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No: RTIC/AR/1-1102/15  
Dated: 01<sup>st</sup> Dec., 2015

**(COMPLAINT NO. 01102)**

Ref: MR. MAQSOOD UR REHMAN VS. BACHA KHAN UNIVERSITY, CHARSADDA.

**PROCEEDINGS**

Mr. Maqsood ur Rehman (Complainant) is not in attendance. Mr. Hamid Ullah, Assistant Registrar/PIO, Bacha Khan University, Charsadda is present.

The representative of the University informed that all the requisite information is available on the official website of the University. He invited the Commission to check these information for itself on the official website. The IT Section would check the official website of the University and inform the availability of information.

As far as the statutes are concerned, Bacha Khan University follows the statutes of the University of Peshawar. The requester/complainant should visit the website and inform this Commission within three days, whereafter this case will be closed.

Chief Information Commissioner

Commissioner-I



RIGHT TO INFORMATION  
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No: RTIC/AR/1-1064/15  
Dated: 01<sup>st</sup> Dec., 2015

(COMPLAINT NO. 01064)

Ref: MR. ASHFAQ RASOOL SAFI VS. ESTABLISHMENT DEPARTMENT, PESHAWAR.

### **PROCEEDINGS**

Mr. Ashfaq Rasool Safi (Complainant) in person present. Mr. Abdul Awal, Superintendent and Mr. Muhammad Nizakat, Assistant, Administration Department, Peshawar also present.

This case pertains to the seniority list maintained by the Estate Office in respect of allotment of Government accommodation. Some information has been provided to the complainant but the complainant is seeking the date of application for allotment of accommodation and the date of appointment of the applicant/Government servant. Mr. Muhammad Nizakat, Assistant of the relevant Section states that the complainant has been provided the seniority list but admits that the supplied list does not contain the date of appointment and the date of application.

This case is pending for the last ten months where<sup>AS</sup>by the Estate Office is reluctant to provide the sought information and the tragedy is that nobody is taking responsibility.

Mr. Abdul Awal, Superintendent was directed to attend these Proceedings today but since he was not relevant to the Section, therefore, on the direction of this Commission, Mr. Muhammad Nizakat, Assistant was summoned to the Proceedings.

The representatives are directed to provide the requisite information to the complainant within seven days from today. At present, the posts of Estate Officer and Assistant Estate Officer are vacant. We have been informed that at present Sardar Asad Haroon, Deputy Secretary (Estate) is holding the charge of the Estate Office. The representatives are also directed to inform the Deputy Secretary (Estate) for next Proceedings which will be held on 09<sup>th</sup> December, 2015. Copy of these Proceedings shall also be sent to Sardar Asad Haroon, Deputy Secretary (Estate).

Chief Information Commissioner

Commissioner-I





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No: RTIC/AR/1-835/15  
Dated: 03<sup>rd</sup> Dec., 2015

(COMPLAINT NO. 00835)

Ref: MR. MUHAMMAD ZEESHAN VS. UNIVERSITY OF HARIPUR, HARIPUR.

### **PROCEEDINGS**

Mr. Muhammad Zeeshan (Complainant) is not in attendance. Mr. Umar Hanif Khichi, Legal Advisor, University of Haripur is present.

The case was discussed in detail with the parties. The representative of the University is neither the custodian of the record nor he is in a position to inform this Commission regarding the delivery or otherwise of the record.

In this request, the complainant has asked for those information which ordinarily should be available on the official website of the Public Body. He has asked for the following information:

1. List of employees from Grade 1 to 16.
2. Total Budget and Utilization for the year July, 2013 to June, 2014.
3. Copies of M.Phil. Degree of all the lecturers and teaching assistants appointed in all Departments from inception to date.
4. Approved HEC criteria for Appointment of Lecturers is M.Phil. or M.S foreign.

The above mentioned information is simple and identified but the University has neither provided to the complainant nor uploaded on the official website.

In view of this Commission a Show Cause Notice be issued to the PIO of the University under Section 26(3)(b) of the Right to Information Act, 2013. Copy of these Proceedings shall be sent to the PIO of the University.

  
Chief Information Commissioner

  
Commissioner-I



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No: RTIC/AR/1-1077/15  
Dated: 03<sup>rd</sup> Dec., 2015

(COMPLAINT NO. 01077)

Ref: MR. RIAZ MUHAMMAD VS. UNIVERSITY OF HARIPUR, HARIPUR.

### **PROCEEDINGS**

Mr. Riaz Muhammad (Complainant) is not in attendance. Mr. Umar Hanif Khichi, Legal Advisor, University of Haripur is present.

The case was discussed in detail with the parties. The representative of the University is neither the custodian of the record nor he is in a position to inform this Commission regarding the delivery or otherwise of the record.

However, information has not been provided, therefore, a Show Cause Notice be issued to the PIO of the University. Copy of these Proceedings will be sent to the PIO of the University.

