



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

No. RTIC/AR/1-3776/18

Dated: 19-11-18

23

MR. AZIZ UR RAHMAN VS. KPK PROVINCIAL ASSEMBLY, PESHAWAR
(COMPLAINT NO. 03776)

ORDER

The brief facts of the case are that Mr. Aziz Ur Rehman filed a request on 07-07-2017 wherein he requested for the information relating to the details of foreign visits as well as expenditure incurred on foreign visits of the Parliamentarians & staff of the Provincial Assembly Secretariat. The required information was not provided. Therefore he lodged a complaint at the RTI Commission on 11-09-2017.

Accordingly directions were issued to the PIO on 06-10-2017 for providing information. Whereas the PIO provided him the partial information vide the letter no: PA/KP/PS/2018, dated: 18-04-2018, however the complainant complained that the details of expenditures incurred on the tours were not provided. Directions were again issued to the PIO to provide complete information but to no avail.

Since information was being persistently denied by the PIO hence a showcause notice was issued on 01-10-2018. In reply to showcause notice the PIO stated vide their letter no: PA/KP/PS/2018/6880, dated: 31st October, 2018, that the entire information i.e. the perk & privileges of the parliamentarian & Staff of the Provincial Assembly Secretariat were available on the website, & that the complainant could download the same from the website. Upon checking the website being referred to above. It was observed that only the rates of Daily



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

34

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

Allowance notified by the finance department vide the notification no: FD(SOSR.II)8-52/2007, dated: 06-04-2007 which is not been updated. The chance of personal hearing was also afforded to the PIO but no information provided rather the same plea was raised that the information was available on the website. Whereas only daily allowance has been mentioned on the said link. For the last one year, the PIO is repeatedly directed by the RTI Commission to provide information regarding the expenditures but he failed to fulfil the directions of this Commission.

In the light of the observations above it is abundantly clear that PIO is persistently delaying & denying the information. Hence there left no option but to invoke the provision under section 26(3)(b) of the RTI Act; 2013. Therefore in exercise of the powers conferred under this section a fine of Rs. 10,000 is imposed upon Mr. Atta ullah Khan, Special Secretary IT/PIO. The fine amount should be deposited under the head of account C03841. It is further added that imposition of fine on the PIO does not absolve him of his obligation to provide the desired information to the complainant. He should provide information within 10 days receiving of this order.

sd/-
Chief Information Commissioner


sd/-
Information Commissioner-I

Copy to:

Endst No & date: RTIC/AR/1-3776/18/ 11915-16 dated: 19 November, 2018

1. Mr. Atta Ullah khan, Special Secretary (IT)/PIO, KPK Provincial Assembly, Peshawar
2. Mr. Aziz Ur Rahman(Complainant)


Assistant Registrar,
KP Information Commission,
Peshawar.


19/11/18