



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

**REF: - MR. AHAD NAWAZ VS KHYBER PAKHTUNKHWA HEALTH FOUNDATION,
UNIVERSITY TOWN, PESHAWAR**
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 9569)

1. FACTS OF THE COMPLAINT:

i. Brief facts of the case are that a citizen/ complainant namely Mr. Ahad Nawaz sought information from Khyber Pakhtunkhwa Health Foundation, University Town, Peshawar as below:

- 1) Provide details list of candidates who called for Interview for an above mentioned posts
- 2) What were the criteria for interview through interview was conducted.
- 3) Provide details of all those candidates, who were called for interview for the above mentioned post like, their name, NIC, test marks, qualifications, domicile district, experience, age, mobile numbers and interview marks.
- 4) If any post were cancelled after selection of top candidate's refusal, please give details reasons for cancellation.
- 5) Please provide details meeting minutes and reasons of the above posts selection, cancellation and other reasons.

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 respond parawisely to the complainant



under intimation to the Commission. A series of correspondence were made between the Commission and the Public Body for the provision of information however, the Public Body failed to respond to the Commission which warranted personal hearing in the instant complaint.

- iii. Incompliance, the Director Operations & Admin/PIO as well as Director Legal & Contract Management attended the Commission and apprised the Commission that the requisite information would be provided the next day.
- iv. Consequently, the PIO vide letter No. HF/9-1/2004/9266 Dated: 02-02-2024 provided the requisite information parawisely to the Commission.

2. OBSERVATIONS OF THE COMMISSION:

- i. The Commission examined the above referred information vis-à-vis the RTI request of the complainant and also observed that a similar nature complaint i.e. 10044 also pertains to the above referred information.

3. DECISION:

- i. In view of the above, the Commission decided to transmit the information received vide above referred letter to the complainant and dispose of the instant complaint as well as complaint no. 10044 accordingly.



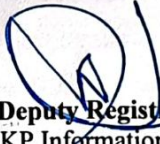
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Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date RTIC/AR/1-9569/2022/24419-24 dated: 22 February, 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Director Operations/PIO, Khyber Pakhtunkhwa Health Foundation, University Town, Peshawar
3. Director Legal & Contract Management, Khyber Pakhtunkhwa Health Foundation, University Town, Peshawar
4. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
5. Mr. Ahad Nawaz (Complainant)


Deputy Registrar,
KP Information Commission,
Peshawar.



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**REF: - DR. KHALID KHAN VS. GOVERNMENT OF KHYBER PAKHTUNKHWA,
SCIENCE TECHNOLOGY AND INFORMATION TECHNOLOGY (ST&IT)
DEPARTMENT, PESHAWAR
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 9730)**

1. FACTS OF THE COMPLAINT:

- i. Brief facts of the case are that a citizen/ complainant namely Dr. Khalid Khan sought information from the Science Technology & Information Technology (ST&IT) Department, Peshawar here after referred as Public Body to submit parawise response to the information as mentioned below:
 - 1) Note part showing the grounds for initiating the action and approval of the inquiry report, including action taken.
 - 2) Notification of the committee.
 - 3) The documents/ record of all the vehicles of the Department and attached formation provided by Excise and Taxation Department,
 - 4) Inquiry report
 - 5) Action taken on the findings/ recommendations of the approved inquiry report by the competent.
- 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 Science Technology & Information Technology, Peshawar 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 however, the Public Body failed to comply the directions of the Commission in letter and spirit.



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- iii. Hence, the instant complaint was taken up in the personal hearing in complaints No. 10579 & 10392 on 21-02-2024.
- iv. The PIO of the Public Body appraised the Commission that recently he took charge of the PIO office and the same will be responded as directed by the Commission.

2. OBSERVATIONS OF THE COMMISSION:

- i. The Commission showed dissatisfaction on the part of the Public Body for failure to comply with directions of the Commission in the instant case and is of the view that the complainant is entitled to info related to para 2 and 4 of the RTI request being his legal right.
- ii. The Commission also observed it shows lack of governance and transparency on the part of the Public Body in dealing the instant complaint

3. DECISION:

- i. The Commission decided to refer the matter to Secretary ST & IT being the Administrative Secretary/ Head of both the Secretariat and the Directorate to settle the procedural lapses in the Public Body concerned for provision of information to the citizen and the implementation of the Act *ibid*.
- ii. The Commission also decided to direct the Secretary concerned to retrieve certified information from the quarter concerned and submit parawise reply to the Commission within seven working days in a professional and up to date manner to decide the complaint under the Act *ibid*.



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-sd-
Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date RTIC/AR/1-9730/2023/ 24990-98 dated: 11 March 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Science Technology & Information Technology Department, Peshawar
3. Director General, Science Technology & Information Technology Department, Peshawar
4. Assistant Director (M&E), Science Technology and Information Technology Department, Peshawar
5. Deputy Director (Communication), KP Information Commission, Peshawar.
6. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
7. Assistant Director (IT), Science Technology & Information Technology Department, Peshawar
8. Dr. Khalid Khan (Complainant)

Deputy Registrar,
KP Information Commission,
Peshawar.