Chief Information Commissioner

  
Commissioner-I



No: RTIC/AR/1-1185/15  
Dated: 03<sup>rd</sup> Dec., 2015

(COMPLAINT NO. 01185)

Ref: MALIK YASIR MEHMOOD VS. UNIVERSITY OF HARIPUR, HARIPUR.

### **PROCEEDINGS**

Malik Yasir Mehmood (Complainant) is not in attendance. Mr. Umar Hanif Khichi, Legal Advisor, University of Haripur is present.

The case was discussed in detail with the parties. The representative of the University is neither the custodian of the record nor he is in a position to inform this Commission regarding the delivery or otherwise of the record.

In this request, the complainant had asked information under nine heads. The PIO was informed that para 1, 3 and 7 are the information which should be provided to the complainant while information regarding the rest of paras, is third party information and cannot be given to the complainant.

The representative is directed to upload the said information on the official website of the University. He is given **three** days time to provide the same to the complainant under intimation to this Commission.



Chief Information Commissioner



Commissioner-I



GOVERNMENT OF KHYBER PAKHTUNKHWA  
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30

No: RTIC/AR/1-1008/15  
Dated: 03<sup>rd</sup> Dec., 2015

(COMPLAINT NO. 01008)

Ref: MR. MUHAMMAD ALI KHAN VS. DEO (M), LAKKI MARWAT.

### **PROCEEDINGS**

Mr. Muhammad Ali Khan (Complainant) in person present. Mr. Amjad Ali Khan, Assistant Programmer, Education Department, Lakki Marwat also present.

The case was discussed in detail with the parties. The complainant is Laboratory Attendant who is in service since 1994. He has never received any seniority list. According to Section 8(5) of the Civil Service Act, 1973 "Every office is mandated under the law to print and circulate the seniority list every year preferably in January". When the representative was asked for the seniority list so far printed and circulated, he tried to beat about the bush and said that the same is under process. It was brought to the notice of the representative that it is mandatory to prepare the seniority list and to upload the same on the official website of the Public Body.

The PIO is directed to provide the seniority list to the complainant within seven working days of the receipt of these Proceedings failing which punitive action will be taken against the District Education Officer (M), Lakki Marwat. Copy of these Proceedings will be sent to the District Education Officer (M), Lakki Marwat, Director Education, Khyber Pakhtunkhwa and Secretary Education Khyber Pakhtunkhwa.

Chief Information Commissioner

  
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No: RTIC/AR/1-1044/15  
Dated: 03<sup>rd</sup> Dec., 2015


(COMPLAINT NO. 01044)

Ref: MR. MEHBOOB KHAN VS. PRINTING & STATIONERY DEPARTMENT, PESHAWAR.

**PROCEEDINGS**

Mr. Mehboob Khan (Complainant) in person present. Mr. Muzamil Khan, Assistant, Government Printing Press, Peshawar also present.

The case was discussed in detail with the parties. Attested copies of the Seniority List provided to the complainant from 1994 to 2014 today. The complainant is not satisfied with the information, hence he is directed to visit the record room of the Department where he will be given access to each and every file he would like to go through. The Department is directed to provide him the attested copy of each and every document he needs, except a third party information. This case is closed.

  
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No: RTIC/AR/1-1066/15  
Dated: 03<sup>rd</sup> Dec., 2015

(COMPLAINT NO. 01066)

Ref: MR. SAADAT KHAN VS. EDWARDES COLLEGE, PESHAWAR.

### **PROCEEDINGS**

Mr. Saadat Khan (Complainant) in person present, Mr. Shah Mehmood Khan, Admn Officer, Edwardes College, Peshawar also present.

The case was discussed in detail with the parties. The requester has asked information under seven heads which is being denied by the Edwardes College on the ground that information pertains to other employees of the organization.

Interestingly, the Administration Section of the Edwardes College has written a letter to these employees for asking their opinion as to whether their documents should be given to the requester or not. Obviously they would never like to share their documents with the requester. The representative of the Public Body is informed that all the documents on the basis of which an employee draws pay, perks and privileges from the Public Body, are covered by the definition of information under the Right to Information Act, 2013 and hence are accessible to any citizen.

The Public Body is directed to provide all those documents to the complainant within seven working days after the receipt of these Proceedings, failing which punitive action will be initiated against the Public Information Officer of the Institution. A copy of these Proceedings shall be placed on the official website of this Commission and will also be sent to the complainant and the Principal of the Edwardes College, Peshawar.

Chief Information Commissioner

Commissioner-I





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No: RTIC/AR/1-1067/15

Dated: 03<sup>rd</sup> Dec., 2015

(COMPLAINT NO. 01067)

Ref: MR. SAADAT KHAN VS. EDWARDES COLLEGE, PESHAWAR.

