



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 06th May, 2015

(Complaint No. 00240)

Ref: Mst. Shagufta Syed vs. Social Welfare Department, Peshawar.

Proceedings

Complainant Mst. Shagufta Syed in person present. Mr. Adeel Shah, Deputy Secretary (Admn)/PIO, Social Welfare Department, Peshawar also present.

It is regretted to note that the Public Body has not fulfilled its obligations under the Civil Servant Act because no seniority list has been published in 2013 and 2014. Under the Law, such seniority lists should not only be published, served upon the Government Servants but should also be available on their website. This complaint is pending since 2014, therefore, the PIO is directed to either convey the name of the person who is at fault on the pendency of the complaint by Friday or provide complete seniority list upto 2014 to the complainant or to this Commission by Wednesday.


Chief Information Commissioner


Commissioner-I


Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 06th May, 2015

(Complaint No. 00261)

Ref: Mr. Naik Amal vs. Directorate of Elementary & Secondary Education, Peshawar.

Proceedings

Complainant Mr. Naik Amal in person present. Mr. Fida Muhammad, Assistant Director/PIO and Karam ul Wahab, Assistant, Directorate of Elementary & Secondary Education, Peshawar also present.

The PIO had sent information on proforma regarding sanctioned posts of SST in the Education Department, giving the breakup of male and female teachers and the persons recruited against the 2% disabled quota. Information provided is not to the satisfaction of the complainant, therefore, the PIO was directed to provide information on the following two lines:

1. Total sanctioned posts as these stood on 31st December, 2014 with the breakup of quota meant for initial recruitment and promotion.
2. Number of disabled people recruited against the post of SST as it is stood on 31st December, 2014.

During the discussion, however, there arose a controversy as to how interpret the word 'total strength' as mentioned in the Notification dated: 17-01-2000. It was the contention of the PIO/Public Body that since appointment by promotion is not subject to any quota, therefore, disabled cannot be considered/recruited against the posts falling in the quota of promotion. The complainant contended that the word 'total strength' means the total number of posts available at a given time. He was also of the view that 2% quota shall be separated from the 'total strength' and would be given to the disabled people at the time of initial recruitment. This position, to us, looks anomalous because there is no mention of any quota against appointment by promotion. This controversy cannot be resolved at the level of this Commission, therefore, the Public Body is directed to take opinion from Establishment Department and Law Department on the following two questions:

1. Whether the word 'total strength' used in the Notification dated: 17-01-2000, would include the posts falling in the quota of promotion as well?
2. When a disabled is recruited against 2% quota once in a lower grade, can he put up a claim for a post in the upper grade in the same Department at a later stage?

In the meantime the Public Body would provide the information to the requester as directed above. A copy of these Proceedings would be sent to both the Establishment Department and Law Department. The opinion at an early date will enable this Commission to observe the timeline under the Right to Information Law.

Chief Information Commissioner

Commissioner-I

Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saadard Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 11th May, 2015

(Complaint No. 00139)

Ref: Mr. Muhammad Tariq Khan vs. PSC, Peshawar.

Proceedings

Complainant Mr. Muhammad Tariq Khan is not in attendance. Mr. Sharif Hussain, Secretary/PIO, Public Service Commission, Peshawar present.

The complainant was contacted on telephone by the Chief Information Commissioner. According to him, he has lost his case in Supreme Court for which he wanted the documents, therefore, he does not want to pursue the case any further.


Chief Information Commissioner


Commissioner-I


Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 11th May, 2015

(Complaint No. 00247)

Ref: Mr. Miraj Khan vs. AWKU, Mardan.


Proceedings

Complainant Mr. Miraj Khan in person present. Mr. Muhammad Tariq, Additional Registrar, and Mr. Hassan Khan, Assistant Registrar, Abdul Wali Khan University, Mardan are also present.

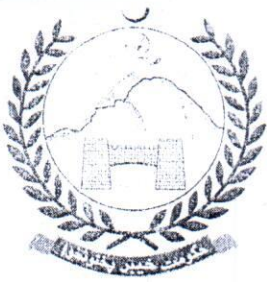
Through the original request filed before the PIO, the complainant had sought information under 12 heads. Each head was discussed in detail with the parties. Items No. 1, 2 and 3 were reported to be available on the Website by the University Authorities but the complainant was of the view that the same are not given on their website. The IT Department of this Commission displayed the Website of the AWKU, Mardan and the information was available on their website and the complainant saw it for himself. Therefore, the information under these heads are deemed to be available. However, regarding item No. 2, the complainant wanted hard copies of certificates and degrees from matric to Ph.D and experience certificates with the appointment letters of all the employees from grade 16 to 21. Similarly, items No. 04 to 12 were also discussed and the PIO agreed to provide hard copies of the documents at the expense of the complainant in accordance with the schedule announced by this Commission. The complainant requested that the information should be sent to this Commission whereafter, he will receive it on payment of fee. Therefore, the PIO is directed to prepare copies and send it to this Commission with covering letter. Copy of the same be sent to the complainant.

