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No. RTIC/AR/1-1569/16
Dated: 02nd Aug., 2016

(COMPLAINT NO. 01569)

Ref: MR. MUHAMMAD SHAFI VS. AC, TANGI.

PROCEEDINGS

Mr. Muhammad Shafi, Complainant present. Abdul Sadiq, SDO, Tangi Irrigation (Sub Division), Irrigation Department Tangi, Charsadda also present.

The case was discussed in detail with the parties. This is one of the oldest cases on the diary of this Commission. Both the parties do not agree regarding all the demarcation proceedings carried out. During the discussion the representative of the Irrigation Department informed that the Canal was remodeled in 1982 and remodeling was completed in 1992. He was directed to produce the map prepared during the remodeling procedure and provide attested copy to this Commission. Where after the Revenue Authorities and the Irrigation Department would jointly carry out demarcation in the light of the remodeled plan so that the information required by complainant is made available. The Irrigation Department is also directed to produce all the record relevant to that remodeling so that the case is finally decided. This case will be heard on 11th August, 2016.


Chief Information Commissioner


Commissioner-I


Commissioner-II



RIGHT TO INFORMATION COMMISSION
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No: RTIC/AR/1-2292/16
Dated: 02nd Aug., 2016

(COMPLAINT NO. 02292)

Ref: MR. HAFEEZ UR REHMAN VS. ABBOTTABAD PUBLIC SCHOOL, ABBOTTABAD.

PROCEEDINGS

Mr. Hafeez ur Rehman, complainant, in person present. No representative from the Public Body attended the Commission today.

The case was discussed in detail with the complainant. The complainant had asked information under seven heads. The Public Body has written a letter on 13th June, 2016, to the complainant whereby various information was provided to him except the copy of the inquiry report conducted by Mr. Haroon ur Rasheed and the details of the weapons purchased by the Institution. The complainant was informed that as far as the details of the purchased weapons is concerned, this Commission would not compel the Public body to provide the details of the same by the Institution due to involvement of security issues.

As far as the inquiry report is concerned, the complainant presented a photocopy of the letter dated: 10th August, 2015, written by the Public Body, whereby the complainant was warned to be careful in future. The Public Body has informed this Commission that the inquiry is still in progress. The statement of the Public Body looks dichotomous because if the inquiry has not been finalized then how can the complainant be warned in the light of the recommendations of the Committee. The Public Body is directed to provide an attested copy of the Inquiry report conducted by Mr. Haroon ur Rasheed to the complainant within seven working days under intimation to this Commission. A copy of these Proceedings shall also be sent to the Public Body alongwith the copy of the letter produced by the complainant. The complainant was directed to inform this Commission regarding the receipt of information or otherwise after the due date.


Chief Information Commissioner


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Commissioner-II



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No. RTIC/AR/1-2113/16
Dated: 03rd Aug., 2016

(COMPLAINT NO. 02113)

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

PROCEEDINGS

Mr. Aziz Ur Rehman, Complainant present. Mr. Mushtaq Ahmad Budget Officer (PAC), Finance Department Peshawar, also present.

The case was discussed in detail with the parties. The Information was handed over to the complainant. The complainant needs time to examine/study the same and will inform this Commission within seven working days as to whether he is satisfied or otherwise from the same.

Chief Information Commissioner

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No. RTIC/AR/1-1092/16
Dated: 03rd Aug., 2016

(COMPLAINT NO. 01092)

Ref: MR. FAROOQ SHAH VS. NMC, NOWSHERA.

PROCEEDINGS

Mr. Farooq Shah, Complainant is not in attendance. Mr. Ibrar Ali Superintendent, Nowshera Medical College Nowshera is present.

The case was discussed in detail with the parties. This is one of the oldest cases on the diary of this Commission. Complete Information has not been provided so far to the complainant. The complainant had sought information under nine heads. The representative of the Public Body undertook to call the complainant to their College and provide him the desired information within three working days. The representative of the Public Body was informed to charge the amount of photostate if the information exceeds twenty pages.


Chief Information Commissioner


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No. RTIC/AR/1-1966/16
Dated: 03rd Aug., 2016

(COMPLAINT NO. 01966)

Ref: MR. AZIZ UR REHMAN VS. UET, PESHAWAR.

PROCEEDINGS

Mr. Aziz Ur Rehman, Complainant present. Mr. Samiullah, Additional Registrar, University of Engineering & Technology, Peshawar also present.

Despite clear orders issued by this office in Proceedings dated: 01-06-2016, for the supply of information within fifteen days, the University of Engineering & Technology, Peshawar has failed to provide a single piece of information to the complainant. As requested by the complainant, last chance is given to the Public Body. PIO is directed to provide the information to the complainant. The complainant is directed to visit the office of the PIO, University of Engineering & Technology, Peshawar for receiving the desired information and inform this Commission regarding the output of the said visit.


Chief Information Commissioner


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No: RTIC/AR/1-723/16

Dated: 03rd Aug., 2016

(COMPLAINT NO. 00723)

REF: MR. MUHAMMAD ISRAR VS. CPO, PESHAWAR.

PROCEEDINGS

Mr. Muhammad Israr, complainant, in person present. Mr. Alamgir Khan, Reader, Central Police Office, Peshawar, Mr. Mehar Ali, DSP, Office of the District Police Officer, Karak and Mr. Liaqat Ali, Senior Auditor, AG Office (Legal Section), Peshawar are also present.