**PROCEEDINGS**

Mr. Saadat Khan (Complainant) in person present. Mr. Shah Mehmood Khan, Admn Officer, Edwardes College, Peshawar also present.

The case was discussed in detail with the parties. However, the representative stated that they have not received the complaint in this regard from this office. This Commission provided him a copy to the representative of the Public Body.

The representative is directed to provide the requisite information to the complainant within **three** days of the receipt of these Proceedings under intimation to this Commission.

Chief Information Commissioner

Commissioner-I

Dated: 04<sup>th</sup> Dec., 2015

(Complaint No. 01078)

Ref: MR. QAZI TASKIN UD DIN VS. KDA, KOHAT.

**Proceedings**

Mr. Qazi Taskin Ud Din (Complainant) in person present. Mr. Hafeez ur Rehman, Housing Officer, Kohat Development Authority, Kohat also present.

The case was discussed with the parties in detail. The complainant is an allottee in the Kohat Development Authority and wants to transfer his plot to a third party (his son). At the time of transfer the Kohat Development Authority is demanding deposit of installation charges for Gas and Electricity. The complainant demanded policy letter mandating such deposit. This policy letter is not available with the Kohat Development Authority. Even otherwise, the charges are paid at the time of installation only. The complainant shall have to pay these charges whenever he requires Electricity and Gas connections. In view of this Commission these cannot be charged at the time of transfer. This case is closed.

  
Chief Information Commissioner

  
Commissioner-I





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Dated: 04<sup>th</sup> Dec., 2015

(Complaint No. 01086)

Ref: Mr. Aizaz Ullah & Others vs. Technical Board, Peshawar.

### Proceedings

Mr. Aizaz Ullah & Others (Complainants) are not in attendance. Mr. Husnul Abrar, Assistant Controller, Khyber Pakhtunkhwa, Board of Technical Education, Peshawar, is present.

The complainants have been contacted individually, asking them to attend these proceedings, but none of them is in attendance. The Board Authorities are ready to show them papers for their perusal. The attitude of the Board Authorities is appreciated. Whenever the complainants come to the Board, they should be provided opportunity to go through their paper. The complainants be informed accordingly. This case be closed.

  
Chief Information Commissioner

  
Commissioner-I



*[Handwritten Signature]*

No: RTIC/AR/1-950/15  
Dated: 09<sup>th</sup> Dec., 2015

**(COMPLAINT NO. 00950)**

Ref: MR. MUHAMMAD TUFIQUE VS. NOWSHERA MEDICAL COLLEGE, NOWSHERA.

**PROCEEDINGS**

Mr. Muhammad Tufique (Complainant) is not in attendance. Mr. Muhammad Tariq, Section Officer-III, Health Department, Peshawar and Mr. Waqas Ahmad, Junior Clerk, Nowshera Medical College, Nowshera are present. This attitude of the Nowshera Medical College is regretted.

Mr. Muhammad Tariq, Section Officer-III has talked to NMC Authorities on telephone. Whatever information is available with the Health Department, the same will be sent to this Commission by **tomorrow**. The NMC Authorities will send the rest of information/record to this Commission within **two** days. If the record is not received by this Commission, punitive Proceedings will be initiated against Public Information Officer of the Nowshera Medical College, Nowshera.

sd/-

Chief Information Commissioner

sd/-

Commissioner-I

Copy to:-

1. The Section Officer-III, Health Department, Peshawar.
2. The Public Information Officer, Nowshera Medical College, Nowshera.
3. Mr. Waqas Ahmad, Junior Clerk, Nowshera Medical College, Nowshera.
4. Mr. Muhammad Tufique (Complainant)

Assistant Registrar  
RTI Commission, KPK

Assistant Registrar  
Right to Information Commission,  
KPK, Peshawar.





No: RTIC/AR/1-962/15  
Dated: 09<sup>th</sup> Dec., 2015

**(COMPLAINT NO. 00962)**

Ref: MR. FAIZ MUHAMMAD VS. AYUB MEDICAL COMPLEX, ABBOTTABAD.

**PROCEEDINGS**

Mr. Faiz Muhammad (Complainant) is not in attendance. Mr. Shafiq ur Rehman, PRO/PIO, Ayub Teaching Hospita, Abbottabad is present.

The case was discussed in detail with the PIO while the complainant was contacted telephonically. Some information in respect of expenditure during the year 2012-13 and 2013-14 has been provided. Similarly, revised budget allocation and expenditure for 2014-15 has also been provided. The same will be sent to the complainant.

The PIO had written a letter to the complainant to visit the Institution, identify the information needed, and get the supply on the spot.

The complainant is directed to visit the Institution and whatever information is identified on the spot, the same will be provided to the complainant. It was also stated by the PIO that majority of information is available on their official Website which is still under construction. The PIO had been informed that it is a legal obligation of every Public Body to put all information on the official website in the letter and spirit of Section 5 of the Right to Information Act, 2013. Both the parties should inform this Commission about the final outcome of the visit of the complainant.