The PIO seeks time as the record is huge. After discussion, the University Authorities agreed to supply the information on or before 27th May, 2015 to this Commission.


Chief Information Commissioner


Commissioner-I


Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 11th May, 2015

(Complaint No. 00292)

Ref: Mr. Muhammad Naeem vs. AWKU, Mardan.


Proceedings

Complainant Mr. Muhammad Naeem in person present. Mr. Muhammad Tariq, Additional Registrar, and Mr. Hassan Khan, Assistant Registrar, Abdul Wali Khan University, Mardan are also present.

Through this request, the requester wants details of all the inquiries conducted against Abdul Wali Khan University, Mardan by the HED. Originally, the request was sent to the HED but they directed the requester to approach Abdul Wali Khan University, Mardan for the same. Now the PIO of Abdul Wali Khan University, Mardan has given in writing that none of the requested information is available with them. Copy of this letter has been handed over to the complainant.

As the information is not available with the University Authorities, the H.E.D which had been initially approached by the requester, be directed to provide the same to the complainant within ten days.


Chief Information Commissioner


Commissioner-I


Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 11th May, 2015

(Complaint No. 00553)

Ref: Mr. Muhammad Naeem vs. AWKU, Mardan.

Proceedings

Complainant Mr. Muhammad Naeem in person present. Mr. Muhammad Tariq, Additional Registrar, and Mr. Hassan Khan, Assistant Registrar, Abdul Wali Khan University, Mardan are also present.

This complaint consists of four heads. The following are head wise answers:

1. The PIO states that not a single penny has been spent by the University on the foreign visits of Vice Chancellor Dr. Ihsan Ali. In this regard, the PIO would provide certificate in writing.
2. The PIO undertakes to certify that nobody accompanied the Vice Chancellor on any foreign trip at University expenses.
3. The PIO undertakes to provide the assets statement so far submitted by Dr. Ihsan Ali, Vice Chancellor Abdul Wali Khan University, Mardan.
4. The said Vice Chancellor has not so far submitted his declaration of assets for the last year. He has been requested to do so. The PIO will provide the copy to the complainant whenever the declaration of assets is received from the Vice Chancellor.


Chief Information Commissioner


Commissioner-I


Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 11th May, 2015

(Complaint No. 00459)


Ref: Mr. Muhammad Naeem vs. AWKU, Mardan.

Proceedings

Complainant Mr. Muhammad Naeem in person present. Mr. Muhammad Tariq, Additional Registrar, and Mr. Hassan Khan, Assistant Registrar, Abdul Wali Khan University, Mardan are also present.

The complainant wanted the copy of first Five Selection Boards Proceedings. The PIO agrees to provide the same. The complainant also seeks inspection of certain documents in respect of certain expenses. The PIO has invited the requester to visit his office on 15th May, 2015 at 09:00 am and the requester agreed where the information will be provided.


Chief Information Commissioner


Commissioner-I


Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
Old Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 11th May, 2015

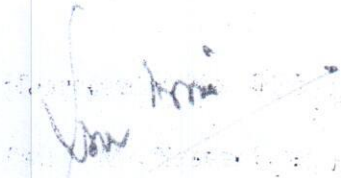
(Complaint No. 00549)

Ref: Mr. Naseer Ullah Khan vs. PSC, Peshawar.

Proceedings

Mr. Faheem Ullah brother of the complainant Mr. Naseer Ullah Khan present. Mr. Sharif Hussain, Secretary/PIO, Public Service Commission, Peshawar also present.

The PIO undertakes to provide the requisite documents to the complainant on the visit of his office by tomorrow.


Chief Information Commissioner


Commissioner-I


Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 11th May, 2015

(Complaint No. 00554)


Ref: Mr. Muhammad Naeem vs. AWKU, Mardan.

Proceedings

Complainant Mr. Muhammad Naeem in person present. Mr. Muhammad Tariq, Additional Registrar, and Mr. Hassan Khan, Assistant Registrar, Abdul Wali Khan University, Mardan are also present.

The PIO undertakes to provide a list of all the expenses so far incurred on obtaining legal services and provide details of legal fee paid to each and every Legal Advisor hired for all courts.


Chief Information Commissioner


Commissioner- I


Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 14th May, 2015

(Complaint No. 00398)

Ref: Miss Shakila Amir vs. DEO (F), Charsadda.

Proceedings

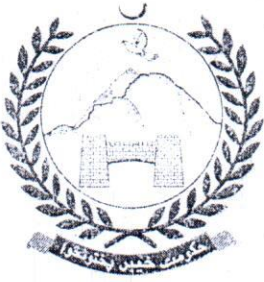
Complainant Miss Shakila Amir is not in attendance. Miss Zuhra Akhonzada, DEO (F)/PIO, Education Department, Charsadda present.

The DEO informed that she had recently taken over the charge and that she could not locate the original complaint or other papers with regard to the complainant's request, therefore, she sought the same from this office which was sent to her on 11th February, 2015. The DEO further informed that she had constituted an Inquiry Committee to look into the matter of the loss of service book and other papers which are not available in her office. She undertook to supply copy of the enquiry record and result thereof, to the complainant when the same is finalized. We will close this complaint at present. If, after the finalization, the information is not made available, the complainant can again approach the Public Body and this Commission under the Law.