The case was discussed in detail with the parties. This is one of the oldest cases on the diary of this Commission. A copy of inquiry conducted against Mr. Falak Nawaz, DSP, was to be supplied to the complainant which has been sent to the Accountant General Office, Peshawar for record. The representative of the AG Office undertakes to search the inquiry report in the concerned office and supply a copy of the same through the PIO of the Police Department, Peshawar to the complainant. Last chance was given to the Public Bodies for the provision of the same i.e Monday, 08th August, 2016, failing which punitive action will be initiated against the District Police Officers, Karak and Hangu and Public Information Officer, Central Police Office, Peshawar.


Chief Information Commissioner


Commissioner-I


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No: RTIC/AR/1-1839/16
Dated: 04th August, 2016

(COMPLAINT NO. 01839)

REF: MR. MUHAMMAD NAEEM VS. GOVERNMENT POST GRADUATE COLLEGE, MARDAN.

PROCEEDINGS

Mr. Muhammad Naeem, complainant, is not in attendance. Prof. Fayaz Ali Shah, Principal/PIO and Mr. Abdul Jaleel, Associate Professor, Government Post Graduate College, Mardan are present.

The case was discussed in detail with the representatives of the Public Body. The complainant had asked information under five heads. Partial information has already been provided to the complainant vide letter No. 2471, dated: 10th May, 2016. As per the statement of the Principal, they have also informed the complainant vide letter No. 2547, dated: 07th June, 2016, to deposit the photostate charges but the complainant did not turn up.

The complainant is directed to visit the Principal's office within seven working days and identify the information which he needs. Both the parties are directed to inform this Commission regarding the provision and receipt of information.

Chief Information Commissioner

Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
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No: RTIC/AR/1-612/15
Dated: 04th August, 2016

(COMPLAINT NO. 00612)

REF: MR. MUHAMMAD NOMAN KHAN VS. DIRECTORATE OF ELEMENTARY & SECONDARY
EDUCATION, PESHAWAR.

PROCEEDINGS

Mr. Muhammad Noman Khan, complainant, is not in attendance. Mr. Hameed ur Rehman, Assistant Director (Litigation)/PIO, Directorate of Elementary & Secondary Education Department, Peshawar is present.

The representative of the Public Body informed that all the information sought by the complainant has already been provided but the complainant wants to know about the Forest Wood Processing, Unit Havellain, Peshawar, which was one of the pre-qualified firms according to him. The PIO of the Public Body informed that he will check the name of the said firm in his official record that under which name had the said firm applied.

Later on, the PIO of the Public Body was contacted on telephone by this Commission and he stated that originally, the Forest Wood Processing, Unit Havellain, Peshawar had applied under the name of MECHANICAL ENGINEERING.

By providing the original name of the Forest Wood Processing, all the desired information has been provided to the complainant, therefore, this case is closed.


Chief Information Commissioner


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No: RTIC/AR/1-2319/16
Dated: 04th Aug., 2016

(COMPLAINT NO. 02319)

REF: MR. NAQIB ULLAH VS. KHUSHAL KHAN KHATTAK UNIVERSITY, KARAK.

PROCEEDINGS

Mr. Naqib Ullah, complainant, in person present. The Public Information Officer of the University absent.

The response of the University with regard to non-provision of information as it relates to a third party, is not acceptable. In this era of transparency, the information should not only be provided to the complainant but should also be uploaded on the official website of the University in the letter and spirit of Section 5 of the Right to Information Act, 2013.

The PIO of the University is directed to provide the requested information to the complainant within seven working days otherwise punitive action under Section 26 of the Right to Information Act, 2013 will be initiated against the PIO of the University.


Chief Information Commissioner


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No: RTIC/AR/1-1900/16
Dated: 04th Aug., 2016

(COMPLAINT NO. 01900)

REF: MR. NAQIB ULLAH VS. KHUSHAL KHAN KHATTAK UNIVERSITY, KARAK.

PROCEEDINGS

Mr. Naqib Ullah, complainant, in person present. The Public Information Officer of the University absent.

Vide this Commission letter No. RTIC/AR/1-1900/16, dated: 21st March, 2016, the Public Information Officer of the University was directed to provide the information requested for by the complainant within ten working days, in response to which the PIO had informed vide letter dated: 31st March, 2016, that the case was still in process. The PIO was summoned vide letter No. RTIC/AR/Summon/16, dated: 28th July, 2016, and also informed telephonically but he did not comply. The complainant has now submitted an application regarding the initiation of legal proceedings against the Public Information Officer for non-provision of information. In the last hearing held in this Commission on 23rd June, 2016, wherein the PIO agreed to provide the required information within seven days but he did not comply with the direction issued by this Commission.

The Public Information Officer has failed to provide the desired information to the complainant, therefore, he is directed to provide the relevant information regarding para-3 of his request application dated: 01st March, 2016, within two working days of the receipt of these Proceedings to the complainant failing which a Show Cause Notice will be issued.


Chief Information Commissioner


Commissioner-II



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No: RTIC/AR/1-723/15
Dated: 08th Aug., 2016

(COMPLAINT NO. 00723)

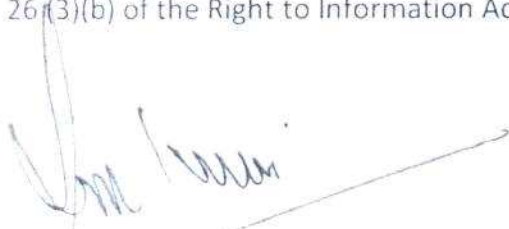
REF: MR. MUHAMMAD ISRAR VS. CPO, PESHAWAR.

PROCEEDINGS

Mr. Muhammad Israr, complainant, in person present. Mr. Alamgir Khan, Reader, Central Police Office, Peshawar, Mr. Abdur Rehman, Inspector, Office of the District Police Officer, Hangu and Mr. Mehar Ali, DSP, Office of the District Police Officer, Karak also present.