Chief Information Commissioner

Commissioner-I



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14

No: RTIC/AR/1-739/15  
Dated: 09<sup>th</sup> Dec., 2015

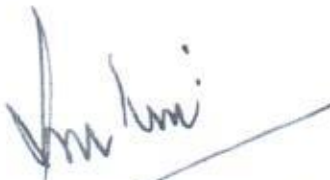
**(COMPLAINT NO. 00739)**

Ref: MR. NOOR ZAMAN VS. NOWSHERA MEDICAL COLLEGE, NOWSHERA.

**PROCEEDINGS**

Mr. Noor Zaman (Complainant) is not in attendance. Mr. Waqas Ahmad, Junior Clerk, Nowshehra Medical College, Nowshera is present.

The complainant has been contacted on telephone and has been directed to visit the Nowshera Medical College, Nowshera. The Public Body is directed to provide all the record sought by the complainant under nine heads on his visit to the college. Both the parties should inform this Commission.

  
Chief Information Commissioner

  
Commissioner-I





GOVERNMENT OF KHYBER PAKHTUNKHWA  
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No: RTIC/AR/1-1064/15  
Dated: 09<sup>th</sup> Dec., 2015

**(COMPLAINT NO. 01064)**

Ref: MR. ASHFAQ RASOOL SAFI VS. ESTABLISHMENT DEPARTMENT, PESHAWAR.

**PROCEEDINGS**

Mr. Ashfaq Rasool Safi (Complainant) in person present. Mr. Minhas ud Din, Estate Officer, Administration Department, Peshawar also present.

The case was discussed in detail with the PIO. The complainant wants information under two heads i.e date of allotment since 2007 and date of application by the allottee. The Estate Officer requests for four weeks time to collect the data and give it to this Commission. He is granted this time with the condition that the Administration Department will send weekly report to this Commission in this connection. His first report would reach this Commission by 18<sup>th</sup> December, 2015. If the Public Body fails to carry out this commitment, this Commission will have no alternative but to start punitive Proceedings under the Right to Information Act, 2013.

  
Chief Information Commissioner

  
Commissioner-I



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No: RTIC/AR/1-1092/15  
Dated: 09<sup>th</sup> Dec., 2015

**(COMPLAINT NO. 01092)**

Ref: MR. FAROOQ SHAH VS. NOWSHERA MEDICAL COLLEGE, NOWSHERA.

**PROCEEDINGS**

Mr. Farooq Shah (Complainant) is not in attendance. Mr. Muhammad Tariq, Section Officer-III, Health Department, Peshawar and Mr. Waqas Ahmad, Junior Clerk, Nowshera Medical College, Nowshera are present. This attitude of the Nowshera Medical College is regretted.

Mr. Muhammad Tariq, Section Officer-III has talked to NMC Authorities on telephone. Whatever information is available with the Health Department, the same will be sent to this Commission by tomorrow. The NMC Authorities will send the rest of information/record to this Commission within two days. If the record is not received by this Commission, punitive Proceedings will be initiated against Public Information Officer of the Nowshera Medical College, Nowshera.

Chief Information Commissioner

Commissioner-I





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No: RTIC/AR/1-1097/15  
Dated: 10<sup>th</sup> Dec., 2015

(COMPLAINT NO. 01097)

Ref: MR. UMAR FAROOQ CHEEMA VS. PROVINCIAL ASSEMBLY, PESHAWAR.

### **PROCEEDINGS**

Mr. Umar Farooq Cheema (Complainant) is not in attendance. Mr. Atta Ullah, Special Secretary/PIO, Provincial Assembly, Peshawar is present.

The case was discussed in detail with the Public Body. The Public Body was directed in last hearing that all the information mentioned in this complaint, is the information covered under Section 5 of the Right to Information Act, 2013, for proactive publication but the Public Body has not yet uploaded the said information on their official website.

The Public Body undertakes to display all this information on their official website within one week. The PIO also informs that the information has been copied for the complainant. The complainant has been informed by the Public Body to collect the information on payment of fee as notified by this Commission. Copy of the said letter is given to this Commission and placed on file.

The complainant is further directed to visit the office of the PIO and collect the requisite information on payment of fee as announced by this Commission, whereafter, this case will be closed.

  
Chief Information Commissioner

  
Commissioner-I

  
Commissioner-II



No: RTIC/AR/1-976/15

Dated: 10<sup>th</sup> Dec., 2015

**(COMPLAINT NO. 00976)**

Ref: MR. MUHAMMAD HANEEF VS. LOCAL GOVERNMENT DEPARTMENT, PESHAWAR.