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**REF: - DR. KHALID KHAN VS. GOVERNMENT OF KHYBER PAKHTUNKHWA,
SCIENCE TECHNOLOGY AND INFORMATION TECHNOLOGY (ST&IT)
DEPARTMENT, PESHAWAR
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 9730)**

1. FACTS OF THE COMPLAINT:

- i. Brief facts of the case are that a citizen/ complainant namely Dr. Khalid Khan sought information from the Science Technology & Information Technology (ST&IT) Department, Peshawar here after referred as Public Body to submit parawise response to the information as mentioned below:
 - 1) Note part showing the grounds for initiating the action and approval of the inquiry report, including action taken.
 - 2) Notification of the committee.
 - 3) The documents/ record of all the vehicles of the Department and attached formation provided by Excise and Taxation Department,
 - 4) Inquiry report
 - 5) Action taken on the findings/ recommendations of the approved inquiry report by the competent.
- 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 Science Technology & Information Technology, Peshawar 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 however, the Public Body failed to comply the directions of the Commission in letter and spirit.



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- iii. Hence, the instant complaint was taken up in the personal hearing in complaints No. 10579 & 10392 on 21-02-2024.
- iv. The PIO of the Public Body appraised the Commission that recently he took charge of the PIO office and the same will be responded as directed by the Commission.

2. OBSERVATIONS OF THE COMMISSION:

- i. The Commission showed dissatisfaction on the part of the Public Body for failure to comply with directions of the Commission in the instant case and is of the view that the complainant is entitled to info related to para 2 and 4 of the RTI request being his legal right.
- ii. The Commission also observed it shows lack of governance and transparency on the part of the Public Body in dealing the instant complaint

3. DECISION:

- i. The Commission decided to refer the matter to Secretary ST & IT being the Administrative Secretary/ Head of both the Secretariat and the Directorate to settle the procedural lapses in the Public Body concerned for provision of information to the citizen and the implementation of the Act *ibid*.
- ii. The Commission also decided to direct the Secretary concerned to retrieve certified information from the quarter concerned and submit parawise reply to the Commission within seven working days in a professional and up to date manner to decide the complaint under the Act *ibid*.



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Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date RTIC/AR/1-9730/2023/ 24990-98 dated: 11 March 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Science Technology & Information Technology Department, Peshawar
3. Director General, Science Technology & Information Technology Department, Peshawar
4. Assistant Director (M&E), Science Technology and Information Technology Department, Peshawar
5. Deputy Director (Communication), KP Information Commission, Peshawar.
6. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
7. Assistant Director (IT), Science Technology & Information Technology Department, Peshawar
8. Dr. Khalid Khan (Complainant)

Deputy Registrar,
KP Information Commission,
Peshawar.



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**REF: - DR. KHALID KHAN VS. DIRECTORATE GENERAL SCIENCE &
TECHNOLOGY, PESHAWAR**
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 10579)

1. FACTS OF THE COMPLAINT:

i. Brief facts of the case are that a citizen/ complainant namely Dr. Khalid Khan sought information from the Directorate General of Science & Technology Khyber Pakhtunkhwa, Peshawar here after referred as Public Body to submit parawise response to the information as mentioned below:

- 1) List of all the vehicles by name and CC belong to DGoST.
- 2) List of all the vehicles procured (from non-developmental budget or under developmental budget) by DoST by name and CC
- 3) List of all the vehicles procured (from non-developmental budget or under developmental budget) by DoIT by name and CC and under the administrative control of DGoST or being allotted anywhere else.
- 4) Authorization orders of the vehicles by Transport office of Administration Department.
- 5) Orders of the vehicles allotted to officers/ officials or being used without authorization.
- 6) Total POL (Petrol, Diesel & CNG) drawn from the AG office under non-developmental and developmental budgets for the financial years 2017-18, 2018-19, 2019-20, 2020-21, 2021-22 and 2022-23 till 31st December 2022.



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7) POL claimed from AG Office against each of the individual vehicle by its number, whether procured under non-developmental or developmental budgets for the financial years 2017-18, 2018-19, 2019-20, 2020-21, 2021-22 and 2022-23 till 31st December 2022.

8) Details of expenditure on repair and maintenance of vehicles whether procured from non-developmental, developmental budgets or brought to administrative control from erstwhile DoIT for the financial years 2017-18, 2018-19, 2019-20, 2020-21, 2021-22 and 2022-23 till 31st December 2022.