The case was discussed in detail with the parties. According to the representative of the Police Department, Peshawar, the Accountant General Office, Peshawar could not locate the file received from the District Police Office, Hangu. It is the contention of the Police Department that Personnel File of every Gazetted Police Officer is kept by the Accountant General Office. He is directed to produce Law/Rules & Regulations requiring Personnel File of every Gazetted Police Officer to be sent to Accountant General Office, failing which this Commission would interpret the step taken by the Police Department as malafide.

The Police Department wants this Commission to pursue the case with the AG Office which, in this Commission's view, is not the job of the Commission. The parent Department should be in possession of every paper regarding its employees. If the record is not located and information is not provided to the complainant on or before Tuesday, 16th August, 2016, this Commission will proceed against both the District Police Officers Karak & Hangu under Section 26(3)(b) of the Right to Information Act, 2013, read with Section 28 thereof.


Chief Information Commissioner
Commissioner-I



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No: RTIC/AR/1-2117/16
Dated: 09th Aug., 2016

(COMPLAINT NO. 02117)

REF: MR. NADIR KHAN VS. ESTABLISHMENT DEPARTMENT, PESHAWAR.

PROCEEDINGS

Mr. Nadir Khan, complainant, in person present. Mr. Imad Ali Lohani, Additional Secretary (HRD)/PIO and Mr. Anwar Shah, Section Officer (HRD), Establishment & Administration Department, Peshawar also present.

The complainant stated that he has received the requisite information. Hence, this case is closed.


Chief Information Commissioner


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No: RTIC/AR/1-2300/16

Dated: 09th Aug., 2016

(COMPLAINT NO. 02300)

REF: MR. MUHAMMAD ARSHAD VS. ESTABLISHMENT DEPARTMENT, PESHAWAR.

PROCEEDINGS

Mr. Muhammad Arshad, complainant, is not in attendance. Mr. Imad Ali Lohani, Additional Secretary (HRD)/PIO and Mr. Anwar Shah, Section Officer (HRD), Establishment & Administration Department, Peshawar are present.

As per the statement of the PIO of the Public Body, the requisite information has been provided to the complainant. The complainant will be contacted as to whether he is satisfied or otherwise with the provided information. If he is satisfied then this case will be closed.


Chief Information Commissioner


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-2258/16

Dated: 09th Aug., 2016

(COMPLAINT NO. 02258)

REF: MR. AHMAD KHAN ORAKZAI VS. ESTABLISHMENT DEPARTMENT, PESHAWAR.

PROCEEDINGS

Mr. Ahmad Khan Orakzai, complainant, is not in attendance. Mr. Imad Ali Lohani, Additional Secretary (HRD)/PIO and Mr. Anwar Shah, Section Officer (HRD), Establishment & Administration Department, Peshawar are present.

As per the statement of the PIO of the Public Body, the requisite information has been provided to the complainant. The complainant will be contacted as to whether he is satisfied or otherwise with the provided information. If he is satisfied then this case will be closed.


Chief Information Commissioner


Commissioner-I


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No: RTIC/AR/1-2247/16

Dated: 09th Aug., 2016

(COMPLAINT NO. 02247)

REF: MR. NADIR KHAN VS. ESTABLISHMENT DEPARTMENT, PESHAWAR.

PROCEEDINGS

Mr. Nadir Khan, complainant, in person present. Mr. Imad Ali Lohani, Additional Secretary (HRD)/PIO and Mr. Anwar Shah, Section Officer (HRD), Establishment & Administration Department, Peshawar also present.

The complainant stated that he has received the requisite information. Hence, this case is closed.

Chief Information Commissioner

Commissioner-I

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No: RTIC/AR/1-2274/16
Dated: 09th Aug., 2016

(COMPLAINT NO. 02274)

REF: MR. NADIR KHAN VS. ESTABLISHMENT DEPARTMENT, PESHAWAR.

PROCEEDINGS

Mr. Nadir Khan, complainant, in person present. Mr. Imad Ali Lohani, Additional Secretary (HRD)/PIO and Mr. Anwar Shah, Section Officer (HRD), Establishment & Administration Department, Peshawar also present.

The complainant stated that he has received the requisite information. Hence, this case is closed.


Chief Information Commissioner


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-1876/16
Dated: 09th Aug., 2016

(COMPLAINT NO. 01876)

REF: MR. MUHAMMAD ARSHAD VS. ESTABLISHMENT DEPARTMENT, PESHAWAR.

PROCEEDINGS

Mr. Muhammad Arshad, complainant, is not in attendance. Mr. Imad Ali Lohani, Additional Secretary (HRD)/PIO and Mr. Anwar Shah, Section Officer (HRD), Establishment & Administration Department, Peshawar are present.

The case was discussed in detail with the representatives of the Public Body. The PIO undertakes to provide the requisite information to the complainant within one week.

Chief Information Commissioner

Commissioner-I

Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
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No: RTIC/AR/1-2058/16
Dated: 09th Aug., 2016


(COMPLAINT NO. 02058)

REF: MR. MUHAMMAD ARSHAD VS. ESTABLISHMENT DEPARTMENT, PESHAWAR.

PROCEEDINGS

Mr. Muhammad Arshad, complainant, is not in attendance. Mr. Imad Ali Lohani, Additional Secretary (HRD)/PIO and Mr. Anwar Shah, Section Officer (HRD), Establishment & Administration Department, Peshawar are present.

The case was discussed in detail with the representatives of the Public Body. The PIO undertakes to provide the requisite information to the complainant within a week or inform this Commission in writing regarding the officer who refuses to provide information.