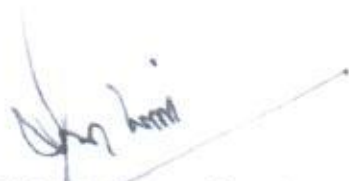
**PROCEEDINGS**

Mr. Muhammad Haneef (Complainant) is not in attendance. Muhammad Ismail Qureshi, Deputy Secretary (Admn) and Mr. Sahib Zada, Superintendent, Local Government Department, Peshawar are present.

The case was discussed in detail. The representatives informed that through a meeting held on 06<sup>th</sup> April, 2015, it was decided that the recruitment would be made in accordance with the Government policy. Since that date, nothing has happened.

Neither any candidate has been called for interview nor has been appointed. The copy of the Minutes has been provided alongwith the copy of the letter written to the complainant on 23<sup>rd</sup> July, 2015. Since the posts are still vacant and no interview has been conducted, therefore, no question of providing the information regarding the date of interview or merit determination formula arises.

The complainant has sent an interview call letter which was issued by the Department to him. The said call letter was shown to the representatives of the Pubic Body, whereafter, they contacted their office telephonically. The representatives informed this Commission that the said interview was postponed and provided a copy of the letter of the postponement interview. Copy of the said letter is placed on file. Complainant will be informed accordingly. In this background, this case is closed.

  
Chief Information Commissioner

  
Commissioner-I

  
Commissioner-II





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No: RTIC/AR/1-1091/15  
Dated: 10<sup>th</sup> Dec., 2015

**(COMPLAINT NO. 01091)**

Ref: MR. MUSHTAQ AHMAD VS. PHED, HARIPUR.

**PROCEEDINGS**

Mr. Mushtaq Ahmad (Complainant) in person present. Mr. Alamgir, Junior Clerk, Public Health Engineering Department, Haripur also present.

The Junior Clerk of the Public Body brought the information. He provided the cell number 0321-9834723 of Mr. Sajjad, SDO, PHED, Haripur presently incharge of the area and the Commissioner-I talked to him on telephone. This case is regarding the direct connection given from the tube well to new Water Supply Line in Village Changi Bandi. The learned SDO was reluctant to accept any direct connection given from the said tube well. It was impressed upon him that he should send us in writing as to whether any direct connection has been given from this tube well or not. If it does exist, he must clarify it as to whether the same was carried out by the PHED or any other Public Body. This case will be reheard on 21<sup>st</sup> December, 2015 and the Junior Clerk is directed to inform Mr. Sajjad, SDO, PHED, Haripur for the next date of summon. Copy of these Proceedings will be sent to Mr. Sajjad, SDO, PHED, Haripur.

Chief Information Commissioner

Commissioner-I

Commissioner-II



Dated: 10<sup>th</sup> Dec., 2015

(Complaint No. 01015)

REF: MR. TARIQ AZIZ VS. CDGD COLLEGE, PESHAWAR.

**PROCEEDINGS**

Mr. Tariq Aziz (Complainant) is not in attendance. Mr. Nazar Khan, Administrative Officer, TMA- Town-1, Municipal Corporation, Peshawar is present.


The case was discussed in detail with the representative.

This case pertains to the appointment of Miss. Samina Rehman against the post of Lecturer Chemistry in a College then run by City District Government Peshawar. Miss. Samina Rehman had obtained a degree in Environmental Science but she was appointed against the post meant and advertised for those having M.Sc in Chemistry only. According to the Public body the requester is the brother of the said Lecturer and was then the Nazim of Town-1 and nobody objected to this appointment including the complainant being her brother. Now the same Ex-Nazim has filed this request. He has been provided partial information by the Principal of the College vide letter dated: 18/09/2015. Since the record lies with the TMO Town-1, therefore, the Public body is directed to provide the following information to this Commission.

1. Advertisement issued for the post.
2. Names of the members of selection Committee.
3. Copy of the approval of the appointment by the appointing Authority.

The representative of the Public body undertakes to provide these information within three days.

  
Chief Information Commissioner

  
Commissioner-I

  
Commissioner-II





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No: RTIC/AR/1-857/15  
Dated: 10<sup>th</sup> Dec., 2015

**(COMPLAINT NO. 00857)**

Ref: MR. AZIZ UR REHMAN VS. PROVINCIAL ASSEMBLY, PESHAWAR.

### **PROCEEDINGS**

Mr. Aziz ur Rehman (Complainant) is not in attendance. Mr. Atta Ullah, Special Secretary/PIO, Provincial Assembly, Peshawar is present.

The case was discussed in detail. They have almost supplied all the information except the few points like showing the domicile certificates of all those employees who have been appointed since 2008 to March, 2013, and the money spent on the vehicles which is used by the Speaker of Provincial Assembly. It was stressed upon the representative of the Public Body that whenever a person is employed by any Public Body, all his documents become Public documents and should be displayed on the official website and should also be supplied to a requester. Similarly, all the money spent on the Government vehicles, is covered under the definition of information under the Right to Information Act, 2013 and should be displayed on the official website of the Public Body.

