



GOVERNMENT OF KHYBER PAKHTUNKHWA
KP INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints.kprti@kp.gov.pk

Ph: +92-91-9212643
Fax: +92-91-9211163

(COMPLAINT NO. 6369)

ell

REF: - MISS. ANAB ALAM VS DC, CHARSADDA

PROCEEDINGS

(19th February, 2020)

Miss. Anab Alam, Complainant, -----Absent
Mr. Haroon Ur Rasheed, Computer Operator,
DC, Charsadda -----Present

DECISION

The representative of the public body appeared before the Commission on the date fixed for hearing. The Commission directed that the information sought in the subject complaint is of general in nature and be provided to the complainant within five working days under intimation to the Commission.

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Chief Information Commissioner

-sd-

Commissioner-II

Endst No. & date: KPIC/AR/1-6369/19/ 1535-36
Copy to:-

dated: 28 Feb, 2020.

1. Mr. Haroon Ur Rasheed, Computer Operator, Deputy Commissioner Charsadda.
2. Miss. Anab Alam (Complainant).


Assistant Registrar
KP Information Commission,
Peshawar.



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(COMPLAINT NO. 06667)

REF: - MR. GHULAM SAKHI VS. DC, KHYBER

OK

PROCEEDINGS

(27th February, 2020)

The complainant, Mr. Ghulam Sakhi, was not called to attend the proceedings. Mr. Khalid, ACC, Bara representative of Assistant Commissioner/PIO, Khyber attended the hearing fixed for 27th February, 2020.

The Representative of the public body appeared before the Commission and stated that the requested information pertains to Mines & Minerals department, however their office has also the same and they are ready to provide the information to the complainant.

Decision:

The Commission held that the information is already available with public body, therefore, the Commission directed the Public Information Officer (PIO) to furnish the requested information to the Commission for examination under Section 26 of RTI, Act 2013 and decision with regard to provision of the same to the complainant or otherwise.

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Chief Information Commissioner


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Commissioner-II

Endst No. & date: KPIC/AR/1-6667/2020/ 1809-10
Copy to:-

dated: 06 March, 2020

1. Mr. Khalid, ACC-B, Office of the Deputy Commissioner, Khyber.
2. Mr. Ghulam Sakhi (Complainant).


Assistant Registrar
KP Information Commis
Peshawar



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o/c

(COMPLAINT NO. 06430)

REF: - MR. SHAMS UR REHMAN VS ADMINISTRATION DEPT, PESHAWAR

PROCEEDINGS

(26th February, 2020)

The complainant, Shams Ur Rehman was not called to attend the proceedings. While Section Officer (Bud & Dev)/PIO, Administration Department, Peshawar was summoned to attend the hearing fixed for 26th February, 2020, but he didn't turn up and remained absent during the hearing.

DECISION:

The Commission after thoroughly examining facts of the case decided to direct the Public Information Officer (PIO) to provide the requested information within three working days of the receipt of the proceedings. In case requested information is not provided a show cause notice be served upon the PIO for his inability to comply with the lawful directions of the Commission.

-sd-

Chief Information Commissioner

-sd-

Commissioner-II

dated: 06 March, 2020.

Endst No. & date: KPIC/AR/1-6430/2020/ 1806-08

Copy to:-

1. Section Officer (Bud & Dev)/PIO, Administration Department Peshawar
2. Estate Officer, Administration Department Peshawar.
3. Mr. Shams Ur Rehman (Complainant).


Assistant Registrar
KP Information Commission,
Peshawar



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(COMPLAINT NO. 06233)

REF: - MR. BASHIR AHMAD VS PHED, PESHAWAR

PROCEEDINGS

(18th February, 2020)

Mr. Bashir Ahmad, complainant and Mr. Saif Ur Rehman, Section Officer (General), Public Health Engineering Department (PHED), Peshawar, hereinafter referred to as public body attended the Commission's hearing in the case on 18th February, 2020.

The representative of public body informed that the concerned quarter has been approached for provision of requested information vide letter No. 27/E-4 dated: 03-12-2019. He further informed that the concerned office, which might hold the requested record, had been abolished and a new setup established in place thereof.

Therefore, the public body needs a reference (copy of the appointment order or retirement documents) so that it could trace out the information sought for in the instant case.

Decision:

The Commission directed the complainant to provide the references (if any) to the public body. In the same manner the public body is directed to keep posted the Commission regarding any developments in the instant case.

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Chief Information Commissioner

-sd-

Commissioner-II

Endst No. & date: KPIC/AR/1-6233/19/1824-25
Copy to:-

dated: 09 March, 2020.

1. Mr. Saif Ur Rehman, Section Officer (General), PHED, Peshawar.
2. Mr. Bashir Ahmad (Complainant).

Assistant Registrar
KP Information Commission,
Peshawar



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off

(COMPLAINT NO. ERTI-433)

REF: - MR. FAYYAZ ALI NOOR VS. SOCIAL WELFARE DEPARTMENT

PROCEEDINGS

(27th February, 2020)

The complainant, Fayyaz Ali Noor was not called to attend the proceedings. While Assistant Director (IT)/PIO, Social Welfare Department, Peshawar was summoned to attend the hearing fixed for 27th February, 2020, but he didn't turn up and remained absent during the hearing.