Chief Information Commissioner
Commissioner-I
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No: RTIC/AR/1-2205/16

Dated: 09th Aug., 2016

(COMPLAINT NO. 02205)

REF: MR. AKHTAR NAWAZ VS. ESTABLISHMENT DEPARTMENT, PESHAWAR.

PROCEEDINGS

Mr. Akhtar Nawaz, complainant, is not in attendance. Mr. Imad Ali Lohani, Additional Secretary (HRD)/PIO and Mr. Anwar Shah, Section Officer (HRD), Establishment & Administration Department, Peshawar are present.

As per statement of the PIO of the Public Body, the requisite information has been provided to the complainant. The complainant will be contacted as to whether he is satisfied or otherwise with the provided information. If he is satisfied then this case will be closed.


Chief Information Commissioner


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-2305/16

Dated: 09th Aug., 2016

(COMPLAINT NO. 02305)

REF: MR. AKBAR KHAN VS. ESTABLISHMENT DEPARTMENT, PESHAWAR.

PROCEEDINGS

Mr. Akbar Khan, complainant, is not in attendance. Mr. Imad Ali Lohani, Additional Secretary (HRD)/PIO and Mr. Anwar Shah, Section Officer (HRD), Establishment & Administration Department, Peshawar are present.

As per the statement of the PIO of the Public Body, the requisite information has been provided to the complainant. The complainant will be contacted as to whether he is satisfied or otherwise with the provided information. If he is satisfied then this case will be closed.

Chief Information Commissioner

Commissioner-I

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2/10/2016



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No: RTIC/AR/1-1064/16

Dated: 09th Aug., 2016

(COMPLAINT NO. 01064)

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

PROCEEDINGS

Mr. Ashfaq Rasool Safi, complainant, in person present. Mr. Imad Ali Lohani, Additional Secretary (HRD)/PIO and Mr. Anwar Shah, Section Officer (HRD), Establishment & Administration Department, Peshawar also present.

The case was discussed in detail with the representatives of the Public Body. The requisite information has been provided to the complainant but the complainant stated that in few cases, the dates of applications are missing. The PIO undertakes to provide the complete list to the complainant within one week under intimation to this Commission.



Chief Information Commissioner



Commissioner-I



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No: RTIC/AR/1-1569/16

Dated: 10th Aug., 2016

(COMPLAINT NO. 01569)

REF: MR. MUHAMMAD SHAFI VS. AC, CHARSADDA.

PROCEEDINGS

Mr. Muhammad Shafi, complainant, in person present. Mr. Abdul Sadiq, SDO, Irrigation Department, Sub Division Tangi, Charsadda also present.

At the very outset, the PIO of the Public Body pointed out that the Proceedings recorded on last hearing needs correction to the extent that Irrigation Department accepts the demarcation carried out by the Revenue Staff. Hence the mention that "both the parties do not agree" needs correction. Correction made accordingly.

The representative of the Public Body has brought the drawings of plan and profile of Lower Swat Canal RD-42000-56000 duly attested which was handed over to the complainant. The complainant showed his satisfaction regarding the same.

The representative of the Public Body is directed to provide the information to the complainant in respect of Rules framed under the Canal and Drainage Act, 1870, or any Manual prepared for the conduct of Girdawari etc. for the Revenue Wing of the Irrigation Department. The representative stated that he will search for the same, if available, will be provided to the complainant under intimation to this Commission. He is also directed that in case, the same could not be located, he should give a certificate under Section 10 of the Right to Information Act, 2013, for non-availability of the same.

Chief Information Commissioner

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No: RTIC/AR/1-1772/16
Dated: 10th Aug., 2016

(COMPLAINT NO. 01772)

REF: MR. IBAD ULLAH JAN VS. UNIVERSITY OF PESHAWAR.

PROCEEDINGS

Mr. Ibad Ullah Jan, complainant, in person present. Mr. Aimal Khan, Deputy Registrar/PIO, University of Peshawar also present.

The complainant had asked information under seven heads. In the last proceedings held in this Commission on 15th June, 2016, the PIO undertook to provide the desired information to the complainant within seven days but still all the information has not been provided. Information under head No. 4 and 5 have already been provided to the complainant. As far as information regarding head No. 2 is concerned, the same cannot be provided to the complainant under the policy adopted by this Commission. Information under head No. 1 and 3 was discussed in detail with the parties. The PIO was directed to provide attested copies of the documents pertaining to the selected candidates. The PIO was also directed to provide the information in the shape of a table which shall show the names of the candidates, marks obtained by the candidates in test and Interview, their academic marks and the District of their Domicile within one week to the complainant under intimation to this Commission.

Chief Information Commissioner

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No: RTIC/AR/1-00004/14

Dated: 10th Aug., 2016

(COMPLAINT NO. 00004)

REF: PROF. DR. MUHAMMAD ABID VS. UNIVERSITY OF PESHAWAR.

PROCEEDINGS

Prof. Dr. Muhammad Abid, complainant, is not in attendance. Mr. Aimal Khan, Deputy Registrar/PIO, University of Peshawar is present.

The case was discussed in detail with the PIO of the University. The PIO stated that he is ready to provide the information regarding annexures to the complainant if he visits his office on any working day within seven days. The complainant is directed to visit the office of the PIO for the collection of information within seven working days on payment of fee as notified by this Commission.

Both the parties are directed to inform this Commission regarding the final outcome of the said visit.


Chief Information Commissioner


Commissioner-I


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No: RTIC/AR/1-2143/16

Dated: 10th Aug., 2016

(COMPLAINT NO. 02143)

REF: MR. MUNAWWAR IQBAL VS. UNIVERSITY OF PESHAWAR.

PROCEEDINGS

Mr. Munawwar Iqbal, complainant, is not in attendance. Mr. Aimal Khan, Deputy Registrar/PIO, University of Peshawar is present.