The PIO graciously undertakes to display all this information on their official website and also to provide this to the complainant. It will be in the fitness of things if it is done within a week, whereafter, this case will be closed.

Chief Information Commissioner

Commissioner-I

Commissioner-II



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No: RTIC/AR/1-1112/15/8390  
Dated: 11<sup>th</sup> Dec., 2015

(COMPLAINT NO. 01112)

Ref: MR. AZIZ UR REHMAN VS. FOREST DEPARTMENT, PESHAWAR.

### **PROCEEDINGS**

Mr. Aziz ur Rehman (Complainant) in person present. Mr. Farhad Khan, Deputy Secretary/PIO, Forest Department, Peshawar also present.

The complainant had asked for information under two heads. Information under one head has already been provided to the complainant whereas information regarding the purchase of trees by the Department, types of trees and the rates at which they have been purchased have not been provided to the complainant. The PIO undertakes to provide the said information by Tuesday, the 15<sup>th</sup> December, 2015.

sd/-  
Chief Information Commissioner

sd/-  
Commissioner-II

Copy to:-

1. Mr. Farhad Khan, Deputy Secretary/PIO, Forest Department, Peshawar.
2. Mr. Aziz ur Rehman (Complainant)

Assistant Registrar  
RTI Commission, KPK

Assistant Registrar  
Right to Information Commission,  
KPK, Peshawar.





No: RTIC/AR/1-1201/15  
Dated: 11<sup>th</sup> Dec., 2015

**(COMPLAINT NO. 01201)**

Ref: MR. SHAKEEL AHMAD VS. FOREST DEPARTMENT, PESHAWAR.

**PROCEEDINGS**

Mr. Shakeel Ahmad (Complainant) in person present. Mr. Farhad Khan, Deputy Secretary/PIO, Forest Department, Peshawar also present.

The complainant had sought information under the following four heads.

1. Working paper for promotion from BS-18 to BS-19 by the Department (PSB-II).
2. Quantification sheets provided by the Department in the name of Mr. Shakeel Ahmad and other contesting candidates.
3. PER synopsis
4. Minutes of the PSB dated: 30-01-2015 and 24-08-2015.

It was noted with surprise that the PIO is not fully aware about the Khyber Pakhtunkhwa Right to Information Act, 2013. He still presumes that parts of the above information are not to be given to the complainant. He was very clearly informed that the information sought by the complainant is his right to seek and that same shall have to be provided to him.

The PIO undertakes to provide the above information by Tuesday, the 15<sup>th</sup> December, 2015.

  
Chief Information Commissioner

  
Commissioner-II



No: RTIC/AR/1-1074/15  
Dated: 11<sup>th</sup> Dec., 2015

**(COMPLAINT NO. 01074)**

Ref: MR. SARANJAM KHAN VS. PHED, CHARSADDA.

**PROCEEDINGS**

Mr. Saranjam Khan (Complainant) is not in attendance. Mr. Rashid Ali Shah, Superintendent, Public Health Engineering Department, Charsadda is present.

The representative of the Public Body informs that the complaint of Mr. Saranjam Khan was responded on 12<sup>th</sup> October, 2015 in which he was informed that the PC-IV of the scheme has been sent to the Finance Department for creation of posts for the subject scheme. Copy of the said letter is given to this Commission and is placed on file. The representative of the Public Body further stated that no connections have been given so far from this Tube well. In this background, this case is closed.

Chief Information Commissioner

Commissioner-II



No: RTIC/AR/1-1201/15  
Dated: 11<sup>th</sup> Dec., 2015

(COMPLAINT NO. 01201)

Ref: MR. SHAKEEL AHMAD VS. FOREST DEPARTMENT, PESHAWAR.

**PROCEEDINGS**

Mr. Shakeel Ahmad (Complainant) in person present. Mr. Farhad Khan, Deputy Secretary/PIO, Forest Department, Peshawar also present.

The complainant had sought information under the following four heads.

1. Working paper for promotion from BS-18 to BS-19 by the Department (PSB-II).
2. Quantification sheets provided by the Department in the name of Mr. Shakeel Ahmad and other contesting candidates.
3. PER synopsis
4. Minutes of the PSB dated: 30-01-2015 and 24-08-2015.

It was noted with surprise that the PIO is not fully aware about the Khyber Pakhtunkhwa Right to Information Act, 2013. He still presumes that parts of the above information are not to be given to the complainant. He was very clearly informed that the information sought by the complainant is his right to seek and that same shall have to be provided to him.

The PIO undertakes to provide the above information by Tuesday, the 15<sup>th</sup> December, 2015.

  
Chief Information Commissioner

  
Commissioner-II

No: RTIC/AR/1-1112/15

Dated: 15<sup>th</sup> Dec., 2015

O/c

(COMPLAINT NO. 01112)

Ref: MR. AZIZ UR REHMAN VS. FOREST DEPARTMENT, PESHAWAR.

