



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](mailto:complaints@kprti.gov.pk)  
Ph: +92-91-9212643  
Fax: +92-91-9211163

Dated: 22<sup>nd</sup> April, 2015

(Complaint No. 00359)

Ref: Mr. Fida Muhammad Khan vs. C&W Department, Bannu.

### Proceedings

Complainant Mr. Fida Muhammad Khan is not in attendance. Mr. Shaukat Ullah, SDO, C&W Department, Bannu, on behalf of Mr. Jameel Ahmad, XEN present.

Originally the representative took the plea that they had not received the original complaint. Although they have received a letter from this Commission in which it was mentioned that the copy of the complaint is endorsed. However, he was given a chance to summon the information by fax, which he did but a letter received from XEN, C&W, Bannu does not answer the queries. He undertook to provide the detailed information sought by the complainant within **two** days. He is given a copy of the Right to Information Act, 2013, so that he for himself goes through the law governing the present proceedings.

*Sdf.*  
Chief Information Commissioner

*Sdf.*  
Commissioner-I

*Sdf.*  
Commissioner-II

Copy to:-

1. Mr. Shaukat Ullah, SDO, C&W Department, Bannu.
2. Mr. Fida Muhammad Khan (Complainant)

*[Signature]*

Assistant Registrar

Right to Information Commission,  
KPK, Peshawar.



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Dated: 22<sup>nd</sup> April, 2015

**(Complaint No. 00377)**

Ref: Mr. Arif Yousaf vs. Health Regulatory Authority, Peshawar.

**Proceedings**

Mr. Shahid, Private Secretary, on behalf of complainant Mr. Arif Yousaf in person present. Mr. Farooq Shah, Admn Officer/Legal Officer/PIO Health Regulatory Authority, Peshawar also present.

The complainant sought information in respect of registration/agreement of RMI and Northwest Hospital situated in Hayatabad, Peshawar. The registration form has been supplied to the requester. Both the parties were summoned to assess the situation as to whether any agreement is necessary for the establishment of a private hospital or not? It transpired that no agreement under the law is required to be executed for the establishment of a private hospital. These hospitals have to register themselves only. The representative of the complainant was satisfied that no agreement is available on the record of Health Regulatory Authority. If the complainant can identify the existence of any agreement, this Commission will be happy to direct the Public Body for its supply. This case is closed.

*Sdf.*  
Chief Information Commissioner

*Sdf.*  
Commissioner-I

*Sdf.*  
Commissioner-II

Copy to:-

1. Mr. Arif Yousaf (Complainant)
2. Mr. Farooq Shah, Admn Officer/Legal Officer/PIO, Health Regulatory Authority, Peshawar.

*[Signature]*  
Assistant Registrar  
Right to Information Commission,  
KPK, Peshawar.



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Dated: 29<sup>th</sup> April, 2015

**(Complaint No. 00181)**

Ref: Mr. Pervez Khan vs. Establishment Department, Peshawar.

### Proceedings

Complainant Mr. Pervez Khan in person present. Syed Muhammad Farrukh Saqlain, PIO/Additional Secretary (HRD), Establishment Department, Peshawar also present.

This request is regarding the supply of information from personnel files, Minutes of PSB and housing subsidies. The complainant was satisfied that the PIO has nominated one person from the staff who gives him company to locate the record in various sections of the Department. Some of the files have been located and the requirement of the complainant is educational qualification/testimonials of some officers. A few copies have been prepared and the same will be delivered to the complainant on the next visit to the office of the PIO.

As far as the housing subsidies are concerned, the PIO informed that they have received a few files from Estate Office. The complainant agrees to visit the Establishment Department in the company of the PIO to identify the information which will be delivered to the complainant. As regards the Minutes of the PSB is concerned, the PIO informs that a policy decision has to be taken by the Competent Authority regarding the delivery of these copies to the complainant.

Let it be clearly placed on record that whenever, under the Law, the Department notifies a person as a PIO, then with such designation/notification flows the authority to give copies at same time and the PIO is legally not required to ask for permission to supply information. A copy of these proceedings will be sent to the Secretary, Establishment Department for information and necessary action.

*Sdf.*  
Chief Information Commissioner

*Sdf.*  
Commissioner- I

*Sdf.*  
Commissioner-II

Copy to:-

1. Mr. Pervez Khan (Complainant)
2. Syed Muhammad Farrukh Saqlain, PIO/Additional Secretary (HRD), Establishment Department, Peshawar.

*[Signature]*

Assistant Registrar

Right to Information Commission,  
KPK, Peshawar.



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Dated: 29<sup>th</sup> April, 2015

**(Complaint No. 00310)**

Ref: Mr. Muhammad Arshad vs. Establishment Department, Peshawar.