As per the statement of the PIO, the requisite information has been provided to the complainant. The complainant will be contacted as to whether he is satisfied or otherwise with the provided information. If he is satisfied then this case will be closed.


Chief Information Commissioner


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-2301/16
Dated: 10th Aug., 2016

(COMPLAINT NO. 02301)

REF: MR. MUHAMMAD MUMTAZ VS. UNIVERSITY OF PESHAWAR.

PROCEEDINGS

Mr. Muhammad Mumtaz, complainant, is not in attendance. Mr. Aimal Khan, Deputy Registrar/PIO, University of Peshawar is present.

As per the statement of the PIO, the requisite information has been provided to the complainant. The complainant will be contacted as to whether he is satisfied or otherwise with the provided information. If he is satisfied then this case will be closed.


Chief Information Commissioner


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-2233/16

Dated: 10th Aug., 2016

(COMPLAINT NO. 02233)

REF: DR. MUHAMMAD NAFEES VS. UNIVERSITY OF PESHAWAR.

PROCEEDINGS

Dr. Muhammad Nafees, complainant, in person present. Mr. Aimal Khan, Deputy Registrar/PIO, University of Peshawar also present.

The case was discussed in detail with the parties. The complainant has received partial information. The PIO noted down the outstanding information and he undertakes to provide the same to the complainant within ten days under intimation to this Commission.

Chief Information Commissioner

Commissioner-I

Commissioner-II



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No: RTIC/AR/1-1892/16
Dated: 10th Aug., 2016

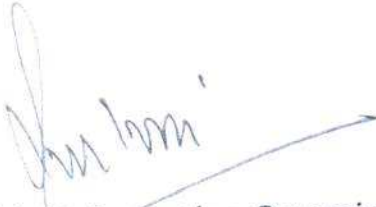
(COMPLAINT NO. 01892)

REF: MR. MALAK NAZ VS. UNIVERSITY OF PESHAWAR.

PROCEEDINGS

Mr. Malak Naz, complainant, is not in attendance. Mr. Aimal Khan, Deputy Registrar/PIO, University of Peshawar is present.

The case was discussed in detail with the PIO of the University. The PIO brought an Office Order vide No. 593-95/L-C, dated: 18/09/2008. A copy of the same is placed on the file of this Commission and will be sent to the complainant. This case is closed.


Chief Information Commissioner


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-1992/16
Dated: 10th Aug., 2016

(COMPLAINT NO. 01992)

REF: DR. SYED NAEEM BADSHAH VS. UNIVERSITY OF PESHAWAR.

PROCEEDINGS

Dr. Syed Naeem Badshah, complainant, is not in attendance. Mr. Aimal Khan, Deputy Registrar/PIO, University of Peshawar is present.

According to the PIO, the complainant visited their office in the morning. The PIO will provide the desired information, as per the complainant's request, within three days under intimation to this Commission.

Chief Information Commissioner

Commissioner-I

Commissioner-II



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No: RTIC/AR/1-2147/16
Dated: 10th Aug, 2016

(COMPLAINT NO. 02147)


REF: MISS ZAHIDA KALSOOM VS. UNIVERSITY OF PESHAWAR.

PROCEEDINGS

Miss Zahida Kalsoom, complainant, in person present. Mr. Aimal Khan, Deputy Registrar/PIO, University of Peshawar also present.

The case was discussed in detail with the parties. As per the statement of the complainant, she has received all the information except the copies of her ACR's for the year 2001 to 2015. The PIO informed that they have filed a Writ Petition against the direction of this Commission.

The PIO was directed to send a copy of the Writ Petition to this Commission. The complainant wishes to become a party of the Writ Petition. The PIO was directed to provide all the details regarding the Writ to the complainant so that she pursues her legal right in the court of law. This case will be taken up after the decision of the Stay application in the Court.



Chief Information Commissioner



Commissioner-I



Commissioner-II



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No: RTIC/AR/1-1965/16
Dated: 10th Aug., 2016

(COMPLAINT NO. 01965)

REF: MR. AZIZ UR REHMAN VS. UNIVERSITY OF PESHAWAR.

PROCEEDINGS

Mr. Aziz ur Rehman, complainant, in person present. Mr. Aimal Khan, Deputy Registrar/PIO, University of Peshawar also present.

The case was discussed in detail with the parties. It was decided in the last Proceedings dated: 15th June, 2016, that the information will be provided to the complainant within seven days but regrettably the same has not been provided. Last chance was given to the PIO and he undertook to provide the desired information to the complainant on or before Monday i.e. 15th August, 2016, failing which punitive action will be initiated against the PIO.


Chief Information Commissioner


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-1924/16

Dated: 10th Aug., 2016

(COMPLAINT NO. 01924)

REF: DR. AMIR NAWAZ KHAN VS. UNIVERSITY OF PESHAWAR.

PROCEEDINGS

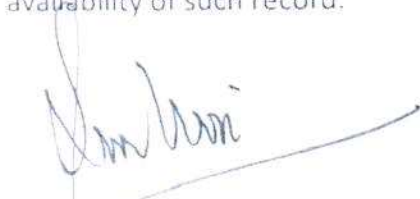
Dr. Amir Nawaz Khan, complainant, in person present. Mr. Aimal Khan, Deputy Registrar/PIO, University of Peshawar also present.

The case was discussed in detail with the parties. The complainant had asked for two information i.e. the agenda of the 413th Meeting of the Syndicate held on 30/04/2013, and the minutes of the meeting in which the decision of his removal from the Scrutiny Committee for recruitment in Environmental Faculty of University of Peshawar was taken. The representative of the University has brought a copy of the minutes whereby the decision was taken in respect of the Selection Board.