9) Details of expenditure on repair and maintenance of each individual vehicle whether procured from non-developmental, developmental budgets or brought to administrative control from erstwhile DoIT for the financial years 2017-18, 2018-19, 2019-20, 2020-21, 2021-22 and 2022-23 till 31st December.

- 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 Directorate of Science & Technology, Khyber Pakhtunkhwa, Peshawar 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 however, the Administrative Department of the Public Body shared partial and non-certified information with the Commission vide their letter No. AD (IT)/ST&IT/1-7/PIO/-2022 Dated: 27-09-2023 which warranted the personal hearing in the instant case. Thus; the Commission issued personal hearing notice to the Assistant Director (M&E)/PIO to explain the factual position which was attended by the PIO of the DoST; Peshawar on 21-02-2024.



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- iii. The Public Information Officer (PIO) of the Public Body informed the Commission that the matter of complete information is taken up within the Public Body and the same will be shared with the Commission in due course of time.

2. OBSERVATIONS OF THE COMMISSION:

- i. The Commission observed that the information sought in the instant case is clear and explicit.
- ii. The Commission also observed that the Public Body may likely to share parawise response in an up-to-date and professional manner with a certificate with the information as mandated by section 10(3) of the Act *ibid*.

3. DECISION:

- i. In view of the above; the Commission decided to direct the Director General of the Public Body to direct all his subordinate offices to make available the requisite information parawisely to the PIO office within **three** working days for onward transmission to the Commission.
- ii. Consequently, he PIO is directed to provide parawisely reply to the Commission within **seven** working days positively.



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Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date RTIC/AR/1-10579/2023/24999-25007 dated: 11 March 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Science Technology & Information Technology Department, Peshawar
3. Director General, Science Technology & Information Technology Department, Peshawar
4. Assistant Director (M&E), Science Technology and Information Technology Department, Peshawar
5. Deputy Director (Communication), KP Information Commission, Peshawar
6. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
7. Assistant Director (IT), Science Technology & Information Technology Department, Peshawar
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Deputy Registrar,
KP Information Commission,
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**REF: - DR. KHALID KHAN VS. DIRECTORATE GENERAL SCIENCE &
TECHNOLOGY, PESHAWAR
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 10392)**

1. FACTS OF THE COMPLAINT:

i. Brief facts of the case are that a citizen/ complainant namely Dr. Khalid Khan sought information from the Directorate General of Science & Technology Khyber Pakhtunkhwa, Peshawar here after referred as Public Body to submit parawise response to the information as mentioned below:

- 1) Letter written to C&W deptt. For issuing responsibility certificate.
- 2) Rent reasonability certificate issued by C&W department.
- 3) Rent agreement of project office with the owner of the building.
- 4) Total rent paid till the last day of the project office.
- 5) Posting order of the officer as Project Director at the time of payment of rent to the owner.
- 6) Cheques through which payments of monthly rent have been made to the owner.
- 7) Receipts of the owner on receiving of the monthly rent have been made to the owner.
- 8) Receipts of the owner on receiving of the monthly rent.
- 9) Proof of amount of tax deducted from the monthly rent.
- 10) Proof of amount of tax deposited to FBR.
- 11) Total expenditure made on renovation/repair.
- 12) Verified final expenditure statement of the Project.



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- 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 Directorate of Science & Technology, Khyber Pakhtunkhwa, Peshawar 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 however, the Public Body vide their letter No. Dirtt: Gen. ST&T/KP/K/1-3/21/8911 Dated: 15-06-2023 informed the Commission that the record of the said project is with the Project Director in Science & Technology Department and he may be approached for provision of required data/information. Consequently, the Commission took up the matter with the Administrative Department i.e. Science Technology & Information Technology Department (ST&IT), Peshawar to which the Public Body vide their letter No. AD(IT)/ST&IT/1-7/PIO/2022/1590-96 Dated: 27-09-2023 provided incomplete information which warranted the personal hearing in the instant case. Thus; the Commission issued personal hearing notice to the Assistant Director (M&E)/PIO to explain the factual position which was attended by the PIO of the DoST; Peshawar on 21-02-2024.
- iii. The Public Information Officer (PIO) of the Public Body appraised the Commission that the information will be shared in due course of time.

2. OBSERVATIONS OF THE COMMISSION:

- i. The Commission observed that there is a continuous disconnect going on between the Directorate of Science & Technology and Administrative Department i.e. the Science Technology and Information Technology Department, Peshawar and both are shifting the responsibility of the



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provision of information on each other which shows systematic failures on the part of both the Public Bodies for the provision of information as well as implementation of the Act *ibid.* within them.

- ii. The Commission also observed that the information so provided are uncertified as mandated by Section 10(3) of the Act *ibid.*
- iii. The Commission also observed that a similar order to this effect has already been issued to the Secretary concerned vide this office letter No. **RTIC/AR/1-10392/2023** Dated: **24-11-2023** but to no avail and warrants special attention on the part of the Administrative Department.