DECISION:

The Public Information Officer (PIO) is directed to provide the requested information to the Complainant within five working days of the receipt of the letter under intimation to the Commission. In case the requested information is not furnished a show cause notice would be served upon the PIO under Section 11 (1) (2) read with Section 23 (3) of the KP RTI Act, 2013.

-sd-

Chief Information Commissioner

-sd-

Commissioner-II

Endst No. & date: KPIC/AR/ERTI-433/2020/ 1804-05
2020.

Copy to:-

1. Assistant Director (IT)/PIO, Social Welfare Department Peshawar.
2. Mr. Fayyaz Ali Noor (Complainant).

dated: 06 March,


Assistant Registrar
KP Information Commission,
Peshawar



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(COMPLAINT NO. 04414)

REF: - MR. SHAH REHMAN VS ADMINISTRATION DEPT, PESHAWAR

PROCEEDINGS

(26th February, 2020)

The complainant, Shah Rehman, was not called to attend the proceedings. While Section Officer (Bud & Dev)/PIO, Administration Department, Peshawar was summoned to attend the hearing fixed for 26th February, 2020, but he didn't turn up and remained absent during the hearing.

Perusal of record revealed that the Public Information Officer (PIO) has failed to provide the requested information as per the timeline laid down in the Section 11 of the KP RTI Act, 2013.

Decision:

The Commission decided that PIO be directed to provide the requested information within seven (7) working days of the receipt of the decision. In case of non-compliance, a show cause notice would be served upon the PIO for his failure to comply with the lawful directions of the Commission to provide the requested information.

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Chief Information Commissioner

-sd-

Commissioner-II

Endst No. & date: KPIC/AR/1-4414/19/ 1830-32
Copy to:-

dated: 10 March, 2020.

1. Section Officer (Bud & Dev)/PIO, Administration Department Peshawar.
2. Estate Officer, Administration Department Peshawar.
3. Mr. Shah Rahman (Complainant).

Assistant Registrar
KP Information Commission,
Peshawar



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Complaint No. 06679

**Miss Sajida Bibi (Complainant)
Vs.
DEO-Female Abbottabad (Public body)**

Proceedings:

(27th February, 2020)

Miss Sajid Bibi, hereinafter referred to as complainant filed a complaint with the Commission on 3rd February, 2020 contending that she had sought the following information through an information request on 7 November, 2019 from the public body under the Khyber Pakhtunkhwa Right to Information Act 2013.

- 1) Copy of the response of the competent authority to her explanation
- 2) Notification of the Fact Finding Committee's constitution
- 3) Record collected during the inquiry by the Facts Finding Committee
- 4) Copy of her statement recorded on 7-11-2019 during her personal hearing by the committee
- 5) Copy of the Inquiry Committee report

The complainant further stated that the public body did not provide the information sought by her as per the timeline stipulated in Section-11 of the KP RTI Act 2013. The complainant then filed a reminder which was received by DEO-Female Abbottabad on 30th January 2020. The public body did not accede to her request and provided none of the information sought by the complainant.

Invoking Section 23 (1) of the KP RTI Act 2013 that provides: "Anyone who believes that his request has not been dealt in accordance with the provisions of this Act has the right to lodge a complaint with the Information Commission to this effect," the complainant filed a complaint to the Khyber Pakhtunkhwa Information Commission (KPIC) that was diarized on 3rd February 2020.

The Commission vide letter No KPIC/AR/ 1-6679/2020/1235-36 summoned the PIO to attend the proceedings fixed for 27th February 2020 along with relevant record to explain factual position in the case.

In response to the Commission's summon, the representatives of the public body Miss. Naheed Fazal (SDEO-Female) and Muhammad Zaman, Assistant, attended the proceedings along with all relevant record.

The officials provided the following record to the Commission along with a covering letter authenticating the same at their end.

- 1) Response to explanation
- 2) Notification of the Facts Finding Committee
- 3) Inquiry Report against the complainant
- 4) Facts Finding Committee-related record, including Q&A of the complainant and Inquiry officer and copy of show cause notice



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- 5) Copy of attendance sheet
- 6) Copy of the disciplinary action against the complainant
- 7) Report of comprising committee

Order:

The Commission examined the information provided by the public body and directed that the same be transmitted to the complainant and the case stands disposed of accordingly.

-sd-

Sajid Khan Jadoon
Chief Information Commissioner

-sd-

Riaz Khan Daudzai
Commissioner-II

Endst No. & date: KPIC/AR/1-6679/2020/ 1821-23
Copy to:-

dated: 00 March, 2020.

1. Miss. Fazal Naheed, SDEO-F, District Education Officer (Female), Abbottabad
2. Muhammad Zaman, Assistant, District Education Officer (Female), Abbottabad.
3. Miss. Sajida Bibi (Complainant).

Assistant Registrar
KP Information Commission,
Peshawar