The complainant has now requested for the complete minutes of 413th meeting regarding which the PIO undertakes to provide this information to the complainant within one week under intimation to this Commission.

As far as copy of the agenda prepared for the said meeting is concerned, the PIO undertook to provide the same to the complainant within three days under intimation to this Commission.

The complainant also wants a copy of the Order through which he was removed/replaced from the Scrutiny Committee for recruitment. The PIO undertook that he will check the said Order in the official record, and if available, will be provided to the complainant under intimation to this Commission. If such Order could not be located in their office, the PIO is directed to give a certificate under Section 10 of the Right to Information Act, 2013, for non-availability of such record.


Chief Information Commissioner
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Commissioner-II



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No: RTIC/AR/1-2167/16
Dated: 10th Aug., 2016

(COMPLAINT NO. 02167)

REF: DR. SADIQ AZAM VS. UNIVERSITY OF PESHAWAR.

PROCEEDINGS

Dr. Sadiq Azam, complainant, in person present. Mr. Aimal Khan, Deputy Registrar/PIO, University of Peshawar also present.

The case was discussed in detail with the parties. As per the statement of the PIO, the record is lying with Dr. Alam Khan, Provost, University of Peshawar and he was time and against requested to provide the information to the PIO for onward delivery to the complainant but still no response has been received. The complainant has brought certain documents which shows that the room was allotted to him but it was never occupied by him yet the bill/rent was deducted from his salary.

As the information is lying with the Provost of the University, therefore, he is directed to attend the Commission on Monday i.e. 15th August, 2016, sharp at 10:00 am alongwith all the record relevant to this complaint.


Chief Information Commissioner


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-1487/16

Dated: 23rd Aug., 2016

(COMPLAINT NO. 01487)

REF: NAWABZADA FAZAL KARIM VS. PESHAWAR DEVELOPMENT AUTHORITY, PESHAWAR.

PROCEEDINGS

Nawabzada Fazal Karim, complainant, is not in attendance. Mr. Abdul Wahab, Housing Officer, Peshawar Development Authority, Peshawar is present.

The representative of the Public Body brought the entire file containing all the information desired by the complainant. He stated that they have already written a letter to the complainant to visit their office for the collection of information on payment of fee but he has not visited the office.

The Public Body is ready to provide the information to the complainant on payment of fee, therefore, the complainant is directed to visit the Peshawar Development Authority within ten working days for the collection of the same. If the complainant failed to receive the information, this case will be closed.

Commissioner-I

Commissioner-II



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No: RTIC/AR/1-2303/16
Dated: 23rd Aug., 2016

(COMPLAINT NO. 02303)

REF: MR. ASAD ALAM VS. PESHAWAR DEVELOPMENT AUTHORITY, PESHAWAR.

PROCEEDINGS

Mr. Asad Alam, complainant, in person present. Mr. Abdul Wahab, Housing Officer, Peshawar Development Authority, Peshawar also present.

The complainant is directed to visit the office of the Housing Officer who will guide him to the concerned Section for the collection of the desired information. Both the parties are directed to inform this Commission regarding the outcome of the said visit.


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-2361/16
Dated: 23rd Aug., 2016

(COMPLAINT NO. 02361)

REF: MR. IMRAN KHAN VS. PESHAWAR DEVELOPMENT AUTHORITY, PESHAWAR.

PROCEEDINGS

Mr. Imran Khan, complainant, in person present. Mr. Abdul Wahab, Housing Officer, Peshawar Development Authority, Peshawar also present.

The case was discussed in detail with the parties. The complainant is seeking a copy of the Master Plan originally conceived for the creation of Hayatabad Township, Peshawar. The Master Plan is the key document and the same has to be made available on the official website of the Public Body but the representative of the Public Body is not committing to provide a copy of the Master Plan to the complainant and stated that the same will be available in the other Section of the PDA, Peshawar.

Anyway, the complainant is directed to visit the office of the Housing Officer tomorrow whereby he will either be given a copy of the Master Plan or will be provided a certificate regarding the non-availability of the Master Plan.

If the information is available in the office and was not provided to the complainant, this Commission will initiate punitive action under Section 26 of the Right to Information Act, 2013, against the Director General, Peshawar Development Authority, Peshawar.


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-1921 & 2299/16
Dated: 23rd Aug., 2016

(COMPLAINT NOS. 01921 & 02299)

REF: MR. NAZAR HUSSAIN VS. PESHAWAR DEVELOPMENT AUTHORITY, PESHAWAR.

PROCEEDINGS

Mr. Nazar Hussain, complainant, in person present. Mr. Abdul Wahab, Housing Officer, Peshawar Development Authority, Peshawar also present.

The case was discussed in detail with the parties. The complainant seeks information regarding the rules under which his case for the transfer of second plot on the basis of Educational Institution, was rejected despite the recommendation of the Frontier Education Foundation Act, 1992. The record of this Commission shows that such a complaint was previously filed and was heard, processed and filed by this Commission. The complainant admits that against the non-allotment of the plot, he had filed a Writ Petition which was decided. According to the complainant, the High Court had ordered for the allotment of a suitable plot in his favor which has so far not been allotted. It was brought to his kind notice that implementation of the Order of the High Court is the jurisdiction of the High Court only.