3. DECISION:

- i. The Commission decided to again take up the matter with the Secretary ST & IT being the Administrative Secretary/ Head of both the Secretariat and the Directorate to settle the procedural lapses in the provision of information to the citizen and the implementation of the Act *ibid.* in both the Public Bodies.
- ii. The Commission also decided to direct the PIO of the Directorate and the Secretariat to retrieve certified information from the quarter concerned and submit parawise reply to the Commission within **seven** working days in a professional and up to date manner to decide the complaint under the Act *ibid.*



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Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date RTIC/AR/1-10392/2023/25008-16 dated: 11 March 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Science Technology & Information Technology Department, Peshawar
3. Director General, Science Technology & Information Technology Department, Peshawar
4. Assistant Director (M&E), Science Technology and Information Technology Department, Peshawar
5. Deputy Director (Communication), KP Information Commission, Peshawar.
6. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
7. Assistant Director (IT), Science Technology & Information Technology Department, Peshawar
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**REF:- MR. HAFEEZ UR RAHMAN VS. DISTRICT EDUCATION OFFICER (FEMALE),
NOWSHERA**
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 7656)

1. FACTS OF THE COMPLAINT:

- i. Brief facts of the case are that a citizen/ complainant namely Mr. Hafeez ur Rahman sought information from the District Education Officer (Female), Nowshera here after referred as Public Body regarding appointment record as below:
 - 1) All class four appointment orders since January 2017 up to date.
 - 2) All class four retirement orders since January 2017 up to date.
 - 3) All class four employees son quota list since January 2017 up to date.
- 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 respond parawisely to the Commission. A series of correspondence were made between the Public Body and the Commission but to no avail. This warranted the Commission to issue personal hearing notice to the DEO concerned of the Public Body to attend the commission and explain the factual position on 21-02-2024.
- iii. Incompliance, DEO Female), Nowshera attended the Commission and stated that the information would be submitted in due course of time.



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2. OBSERVATIONS OF THE COMMISSION:

- i. The Commission observed that the information sought in para 1, 2 and 3 needs to be proactively disclosed on the official website of the Public Body as mandated by Section 05 of the KP RTI, Act, 2013.
- ii. The Commission showed displeasure for systematic non-compliance of the Commission's directions issued vide letter No. KPIC/AR/1-7656/2021/4047-48 Dated: 29-03-2022 on the part of the Public Body for provision of information.

3. DECISION:

- i. In view of the above, the Commission decided to bring into the notice of the Administrative Secretary i.e. Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department, Peshawar for the systematic failures on the part of the Public Body concerned for the non-provision of information to the Commission and to ensure the proactive disclosure of the information sought in para 1, 2, and 3 on the official website of the Public Body within seven working days positively under intimation to the Commission.
- ii. The Commission also decided to take up the matter with the Administrative Secretary i.e. Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department, Peshawar to initiate an inquiry against the DEO (Female), Nowshera concerned for non-provision of information to the Commission as mandated by the Act *ibid*.



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as well as direct the quarter concerned to make available all the requisite information parawisely to the Commission within seven working days positively in a professional and up to date manner.

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Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date RTIC/AR/1-7656/2021/ 24986-62 dated: 4 March 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department, Peshawar
3. District Education Officer (Female), Nowshera.
4. Deputy Director (Communication), KP Information Commission, Peshawar.
5. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
6. Mr. Hafeez ur Rehman (Complainant)


Deputy Registrar,
KP Information Commission,
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**REF:- MR. KASHIF HUSSAIN VS. DIRECTORATE GENERAL SOIL & WATER
CONSERVATION, AGRICULTURE TRAINING INSTITUTE, PESHAWAR
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 9221)**

1. FACTS OF THE COMPLAINT:

- i. Brief facts of the case are that a citizen/ complainant namely Mr. Kashif Hussain sought information from the Directorate General Soil & Water Conservation, Agriculture Training Institute, Peshawar here after referred as Public Body regarding information for the Post of Junior Clerk as below:
 - 1) Merit List including interview marks
 - 2) Documents of the selected candidates.
 - 3) Experience certificate of selected candidate
 - 4) Office order of the selected candidate
 - 5) ATS list of typing qualifying candidate
- 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 respond parawisely to the Commission. A series of correspondence were made between the Public Body and the Commission but to no avail. This warranted the Commission to issue personal hearing notice to the Director General/PIO of the Public Body to attend the commission and explain the factual position on 21-02-2024.
- iii. Incompliance, no body attended the Commission.



2. OBSERVATIONS OF THE COMMISSION:

- i. The Commission observed that the information sought by the complainant in Paras 1, 4 and 5 comes within the purview of section 5 of the KP RTI Act, 2013 and needs to be proactively disclosed on the website of the Public Body.
- ii. The Commission also observed that despite a lapse of considerable period the Public Body did not respond to the Commission as per RTI request which is not justifiable.