### **PROCEEDINGS**

Mr. Aziz ur Rehman (Complainant) is not in attendance. Mr. Muhammad Ayub, Section Officer and Mr. Shabir Hussain, Project Director, Forest Department, Peshawar are present.

The case was discussed in detail. The PIO has brought information in hard form which is more than twenty pages. The complainant be directed to attend this office, receive the information on payment of fee as per schedule of this Commission. He also informs that the website has been opened in respect of the Billion Trees Program. The entire Khyber Pakhtunkhwa province has been divided in 28 Divisions. Their website has a separate page for each Division. This Commission appreciates the work of the Incharge of the Billion Trees Program. He is further directed to update their website alongwith pages in the letter and spirit of Section 5 of the Right to Information Act, 2013.

The complainant is directed to go through the information provided and inform the Department regarding any information remaining in this case.

He further informs that funds are being issued by the Finance Department directly to Incharge of each Division who is the Drawing & Disbursement Officer (DDO) for the Project. Through the Forest Department, this Commission directs each and every Incharge of the Division to publish all the information on the provided page so that transparency is ensured in the letter and spirit of Section 5 of the Right to Information Act, 2013.

sd/-  
Chief Information Commissioner

sd/-  
Commissioner-I

sd/-  
Commissioner-II

Copy to:-

1. Mr. Muhammad Ayub, Section Officer, Forest Department, Peshawar.
2. Mr. Shabir Hussain, Project Director, Forest Department, Peshawar.
3. Mr. Aziz ur Rehman (Complainant)

Assistant Registrar  
RTI Commission, KPK  
Assistant Registrar





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No: RTIC/AR/1-986/15  
Dated: 15<sup>th</sup> Dec., 2015

(COMPLAINT NO. 00986)

Ref: MR. ASAD ALI VS. FOREST DEPARTMENT, CHARSADDA.

### **PROCEEDINGS**

Mr. Asad Ali (Complainant) is not in attendance. Mr. Muhammad Ayub, Section Officer and Shabir Hussain, Project Director, Forest Department, Peshawar are present.

The case was discussed in detail with the representatives of the Public Body. The information asked by the complainant is covered by Section 5 of the Right to Information Act, 2013, and should have been available on the website of the Forest Department. The representatives of the Public Body undertake to display all the information in respect of this complaint within a week and also send a hard copy to this Commission on or before 22<sup>nd</sup> December, 2015, whereafter this case will be closed.

Chief Information Commissioner

Commissioner-I

Commissioner-II

**(COMPLAINT NO. 01271)**

Ref: SYED SHAHID ANWAR VS. HEALTH DEPARTMENT, PESHAWAR.

**PROCEEDINGS**

Syed Shahid Anwar (Complainant) is not in attendance. Mr. Muhammad Tariq, Section Officer-III, Health Department, Peshawar is present.

According to the representative of the Public Body the record lies with the DG Health and FATA Directorate, Khyber Pakhtunkhwa. Both these offices be informed to send their PIO's for 05<sup>th</sup> January, 2016, alongwith the requisite information. Copies of these Proceedings will be sent to the DG Health and FATA Directorate, Peshawar.

  
Chief Information Commissioner

  
Commissioner-I





RIGHT TO INFORMATION COMMISSION  
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13

No: RTIC/AR/1-1267/15  
Dated: 18<sup>th</sup> Dec., 2015

**(COMPLAINT NO. 01267)**

Ref: DR. AMIR HAMZA VS. HEALTH DEPARTMENT, PESHAWAR.

### **PROCEEDINGS**

Dr. Amir Hamza (Complainant) is not in attendance. Mr. Muhammad Tariq, Section Officer-III, Health Department, Peshawar is present.

The case was discussed in detail with the representative of the Public Body. All the information sought by the complainant are in respect of selection process which has been finalized, notified and the selectees are working on the job. All such information is covered by Section 5 of the Right to Information Act, 2013, and should have been proactively published on the official website of the Public Body.

Surprisingly, Nowshera Medical College and Section Officer-I, Health Department have formed an opinion that these documents are classified. The interpretation given to the Law by Nowshera Medical College as well as the concerned Section Officer, is against the spirit of the Law and is hence rebutted. All such information should not only be provided to the complainant within three days positively but also upload the same on the official website failing which Proceedings will be initiated against the PIO of the Nowshera Medical College. If the information is supplied to the complainant and placed on the official website, this Commission be informed accordingly.

  
Chief Information Commissioner

  
Commissioner-I



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No: RTIC/AR/1-1212/15  
Dated: 18<sup>th</sup> Dec., 2015

**(COMPLAINT NO. 01212)**


Ref: MR. IMRAN KHAN VS. HEALTH DEPARTMENT, PESHAWAR.