As far as the supply of the information is concerned, even previously he was provided a lot of information regarding the policy of the Peshawar Development Authority in respect of the allotment of plots to the Educational Institutions. In this complaint, the complainant had asked information regarding the allotment of second plot to the Educational Institutions like CECOS University and Qurtaba University. The Peshawar Development Authority has informed the complainant previously that after the allotment of plots to the CECOS University and Qurtaba University, the owners of these Universities have purchased additional plots through private arrangements. The complainant insists that the second plot allotted to the Educational Institutions is illegal. This Commission is of the view that the information regarding the purchases in the favor of those Universities, has been provided to the complainant. This Commission is only concerned with the information **HELD** by the Public Bodies and all the desired information asked by the complainant, has been provided. As we have stated earlier that the previous complaint of the complainant, was of the same nature which was filed because the stance taken by Peshawar Development Authority that a plot was previously allotted to the complainant on the basis of Educational Institutions which the complainant has sold out, therefore, he is not entitled to the allotment of the second plot.

It is clear that all the information has been provided to the complainant and this Commission has no jurisdiction to call for explanation from Peshawar Development Authority as to why a second plot was not allotted to the complainant or that why the recommendation of the Frontier Education Foundation was not implemented. Since information has been provided to the complainant. This case is closed.


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-2159/16

Dated: 23rd Aug., 2016

(COMPLAINT NO. 02159)

REF: MR. ASAL DIN VS. PESHAWAR DEVELOPMENT AUTHORITY, PESHAWAR.

PROCEEDINGS

Mr. Asal Din, complainant, in person present. Mr. Abdul Wahab, Housing Officer, Peshawar Development Authority, Peshawar also present.

The case was discussed in detail with the parties. The representative of the Public Body stated that the Public Information Officer has been transferred from the office and the Public Body has not yet appointed his replacement, that's why this Commission is facing difficulty in locating the information. The Director General, Peshawar Development Authority, Peshawar is directed to immediately appoint a responsible person as a Public Information Officer within the letter and spirit of Section 6 of the Right to Information Act, 2013.

The information sought by the complainant is of such a nature that it should be available on the official website of the Public Body within the letter and spirit of Section 5 of the Right to Information Act, 2013, but the same is not available. The representative of the Public Body informed that the information is related to Mr. Jumma Rehman, Director Road-III (Advertisements) and that he has sent the same to the complainant yesterday through post. Incidentally, the same information is available with the complainant but it does not contain the specific requirements asked by the complainant. To cut the matter short, Mr. Abdul Matin (Commissioner-I) contacted Mr. Jumma Rehman, Director Road-III (Advertisements) on telephone who showed reluctance in providing the information on the pretext that the information is available with the Director Building Control, Peshawar Development Authority, Peshawar and he is not providing the same to him. He was directed to give in writing that the information is available with the Director Building Control and he is not providing the same to him, then this Commission will take action under Section 26 of the Right to Information Act, 2013, against the custodian. The following information is needed by the complainant:-

1. Locations of all sign boards fixed in the jurisdiction of the Peshawar Development Authority.
2. Structure certificate in respect of these sign boards.
3. Terms & conditions.
4. No Objection Certificate.
5. The companies which got the permission to install these sign boards.

The representative of the Public Body is directed to provide the desired information to the complainant within seven days under intimation to this Commission. If the information is not provided, punitive action will be initiated against the Director Road-III (Advertisements) and the Director Building Control, Peshawar Development Authority, Peshawar. Copy of these Proceedings will be sent to the Director Road-III (Advertisements) and Director Building Control with the direction to provide the information within the specified time period.



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No: RTIC/AR/1-1972/16
Dated: 24th Aug., 2016

(COMPLAINT NO. 01972)

REF: MR. MEHMOOD KHAN VS. HAZARA UNIVERSITY, MANSEHRA.

PROCEEDINGS

Mr. Mehmood Khan, complainant, is not in attendance. Prof. Shujaat Ali Khan, Additional Registrar, Hazara University, Mansehra is present.

The representative of the University informs that the complainant refuses to receive the information. He was directed to dispatch the same to the complainant with the copy to this Commission, whereafter this case will be closed.


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-1875/16
Dated: 24th Aug., 2016

(COMPLAINT NO. 01875)

REF: MR. ATTA ULLAH VS. HAZARA UNIVERSITY, MANSEHRA.

PROCEEDINGS

Mr. Atta Ullah, complainant, is not in attendance. Prof. Shujaat Ali Khan, Additional Registrar, Hazara University, Mansehra is present.

The representative of the University informs that the information has already been provided to the complainant. This case is closed.


Commissioner-I


Commissioner-II

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No: RTIC/AR/1-1795/16
Dated: 24th Aug., 2016

(COMPLAINT NO. 01795)

REF: MR. RASHAD MEHMOOD VS. HAZARA UNIVERSITY, MANSEHRA.

PROCEEDINGS

Mr. Rashad Mehmood, complainant, is not in attendance. Prof. Shujaat Ali Khan, Additional Registrar, Hazara University, Mansehra is present.

The representative of the University informs that the information has already been provided to the complainant. This case is closed.


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-2272/16
Dated: 24th Aug., 2016

(COMPLAINT NO. 02272)

REF: MIR WALI SHAH VS. HAZARA UNIVERSITY, MANSEHRA.

PROCEEDINGS

Mir Wali Shah, complainant, in person present. Prof. Shujaat Ali Khan, Additional Registrar, Hazara University, Mansehra also present.

The case was discussed in detail with the parties. The University would provide all the information except the individual marking sheet of the Members of the Selection Board. The complainant would get the total aggregate marks obtained by the selected candidates in interview alongwith their educational qualification and experience marks. The PIO undertakes to provide the attested copies of the same to the complainant within seven days under intimation to this Commission.


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-1894/16
Dated: 24th Aug., 2016

(COMPLAINT NO. 01894)

REF: DR. SHABNAM NIAZ VS. HAZARA UNIVERSITY, MANSEHRA.