3. DECISION:

- i. In view of the above, the Commission decided to bring into the notice of the Administrative Secretary i.e. Secretary to Government of Khyber Pakhtunkhwa, Agriculture Department, Peshawar; the systematic failures on the part of the Public Body concerned for the non-provision of information to the Commission and to ensure the proactive disclosure of the information sought in para 1, 4, and 5 on the official website of the Public Body within ten working days positively under intimation to the Commission.
- ii. The Commission also decided to take up the matter with the Administrative Secretary i.e. Secretary to Government of Khyber Pakhtunkhwa, Agriculture Department, Peshawar to initiate an inquiry for non-provision of information to the Commission as mandated by the Act *ibid.* as well as direct the quarter concerned to make available all the requisite



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information parawisely to the Commission within **ten** working days positively in a professional and up to date manner.

-sd-

Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date RTIC/AR/1-9221/2022 24967-73 dated: 11 March 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Agriculture Department, Peshawar
3. Director General, Directorate General Soil & Water Conservation, Agriculture Training Institute, Peshawar.
4. Deputy Director (Communication), KP Information Commission, Peshawar.
5. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
6. Dr. Kashif Hussain (Complainant)

Deputy Registrar,
KP Information Commission,
Peshawar.



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**REF: - MR. ABDUL QADIR VS DISTRICT EDUCATION OFFICER (MALE)
DISTRICT, KARAK
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 9331)**

1. FACTS OF THE COMPLAINT:

- i. Brief facts of the case are that a citizen/ complainant namely Mr. Abdul Qadir sought information from District Education Officer (Male) Karak regarding the following below;
 - 1) Drawing master disable quota interview and final merit list.
 - 2) All replies of the of Deputy Commissioner Karak letters.
 - 3) Replies of all Human Rights Organization and Secretary Education's letters.
- ii. The complaint was examined by the Commission under various provisions/sections of the KP RTI Act 2013, and it was decided to direct the Public Body to respond to the Commission. A series of correspondence were made between the Commission and the Public Body for the provision of information However, the Public Body failed to respond to the Commission which warranted personal hearing in the instant complaint. Hence, personal hearing notice was issued to the Public Body on 22-02-2024 to explain the factual position.
- iii. In compliance, the Accountant of the Public Body attended the Commission and submitted vide Dairy No: 12151, dated: 22-02-2024 the requisite information pertaining to para 1 and 2 excluding para 3 by stating that, the concerned Public Body did not receive any letter from the Human Rights or directorate from Secretary Education.

2. OBSERVATIONS OF THE COMMISSION:

The Commission observed that;

- i. The information sought by the complainant pertaining to para 1 comes within the preview of Section 5 of KP RTI Act 2013 and needs to be pro-actively disclosed on the official page of the Public Body.



- ii. The Commission further observed that, the Public Body shall notify a PIO not below the rank of BPS-17 as mandated by RTI Act, 2013.

3. DECISION:


- i. In view of the above, the Commission decided to direct the District Education Officer (Male) Karak as Public Body to submit proper response in writing regarding the information pertaining to **para-3** and shall also pro-actively disclose the requisite information pertaining to **para-1** on the official page as mandated by Section 5 of the Act *ibid* within Five working days positively.
- ii. It was further decided to direct the Public Body to properly notify PIO as mandated by Section 6 of the Act *ibid*.

Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date: KPIC/ARK/1-9331/2023/ 2494347 dated: 11 March February, 2024.

Copy to:

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. The District Education Officer (Male), District Karak.
3. The Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
4. Mr. Abdul Qadir (Complainant).


Assistant Registrar,
KP Information Commission,
Divisional Office,
Peshawar.



**REF: - MR. WAQAS RASHEED VS TEHSIL MUNICIPAL ADMINISTRATION
ABBOTTABAD.
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO.10536)**

I. FACTS OF THE COMPLAINT:

- i. Brief facts of the case are that a citizen/ complainant namely Mr. Waqas Rasheed sought information from Tehsil Municipal Administration Abbottabad regarding the following below;
 - 1) Attested copy of ADP No. 756180/2016
 - 2) Attested copy of ADP No.712/40497/2014-15
 - 3) Attested copy of ADP No. 703/1407963/2014-15
- ii. The complaint was examined by the Commission vis-à-vis the various provisions/sections of the KP RTI Act 2013, and it was decided to direct the Public Body to respond to the Commission. A series of correspondence were made between the Commission and the Public Body for the provision of information. However, the Public Body vide letter No: 8834/TMA dated 10-12 -2023 submitted that, the desired information has been provided to the complainant. While, the complainant denied the receipt of information and contended that, the Public Body refused to provide him the requisite information. This warranted personal hearing in the instant complaint hence, personal hearing notice was issued to the Public Body dated 22-02-2024 to explain the factual position.
- iii. Incompliance, Tehsil Officer of the Public Body i-e Tehsil Municipal Administration office, Abbottabad attended the Commission and submitted that, the said information has already been provided to the complainant and submitted acknowledgment receipt of the complainant vide Dairy No:102150 dated; 22/02/2024.



