



GOVERNMENT OF KHYBER PAKHTUNKHWA  
INFORMATION COMMISSION  
Near BRT Abdara Station, Behind Jabar Flats,  
Arbab Colony, University Road, Peshawar  
Email: [complaints.kprti@kp.gov.pk](mailto:complaints.kprti@kp.gov.pk)  
Ph: +92-91-9216557  
Fax: +92-91-9216561

**REF: - DR. KHALID KHAN VS. KHYBER PAKHTUNKHWA INFORMATION  
TECHNOLOGY BOARD, PESHAWAR  
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013  
(COMPLAINT NO. 9975)**

(15<sup>th</sup> June, 2023)

**1. FACTS OF THE COMPLAINT:**

i. Brief facts of the case are that a citizen/ complainant namely Dr. Khalid Khan sought information from the Department/ Public Body Khyber Pakhtunkhwa Information Technology Board, Peshawar (KPITB) here after referred as Public Body to submit parawise response to the information as mentioned below:

- a) "Attested copy of the updated amended KP IT Board Act.
- b) Attested Copy of updated amended Service Regulations.
- c) Attested copy updated/ amended Rules, Regulations.
- d) List of Names, Qualification, and tenure of the members of KP IT Board from the 1<sup>st</sup> Board till date.
- e) Details of foreign visits including role and responsibilities and source and amount of funds spent on each individual member and non-member. The Source of funds should be clearly mentioned whether, whether, Government, World Bank, KP IT Board or any other source.
- f) Details of domestic visits / air travel and visits including role and responsibilities and source and amount of funds spent on each individual member and non-member. The Source of funds should be clearly mentioned whether, Government, World Bank, KP IT Board or any other source.





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- g) Details of funding to members of KP IT Board delegation to Road Show in China. Details of funds especially non-members.
  - h) Details of funding to Local Companies, organization and their justification. The information be provided under their names.”
- ii. The complaint was examined by the Commission vis-à-vis the various provisions/sections of the KP RTI Act 2013, and decided to direct the public body to submit parawise response to the Commission. A series of correspondence were made between the Commission and the public body for the provision of information but the public body failed to present any plausible reply which warranted the Personal Hearing in the instant case. Thus; the Commission issued Personal Hearing notice to the Deputy Director (Finance)/PIO (KP IT Board) to explain the factual decision which was attended by the Deputy Director (Finance)/PIO of the KP IT Board; Peshawar.
- iii. The Public Information Officer (PIO) of the Public Body appraised the Commission about the facts of the complaint that parawise reply was given to the complainant via email.

**2. OBSERVATIONS OF THE COMMISSION:**

- i. The Commission observed that Para (a) to (c) of the instant complaint needs to be proactively disclosed on their Official Website by the Public Body being proactive disclosure information.
- ii. The Commission also observed that the stance of the PIO regarding the provisions of information to the complainant via email is not appropriate as the record of the file speaks otherwise.





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**3. DECISION:**

- i. Hence; in view of the above, the Commission decided to direct the Public Body to make available the KP IT Board Act as well as Regulation on their Official Website forthwith as mandated by section 5 of the Act *ibid*.
- ii. Furthermore; the Commission directs the Public Body/PIO to submit parawise response to the Commission within **five** working days in a professional and up to date manner along with all the requisite information/record to decide the complaint under the Act *ibid*.

-sd-

**Farah Hamid Khan**  
**Chief Information Commissioner.**

Endst No. & date RTIC/AR/1-9975/2023/18315-20

dated: 21 June, 2023

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Managing Director, Khyber Pakhtunkhwa Information Technology Board, Peshawar
3. Deputy Director (Finance)/PIO, Khyber Pakhtunkhwa Information Technology Board, Peshawar
4. Assistant Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
5. Dr. Khalid Khan (Complainant)

  
**Assistant Registrar,**  
KP Information Commission,  
Peshawar





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**REF: - MR. SHAHEER SHAIDA DURRANI VS. UNIVERSITY OF ENGINEERING & TECHNOLOGY, MARDAN.**  
**PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013**  
**(COMPLAINT NO. 9594)**

(15<sup>th</sup> June, 2023)

**1. FACTS OF THE COMPLAINT:**

- i. Brief facts of the case are that a citizen/ complainant namely Mr. Shaheer Shaida Durrani, sought information from the University of Engineering and Technology, Mardan (UET Mardan) here after referred as public body regarding the appointment of Additional Registrar on contract as well as regular basis. The complaint was examined by the Commission vis-à-vis the various provisions/ sections of the KP RTI Act 2013, and decided to direct the public body to submit parawise response to the Commission except CNIC. A series of correspondence were made between the Commission and the public body for the provision of information but the public body failed to present any plausible reply which warranted Personal Hearing in the instant case. Thus Commission issued Personal Hearing notice to the Registrar of the public body to explain the factual decision which was attendant Deputy Registrar (Establishment) along with the Law Officer.
- ii. The representatives of the public body stated that the Honorable Peshawar High Court, Peshawar stayed the appointment of the Additional Registrar vide Writ Petition No W.P.No.3588-P/2022 and Dated: 30-09-2022. He further highlighted that since the appointment is premature and has yet to gain finality; therefore, the provision of information at this stage may affect the deliberative process in the instant complaint.





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## 2. OBSERVATIONS OF THE COMMISSION:

- i. The Commission took a serious notice of the absence of the Registrar of the University to represent the public body in the instant case before the Commission.
- ii. The Commission expressed its serious concern on the fact that no Public Information Officer (PIO) has been nominated by the public body so far.

## 3. DECISION:

- i. The Commission therefore, directs the Vice Chancellor/ Head of University to notify a designated officer as a Public Information Officer (PIO) as mandated by Section 6 of the KP RTI Act; 2013.
- ii. The Commission also decided that since the matter of appointment of Additional Registrar of the public body is yet to gain finality; therefore issuing an Order for Provision of information in the instant case will affect the true spirit of the Act *ibid*.
- iii. Hence; in view of the above, the instant complaint stands disposed of with direction to the public body to ensure the implementation of Section 5 of the Act *ibid*. regarding the said appointment in their public body as and when the appointment is finalized/mature on their official Website.

-sd-

**Farah Hamid Khan**  
**Chief Information Commissioner.**

Endst No. & date RTIC/AR/1-9594/2023/18307-14

dated: 21 June, 2023

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Vice Chancellor, University of Engineering and Technology, Mardan
3. Registrar, University of Engineering and Technology, Mardan
4. Deputy Registrar (Establishment), University of Engineering and Technology, Mardan
5. Law Officer, University of Engineering and Technology, Mardan
6. Assistant Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
7. Mr. Shaheer Shaida Durrani (Complainant)

**Assistant Registrar,**  
**KP Information Commission,**  
**Peshawar**