



GOVERNMENT OF KHYBER PAKHTUNKHWA
INFORMATION COMMISSION
Near BRT Abdara Station, Behind Jabar Flats,
Arbab Colony, University Road, Peshawar
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(COMPLAINT NO.7146)

REF: - MR. NAEEM SADIQ VS FINANCE DEPARTMENT PESHAWAR

ORDER

One Mr. Naeem Sadiq, lodged a complaint against the Public Information Officer (PIO), Finance Department Government of Khyber Pakhtunkhwa for denying supply of requested information on the grounds that the information falls under the categories of exemption provided in the Section 17 and 19 of the Khyber Pakhtunkhwa Right to Information Act, 2013, Vide Finance Department letter No. DMU/FD/Correspondence/2020-21 dated: 02-09-2020 conveyed observations over.

The Commission examined the reply of public body in light of relevant provisions of KP RTI Act, 2013 and held that the requested information does not attracts the Sections 17 and 19 of the Act *ibid*, unless specifically agreed between the parties under an "International agreement" that the same shall not be disclosed. The Commission further observed that the information/record pertaining to development needs to be proactively disclosed/upload on department website as required under Section 5 of the KP RTI Act, 2013.

The Commission, therefore, directed the public body to provide, if not barred by mutual International agreement, the requisite information to the Commission for examination and transmission to the complainant and the such like information may be proactively disclosed/uploaded, if it is not in contravention of requirements of internal agreement, on the website to meet the requirement Section (5) of the *ibid* Act for the pursuance of transparency.

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Chief Information Commissioner

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Commissioner-II

Endst No. & date: KPIC/AR/1-7146/2020/5824-25
Copy to:-

dated: 23 October, 2020.

1. Budget Officer (Funds/Loans), Government of Khyber Pakhtunkhwa, Finance Department, Peshawar.
2. Mr. Naeem Sadiq (Complainant).

Assistant Registrar
KP Information Commission,
Peshawar