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2. DECISION:

- i. In view of the above, the Commission decided to dispose of the instant complaint accordingly.

Farah Hamid Khan

Chief Information Commissioner.

Endst No. & date: KPIC/ARH/1-10536/2023/ 24937-42 dated: 11 MARCH February, 2024.

Copy to:

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. The Tehsil Municipal Officer, Tehsil Municipal Administration, Abbottabad.
3. The Tehsil Officer, Tehsil Municipal Administration, Abbottabad.
- 4. The Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
5. Mr. Waqas Rasheed (Complainant).

Assistant Registrar,
KP Information Commission,
Divisional Office Peshawar.
Peshawar.



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**REF: - MR.ZABIT KHAN VS TEHSIL MUNICIPAL ADMINISTRATION. JAMRUD
DISTRICT KHYBER
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO.10939)**

1. FACTS OF THE COMPLAINT:

Brief facts of the case are that a citizen/ complainant namely Mr. Zabit Khan sought information from Tehsil Municipal Administration, Jamrud, District Khyber regarding;

- 1) Copies of record of land behind Jamrud Bazar petrol pump approximately 47.27 marla's
 - 2) The copy of NOC for construction
- i. The complaint was examined by the Commission vis-à-vis the various provisions/sections of the KP RTI Act 2013, and it was decided to direct the Public Body to respond to the Commission. A series of correspondence were made between the Commission and the Public Body for the provision of information. However, the Public Body failed to respond to the Commission which warranted personal hearing in the instant complaint. In this regard personal hearing notice issued to the Public Body on **22.02.2024** to explain the factual position.
- ii. Incompliance, Sub-Divisional officer of Tehsil Municipal Administration office, Jamrud District Khyber visited the RTI Commission Office and submitted the requisite information to the Commission vide **Dairy No: 2312/TMO-ADMIN Jamrud/Khyber dated 21-02-24.**



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2. DECISION:

- i. In view of the above, the Commission decided to forward the same record to the complainant and disposed of the instant complaint.

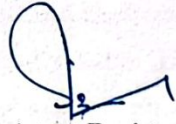
Farah Hamid Khan

24/02/24 Chief Information Commissioner.

Endst No. & date: KPIC/ARP/1-10939/2023/_____ dated: 11 February, 2024.

Copy to:

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. The Tehsil Municipal Officer, Jamrud, Khyber.
3. The Sub Divisional Officer, Tehsil Municipal Administration, Jamrud, Khyber
4. The Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
5. Mr. Zabit Khan (Complainant).


Assistant Registrar,
KP Information Commission,
Divisional Office,
Peshawar.



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**REF: - MR.IRFAN ULLAH KHAN VS DEPUTY COMMISSIONER, ABBOTTABAD
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO.10539)**

1. FACTS OF THE COMPLAINT:

Brief facts of the case are that a citizen/ complainant namely Mr. Irfan ullah Khan sought information from Deputy Commissioner Abbottabad regarding:

- 1) The copy of Notification of the appointment of Muharir in Deputy Commissioner Office as per Advertised on September 2021.
- i. The complaint was examined by the Commission vis-à-vis the various provisions/sections of the KP RTI Act 2013, and it was decided to direct the Public Body to respond to the Commission. A series of correspondence were made between the Commission and the Public Body for the provision of information. However, the Public Body failed to respond to the Commission which warranted personal hearing in the instant complaint. In this regard personal hearing notice issued to the Public Body on **22.02.2024** to explain the factual position.
- ii. Incompliance, Assistant Commissioner Abbottabad visited the RTI Commission Office and submitted the requisite information to the Commission vide **Letter No: 240/HC-ACA dated: 22-02-24.**



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2. DECISION:

- i. In view of the above, the Commission decided to forward the same record to the complainant and disposed of the instant complaint.


Farah Hamid Khan

Chief Information Commissioner.

Endst No. & date: KPIC/ARH/1-10539/2023/ 24931-36 dated: 11 March February, 2024.

Copy to:

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. The Deputy Commissioner, Abbottabad.
3. The Assistant Commissioner, Abbottabad.
- 4. The Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
5. Mr. Irfan Ullah (Complainant).


Assistant Registrar,
KP Information Commission,
Divisional Office,
Peshawar.



REF: - MRS DILTAJ BEGUM VS DISTRICT ACCOUNT OFFICE, DISTRICT ORAKZAI.

PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 8965)

1. FACTS OF THE COMPLAINT:

i. Brief facts of the case are that a citizen/ complainant namely Mrs Diltaj Begum sought the following information below from District Account office Orakzai;

- 1) The payroll of both the teachers from 1993 to 2019.
- 2) The details of responsible behind the exchange of salaries of both the teachers.
- 3) Copy of Service Book ,Educational Documents, verification degree, promotion orders ,merit list, medical certificates and copy of Domicile of both the teachers
- 4) GP fund and charge report details.
- 5) What action has been taken against Head Clerk Mehboob Khan?
- 6) The details of complainant allowance from 1995 up to the date.

ii. The complaint was examined by the Commission vis-à-vis the various provisions/sections of the KP RTI Act 2013, and it was decided to direct the Public Body to respond to the Commission. A series of correspondence were made between the Commission and the Public Body for the provision of information However, the Public Body vide letter No 2347/DAO, Orakzai dated 07/06/2022 submitted incomplete record to the Commission which warranted personal hearing in the instant complaint. Hence, personal hearing notice was issued to the Public Body dated; 22-02-2024 to explain the factual position.

iii. Incompliance the District Account Officer attended the proceeding and showed its inability to provide the payroll pertains to the period of 1993 to 2008 for the reason that, the computerized payroll system was introduced in 2009 while, the



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payroll of both the teachers from 2009 and onward has already been provided to the complainant.

- iv. The representative of the Public Body further informed the Commission that, the information pertaining to **para 2 to 6** are related to the parent department of the complainant.

2. OBSERVATIONS OF THE COMMISSION:

The Commission after hearing observed that;

- i. The explanation of the District Account Officer is justified. However, the response should be in proper written form.
- ii. Moreover, the complainant can obtain information pertaining to **para 2 to 6** from the parent department by filing fresh request to the P.I.O of the concerned Department under **Section 10 of the Act** *ibid*.

3. DECISION:

- i. In view of the above, the Commission decided to direct the Public Body concerned to submit proper parawise response to the Commission within **seven** working days in order to dispose of the case.
- ii. It was further decided to direct the complainant to approach her parent department for the information pertaining **para 2 to 6** by filling fresh request to the P.I.O concerned.

Farah Hamid Khan
Chief Information Commissioner,

Endst No. & date: KPIC/ARK/1-8965/2023/ 24875-79 dated: 11 March February, 2024.

Copy to:

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. The District Account Officer, Orakzai.



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3. The Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
4. Miss. Daltaj Begum (Complainant).

Assistant Registrar,
KP Information Commission,
Divisional Office.
Peshawar.



REF: - MR.ABDUL ALEEM VS PRINCIPAL GOVT DEGREE COLLEGE DISTRICT SHANGLA
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO.10805)

1. FACTS OF THE COMPLAINT:

Brief facts of the case are that a citizen/ complainant namely Mr. Abdul Aleem Khan sought information the Principal Government Degree College Shangla regarding:

- 1) The total number of application and complaints submitted and action taken on them
- 2) Salary slip copy and order book of discontinuation of the salary of complainant.
- 3) Expenditure details from April 1999 including AC bills money withdrawal statements and purchase receipt.
- 4) Other contingency TA bills e.t.c
- 5) All month cash books of Shujul Mulk tenure..
- 6) All months expenditures of Bakht Rawan in charge tenure.
- 7) All private fund expenses record including receipt and non- receipt salaries.
- 8) All salary drawn medical records in DDO ship tenure of Bakht Rawan.
- 9) Record of salaries of security guards on forged signatures by Bakht Rawan.
- 10) Challans of deposited salaries in Government treasury od security guards and cost record of cost of fuel and maintenance of Bakht Rawan vehicle.
- 11) Record copies of student's scholarship allotted to students in Bakht Rawan tenure.
- 12) Special grant in DDO ship of Bakht Rwan tenure.
- 13) Copies of challan related to tuition fee separate record year wise.
- 14) Decision of courts in favor of Bakht Rawan.
- 15) Record of absentees fined taken by zia ullah.
- 16) In tenure of DDO ship od ziaullah non- salary slip, handheld money withdrawn from Government treasury.
- 17) Zia ullah promotion order.



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18) Audit record for the year 2022.

19) All recovery record challan.

- i. The complaint was examined by the Commission vis-à-vis the various provisions/sections of the KP RTI Act 2013, and it was decided to direct the Public Body to submit parawise response except para 1.5,6,7,9,12 to the Commission. A series of correspondence were made between the Commission and the Public Body for the provision of information. However, the Public Body failed to respond to the Commission which warranted personal hearing in the instant complaint. In this regard personal hearing notice was issued to the Public Body on 22.02.2024 to explain the factual position.
- ii. In compliance, the Principal visited the RTI Commission Office and submitted the requisite information to the Commission vide **Dairy No: 12262 dated: 29-02-24.**

2. DECISION:

- i. In view of the above, the Commission decided to forward the same record to the complainant and disposed of the instant complaint accordingly.