### **Proceedings**

Complainant Mr. Muhammad Arshad in person present. Syed Muhammad Farrukh Saqlain, PIO/Additional Secretary (HRD), Establishment Department, Peshawar also present.

The Complainant has received all the information except the copies of the summary through which his representation against adverse remarks and his PERs for the period of 2012 was decided. The PIO informs that the Section Officer (Secret) has solicited the opinion of the Law Department in this matter. In this connection, he has provided a copy of the restricted letter written by Section Officer (Secret) to the Section Officer HRD-II, Establishment Department.

This Commission is of the view that legally, the Law Department has no role to play under Right to Information Act, 2013 as far as supply of information is concerned. The Law has assigned this role to Information Commission to decide which information is to be supplied and which information is exempt under the Law. Section Officer (Secret) would do well to make reference to this Commission if he has got any reservations regarding the supply of information to the requester. A copy of these proceedings will be sent to Section Officer (Secret). This Commission will take up the matter with Secretary Establishment to streamline the matter.

*Sd/-*  
Chief Information Commissioner

*Sd/-*  
Commissioner-I

*Sd/-*  
Commissioner-II

Copy to:-

1. Mr. Muhammad Arshad (Complainant)
2. Syed Muhammad Farrukh Saqlain, PIO/Additional Secretary (HRD), Establishment Department, Peshawar.
3. Secretary, Administration Department, Peshawar.
4. Section Officer (Secret), Establishment Department, Peshawar.

*[Signature]*

Assistant Registrar

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Dated: 29<sup>th</sup> April, 2015

**(Complaint No. 00482)**

Ref: Mr. Muhammad Arshad vs. Establishment Department, Peshawar.

### Proceedings

Complainant Mr. Muhammad Arshad in person present. Syed Muhammad Farrukh Saqlain, PIO/Additional Secretary (HRD), Establishment Department, Peshawar also present.

This complaint is regarding the action taken by the Public Body in view of para 4 (ii) of the letter dated: 14/11/2014, addressed to the Chief Secretary. The PIO seeks time to collect the information in this regard from the concerned Section as a letter was directly addressed to Chief Secretary and it might have trickled down to the concerned section. The PIO is directed to inform the complainant within seven days regarding the latest position under intimation to this Commission.

*Sd/-*  
Chief Information Commissioner

*Sd/-*  
Commissioner-I

*Sd/-*  
Commissioner-II

Copy to:-

1. Mr. Muhammad Arshad (Complainant)
2. Syed Muhammad Farrukh Saqlain, PIO/Additional Secretary (HRD), Establishment Department, Peshawar.

*[Signature]*  
Assistant Registrar

Right to Information Commission,  
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Dated: 29<sup>th</sup> April, 2015

**(Complaint No. 00494)**

Ref: Mr. Khurshid Anwar vs. Establishment Department, Peshawar.

**Proceedings**

Complainant Mr. Khurshid Anwar in person present. Syed Muhammad Farrukh Saqlain, PIO/Additional Secretary (HRD), Establishment Department, Peshawar also present.

The PIO stated that all the requisite information has been arranged and prepared. The complainant is directed to visit the office of Establishment Department tomorrow for collection of requisite information.

*Sd/-*  
Chief Information Commissioner

*Sd/-*  
Commissioner-I

*Sd/-*  
Commissioner-II

Copy to:-

1. Mr. Khurshid Anwar (Complainant)
2. Syed Muhammad Farrukh Saqlain, PIO/Additional Secretary (HRD), Establishment Department, Peshawar.

*[Signature]*

Assistant Registrar

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Fax: +92-91-9211163

Dated: 29<sup>th</sup> April, 2015

**(Complaint No. 00548)**

Ref: Mr. Muhammad Arshad vs. Establishment Department, Peshawar.

### Proceedings

Complainant Mr. Muhammad Arshad in person present. Syed Muhammad Farrukh Saqlain, PIO/Additional Secretary (HRD), Establishment Department, Peshawar also present.

The PIO informs that he has written a letter regarding the supply of information requested by the complainant and he has not yet received the reply. It is also a fact that the Administration Department has its own Secretary while the Establishment Department has an independent Secretary and the Estate Office comes under the Administration Department. Since the information is regarding the allotment of houses etc, therefore, the matter pertains to the Secretary, Administration and Estate Office. A copy of these Proceedings will be sent to Secretary, Administration Department so that the supply of information is streamlined.

*Sd/-*  
Chief Information Commissioner

*Sd/-*  
Commissioner- I

*Sd/-*  
Commissioner-II

Copy to:-

1. Mr. Muhammad Arshad (Complainant)
2. Syed Muhammad Farrukh Saqlain, PIO/Additional Secretary (HRD), Establishment Department, Peshawar.
3. Secretary, Administration Department, Peshawar.

*[Signature]*

Assistant Registrar  
Right to Information Commission,  
KPK, Peshawar.