PROCEEDINGS

Dr. Shabnam Niaz, complainant, is not in attendance. Prof. Shujaat Ali Khan, Additional Registrar, Hazara University, Mansehra is present.

The representative of the University informed that all the information has been provided to the complainant except para 'd', 'l' and 'n' of her request. The representative of the University undertakes to provide the remaining information to the complainant within seven days under intimation to this Commission.


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-2192/16
Dated: 24th Aug., 2016

(COMPLAINT NO. 02192)

REF: DR. SIRAJ UL MUNIR VS. HAZARA UNIVERSITY, MANSEHRA.

PROCEEDINGS

Dr. Siraj ul Munir, complainant, is not in attendance. Prof. Shujaat Ali Khan, Additional Registrar, Hazara University, Mansehra is present.

The representative of the University stated that the information has been provided to the complainant vide letter No. 4(1)-HU-RTI/2015/51, dated: 15th June, 2016. This case is closed.


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-2223/16

Dated: 25th Aug., 2016

(COMPLAINT NO. 02223)

REF: MR. KHALID USMAN VS. BISE, BANNU.

PROCEEDINGS

Mr. Khalid Usman, complainant, in person present. Mr. Rafi Ullah Khan, Assistant Computer Programmer, Board of Intermediate & Secondary Education, Bannu also present.

The representative of the Public Body brought the desired information and copies of the same were handed over to the complainant. This case is closed.


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-1851/16
Dated: 25th Aug., 2016

(COMPLAINT NO. 01851)

REF: MR. NAIK AMAL VS. DIRECTORATE OF E&S EDUCATION, PESHAWAR.

PROCEEDINGS

Mr. Naik Amal, complainant, in person present. Mr. Muhammad Haroon, Litigation Officer, Office of the District Education Officer (M), Mardan also present.

The complainant has received all the information except a list of those teachers who are presently working in District Mardan, after recruitment against the 2% quota meant for disabled persons. The representative of the Public Body undertakes to provide the same to the complainant within one week under intimation to this Commission. A copy of these Proceedings will be sent to the Assistant Director (Litigation)/PIO, Directorate of Elementary & Secondary Education, Peshawar.


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-1386/16

Dated: 25th Aug., 2016

(COMPLAINT NO. 01386)

REF: MR. KHURRAM MEHTAB VS. UNIVERSITY OF HARIPUR, HARIPUR.

PROCEEDINGS

Mr. Khurram Mehtab, complainant, is not in attendance. Mr. Aibak Khan, Assistant Registrar/PIO, University of Haripur, Haripur is present.

Today, this Commission has received an e-mail from the complainant in which he asked for the documents in sealed and signed form. He is also annoyed with the withdrawal of fine against Mr. Aibak Khan, Assistant Registrar/PIO. As far as the withdrawal of the fine is concerned, it is a matter between the Commission and the Public Body. This Commission withdrew the fine after due consideration of the matter. As far as the supply of sealed and signed information is concerned, he is entitled to receive certified copies which he has received.

This Commission is of the view that documents required by the complainant, have already been provided as he is pursuing his case at more than one Forum on the strength of those documents. The pendency of this complainant is vexatious in view of this Commission and hence it is closed.


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-2232/16
Dated: 31st Aug., 2016

(COMPLAINT NO. 02232)

REF: MR. MOEEN UD DIN VS. HEALTH DEPARTMENT, PESHAWAR.

PROCEEDINGS

Mr. Moeen ud Din, complainant, in person present. Mr. Muhammad Tariq, Health Department, Peshawar also present.

All the information has been provided to the complainant except the note part of the file and the minutes of the personal hearing. The complainant was informed that during the personal hearing, no minutes were recorded or required to be recorded, therefore, the same are not available with the Public Body. Similarly, no fact finding inquiry was conducted in the case, therefore, no information is available on record. This case is closed.


Commissioner-I


Commissioner-II



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No: RTIC/AR/1-2309/16
Dated: 31st Aug., 2016

(COMPLAINT NO. 02309)

REF: MR. GHUFRAN ULLAH VS. MARDAN PRESS CLUB, MARDAN.

PROCEEDINGS

Mr. Ghufuran Ullah, complainant, in person present. Mr. Bashir Adil, General Secretary, Mardan Press Club, Mardan, alongwith cabinet members also present.


The case was discussed in detail with the parties. The complainant had asked information under five heads. These heads pertain to the following information:-

1. Whether the Mardan Press Club has been registered or not?
2. When the Mardan Press Club came into being?
3. The grant received by Mardan Press Club uptill December, 2015 and the manner in which it was spent.
4. How many Members are registered with Mardan Press Club, their qualifications and details?
5. How many plots are available in Media Colony, Mardan and to whom these plots have been allotted?

At the very outset, the representative of the Mardan Press Club questioned the jurisdiction of this Commission on the plea that since Mardan Press Club manages its own finances, therefore, the same does not come under the definition of the word "Public Body" given in Right to Information Act, 2013. The Club has also answered each and every clause of the application vide their letter No. 1/MPC, dated: 02nd August, 2016, addressed to this Commission.

This Commission is of the view that all those organizations who receive grant/aid/money from the Government Ex-chequer are to be considered as substantially funded by the Government within the meaning of Section 2(i)(vi). In view of the above, Mardan Press Club is a Public Body and is bound to supply the information to every citizen irrespective of his position as a litigant or not registered members. The Public Body is, therefore, directed to provide all the information asked by the complainant as soon as possible. This Commission wanted to give fifteen days time for the supply of information but on the request of the representative of the Public Body, that the Legal Advisor is away to Hajj, therefore, a time of thirty days be given to the Public Body. The Public Body is directed to provide the information within the specified period to the complainant under intimation to this Commission.


Commissioner-I


Commissioner-II