-Sd-

Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date: KPIC/ARM/1-10805/2023/25573-17 dated: 27 March, 2024.

Copy to:

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. The Principal, Government Degree College, District Shangla.
3. The Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
4. Mr. Abdul Aleem (Complainant).

Assistant Registrar,
KP Information Commission,
Divisional Office.
Peshawar.



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REF:- MR. ZUBAIR AHMED VS. DISTRICT HEALTH OFFICER LOWER DIR.
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 10740)

1. FACTS OF THE COMPLAINT:

- i. Brief facts of the case are that a citizen/ complainant namely Mr. Zubair Ahmed sought information from the District Health Officer, Lower Dir here after referred regarding the Appointment of Technician as below:
 - 1) ETEA Result and overall merit list and appointment order of newly appointed Technician under Advertisement No. INF(P)2880/22 Dated: 22-08-2022.
 - 2) Place of duties of these technician or transfer of these Technician.
- 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 complainant. A series of correspondence were made between the Public Body and the Commission but to no avail. This warranted the Commission to issue personal hearing notice to the DHO, Lower Dir to attend the commission and explain the factual position on 22/02/24.
- iii. Incompliance, no one attend the Commission.

2. OBSERVATIONS OF THE COMMISSION:

- i. The Commission observed that, the Public Body failed to comply with the directions of the Commission and a proper inquiry needs to be recommended to the Administrative Secretary regarding the matter.
- ii. The Commission further observed that, the information sought by the complainant comes within the purview of section 5 of the KP RTI Act, 2013 and needs to be proactively disclosed on the official website of the Public Body.

3. DECISION:

- i. In view of the above, the Commission decided to recommend a formal inquiry against the District Health Officer, Lower Dir to



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Director General Health Services and submit a compliance report to the Commission within ten working days.

- ii. The Commission also decided to direct the Director General Health Services to ensure the availability of record on the official website of the Public Body under section 5 of the KP RTI Act, 2013 within ten working days positively.

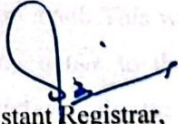
-Sd-

Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date: KPIC/ARM/1-10740/2023/ 25494-25800 dated: 27 March, 2024.

Copy to:

- 1) PS to Chief Information Commissioner, KP Information Commission, Peshawar.
- 2) PS to Secretary Health, Khyber Pakhtunkhwa, Peshawar.
- 3) The Director General, Health Services, Peshawar.
- 4) The District Health Officer, Lower Dir.
- 5) The Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
- 6) Mr. Zubair Ahmad (Complainant).


Assistant Registrar,
KP Information Commission,
Divisional Office,
Peshawar.



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**REF:- MR. MUHAMMAD SULEMAN BALOCH VS. PUBLIC HEALTH ENGINEERING
DIVISION, DERA ISMAIL KHAN
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 10861)**

1. FACTS OF THE COMPLAINT:

i. Brief facts of the case are that a citizen/ complainant namely Mr. Muhammad Suleman Balcoh sought information from the Public Health Engineering Division, Dera Ismail Khan here after referred as Public Body regarding information as below:

- 1) Details/locations of all schemes. Details of all appointed staff.
- 2) Details of expenditure of M&R on each scheme for the last 07 years.
- 3) Details of all schemes. Dates of solarization. Award of solarization contracts.
- 4) Details of officers/ officials.
- 5) Details of all vehicles and their fuel expenses since last 07 years.
- 6) Details of all funds provided in the last 06 years.
- 7) Details of all developmental schemes since last 07 years. Copy of NIT, copies of Call deposits.
- 8) Electricity bills copies of all the schemes since last 04 years.
- 9) How much M&R funds received in last 07 years details all the funds year wise of M&R give separate details of year wise of M&R funds.



- 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 respond parawisely to the Commission. A series of correspondence were made between the Public Body and the Commission but to no avail. This warranted the Commission to issue personal hearing notice to the Executive Engineer of the Public Body to attend the commission and explain the factual position on 21-02-2024.
- iii. Incompliance, SDO of the Public Body attended the Commission and stated that the information sought will be provided within due course of time.
- iv. Consequently, the Executive Engineer of the Public Body submitted parawise reply to the Commission vide their letter No. 389/C-2 Dated: 27-02-2024 with an acknowledgment receipt of the complainant as well.

2. DECISION:

- i. In view of the above, the Commission decided to transmit the information so received from the Public Body to the complainant and dispose of the instant complaint accordingly



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-sd-

Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date RTIC/AR/1-10861/2023/ 21974-80 dated: 11 March 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Executive Engineer, Public Health Engineering Division, Dera Ismail Khan
3. SDO, Public Health Engineering Division, Dera Ismail Khan
4. Deputy Director (Communication), KP Information Commission, Peshawar.
5. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
6. Dr. Muhammad Suleman Baloch (Complainant)


Deputy Registrar,
KP Information Commission,
Peshawar.