Chief Information Commissioner


Commissioner-I


Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 14th May, 2015

(Complaint No. 00430)

Ref: Mr. Wasif Muhammad vs. DEO (F), Charsadda.

Proceedings

Complainant Mr. Wasil Muhammad in person present. Miss Zuhra Akhunzada, DEO (F)/PIO, Education Department, Charsadda also present.

The DEO informed that on account of her recent transfer to her present position, she has not been able to locate the original request/complaint of Mr. Wasil Muhammad in the office record. A copy of the same was provided to the DEO. Upon going through the same, she informed that she would ensure that the information was provided to the complainant within two days.


Chief Information Commissioner


Commissioner-I


Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 27th May, 2015

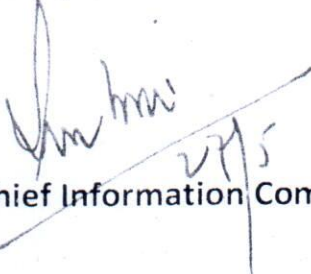
(Complaint No. 00351)

Ref: Miss Hafsa Israil vs. UET, Peshawar.

Proceedings

Mr. Muhammad Israil, father of the complainant Miss Hafsa Israil in person present. Prof. Dr. Inayat Ullah Babar, Registrar and Mr. Ali Gul, Establishment Officer, University of Engineering and Technology, Peshawar are also present.

The matter was discussed in detail. All the information relevant to the selection has been provided to the requester. The requester wants a certificate from the UET Authorities that no amendments relevant to the case have been made in the rules, regulations and statutes of the University after 2009. The worthy Registrar needs a week time to issue a certificate. The requester is directed to visit the office of Registrar on 03rd June, 2015 where such a certificate will be provided where after, this case will be closed.


Chief Information Commissioner


Commissioner-I


Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 27th May, 2015

(Complaint No. 00571)

Ref: Mr. Sarfaraz Khan vs. UET, Peshawar.

Proceedings


Mr. Sarfaraz Khan (Complainant) is not in attendance. Prof. Dr. Inayat Ullah Babar, Registrar and Mr. Ali Gul, Establishment Officer, University of Engineering and Technology, Peshawar are also present.

The complainant had requested for:

1. Attested copy of Syndicate Agenda of 71st meeting date 8/03/2006 and their minutes.
2. Attested copies of my personal file from April 2012 to date.
3. Seniority list.

The case was discussed with the Public body in detail. Since the information is of such a nature that it should not only be provided to the requester, but it should also be proactively published on official Website of the university. In this background, the Public body was directed to provide all the information to the requester when he visits his office. The requester be informed through his contact number to do so. This case is closed.


Chief Information Commissioner


Commissioner-I


Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 27th May, 2015

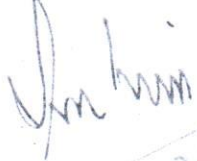
(Complaint No. 00585)

Ref: Mr. Maqbool Shah vs. KPBTE, Peshawar.

Proceedings

Complainant Mr. Maqbool Shah in person present. Mr. Hidayat Ullah, Secretary and Miss Amina Rafiq, Legal Advisor, Board of Technical Education, Peshawar are also present.

A letter was written by the Secretary, Board of Technical Education, Peshawar on 24th December, 2014 to the complainant to show relevancy of the complainant regarding information. It was brought into the kind notice of the Legal Advisor that the only thing, a requester has to prove is that he is a citizen of Pakistan otherwise under Section 7(5) of the Right to Information Act, 2013, no reason can be asked from any requester as to why he is seeking any information. The Board had also claimed vide letter dated: 18th May, 2015 that information sought is secret. The legal position is that all the information sought by the requester pertains to the past, hence such information should not only be provided to the requester but it should be proactively published on the official website. Mr. Hidayat Ullah, Secretary, undertook to provide all the information available with them by tomorrow when the requester will visit his office. The Public Body would also give in writing the non availability of the information which has been requested by the requester and is not available with the Public Body.


27/5
Chief Information Commissioner


Commissioner- I


Commissioner-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
RIGHT TO INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9212643
Fax: +92-91-9211163

Dated: 27th May, 2015

(Complaint No. 00611)

Ref: Mr. Luqman Aziz vs. UET, Peshawar.

Proceedings

Mr. Luqman Aziz (Complainant) in person present. Prof. Dr. Inayat Ullah Babar, Registrar and Mr. Ali Gul, Establishment Officer, University of Engineering and Technology, Peshawar are also present.

The requester wanted the result of his two applications through which he had requested for information regarding his promotion. The legal position was explained by the Registrar. According to him, the rules have been approved by Senate which has been notified recently. Now the proper procedure has to be adopted by looking into the budgetary position and the method of recruitment. The complainant would wait for the formal announcement of that vacancy as per rules. This case is closed.


Chief Information Commissioner


Commissioner-I


Commissioner-II