**PROCEEDINGS**

Mr. Imran Khan (Complainant) in person present. Mr. Muhammad Tariq, Section Officer-III, Health Department, Peshawar also present.

The case was discussed in detail with the parties. It transpired during the discussion that the mother of the complainant namely Fayaz Akhtar (deceased) was serving as an LHW when her demise took place. An Act was passed in 2014, through which the services of those employees who were working in this Program, were regularized but according to the Section Officer, Health Department, no provision for pension has so far been made. He also informed that the Program has got its own Coordinator/PIO, hence it is better to summon the Coordinator of the Program alongwith the Act passed by the Provincial Assembly and other information regarding grant of pension to the employees covered by the Act.

Coordinator be summoned for 05<sup>th</sup> January, 2016. Copy of these Proceedings may also be sent to the Coordinator of the Program.

  
Chief Information Commissioner

  
Commissioner-I





No: RTIC/AR/1-1249/15

Dated: 22<sup>nd</sup> Dec., 2015

**(COMPLAINT NO. 01249)**

Ref: MR. MUHAMMAD SOHAIL VS. DEO (M), ABBOTTABAD.

**PROCEEDINGS**

Mr. Muhammad Sohail (Complainant) is not in attendance. Mr. Zia ud Din, DEO (M), Education Department, Abbottabad is present.

As per the statement of the DEO (M), Abbottabad, all the requisite information was provided to the complainant vide his letter No. 8913/EB-I/GHS K. Barseen, dated: 10<sup>th</sup> November, 2015. The complainant has telephonically informed this Commission that he has received incomplete information from the Education Department. The matter was discussed in detail with the PIO who informs that he had sent all the requisite information/documents to the complainant.

Now this Commission directs the DEO (M), Abbottabad to forward the entire correspondence he had sent to the complainant, alongwith any other details by 29<sup>th</sup> December, 2015, and will be delivered the same to the complainant, whereafter this case will be closed.

Chief Information Commissioner

Commissioner-I



RIGHT TO INFORMATION COMMISSION  
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No: RTIC/AR/1-1077/15  
Dated: 22<sup>nd</sup> Dec., 2015

**(COMPLAINT NO. 01077)**

Ref: MR. RIAZ MUHAMMAD VS. UNIVERSITY OF HARIPUR, HARIPUR.

**PROCEEDINGS**

Mr. Aibak Khan, Assistant Registrar, University of Haripur is present. Mr. Riaz Muhammad (Complainant) is not in attendance.

Mr. Aibak has appeared before this Commission in connection with the issuance of Show Cause Notice to him for not providing information to the complainant despite orders of this Commission to do so. He explained that all the relevant information is available on the official website of University of Haripur, Haripur. The PIO accompanied by the representative of RTIC opened the official Website of University of Haripur and showed the merit list of selected candidates and selection criteria.

Mr. Aibak explained his position stating that he in person has provided information to the complainant in complaint No. 01077 during the last week, date of which he did not recollect. Upon checking with Mr. Riaz Muhammad on telephone today from the Right to Information Commission office, he informed that he did not receive any information. Mr. Aibak while speaking to the complainant informed that this information had already been provided to him, but in case if he denied the receipt of the same, he should visit the office of the Additional Registrar Mr. Sehal Khan for collection of requisite information.

Mr. Aibak was informed that the denial of receiving information by the complainant can be averted if the copy of the entire documents regarding this information is sent to this office alongwith the cost of Photostat charges, which the Commission shall provide to the complainant.

Mr. Aibak confirmed that he would ensure that the information is provided to the commission by 29<sup>th</sup> December, 2015. Upon receipt of the information, the Show Cause Notice will be withdrawn.

Chief Information Commissioner

Commissioner-I





21

No: RTIC/AR/1-835/15  
Dated: 22<sup>nd</sup> Dec., 2015

**(COMPLAINT NO. 00835)**

Ref: MR. MUHAMMAD ZEESHAN VS. UNIVERSITY OF HARIPUR, HARIPUR.

**PROCEEDINGS**

Mr. Aibak Khan, Assistant Registrar, University of Haripur, Haripur Present. Mr. Muhammad Zeeshan (Complainant) is not in attendance.

As per the statement of Mr. Aibak, complainant has already been provided part of the information. As for the CV's and documents which the complainant requires, the same shall be provided upon payment of cost of Photostat charges as per schedule, which the complainant and RTIC should be informed to deposit. Once the complainant has deposited the amount, he shall show the copy of treasury challan to the Assistant Registrar of the University, whereafter the documents shall be provided to the complainant.

As most of the information as the complainant requires consists of selection of employees, selection criteria, documents of selected candidates, budget etc. it will be most appropriate if the University places the same on the University website, so that they do not have to respond to similar requests for the same.

Chief Information Commissioner

Commissioner-I