information and necessary action.

Mohammad Azam

Chief Information Commissioner

Fawad Malik

Information Commissioner

Zahid Abdullah

Information Commissioner

Announced on:

December 01, 2021

This order consists of 5 (five) pages, each page has been read and signed.