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**GOVERNMENT OF KHYBER PAKHTUNKHWA
INFORMATION COMMISSION**

Near Abdara BRT Station, behind Jabar Flats, Arbab Colony,
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Email: complaints@kprti.gov.pk

**REF: - MR. SHEHZAD NOOR VS. KHLIFA GUL NAWAZ TEACHING HOSPITAL,
BANNU
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 6294)**

1. FACTS OF THE COMPLAINT:

- i. Brief facts of the case are that a citizen/ complainant namely Mr. Shehzad Noor sought the following information Screening Test Result for the Post of Computer Operator from Khlifia Gul Nawaz Teaching Hospital, Bannu herein after referred as Public Body.
- 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 the above referred information to the Commission. A series of correspondence were made between the Public Body and the Commission but to no avail.
- iii. This warranted personal hearing in the instant complaint on 16-05-2024.
The representative of the Public Body stated that the RTI Request in the instant complaint the above referred information has already been provided to the complainant whereas an acknowledgement receipt to this effect will also be submitted to the Commission on 16-05-2024.
- iv. Incompliance, the PIO submitted an acknowledgment receipt of the complainant for provision of all the requisite information to him on 16-05-2024.

2. OBSERVATIONS OF THE COMMISSION:

- i. The Commission observed that the above referred information of the RTI Request falls within the purview of section 05 of the KP RTI Act 2013, and needs to be proactively disclosed on the official website.



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- ii. The Commission also observed that budget of the Public Body shall be proactively disclosed on the official website of the Public Body.

3. DECISION:

- i. In view of the above, the Commission decided to dispose of the instant complaint.
- ii. The Commission also decided to direct the Public Body to ensure the implementation of section 05 of the Act *ibid.* on the official website on the Public Body for future course of Act.

Endst No. & date RTIC/AR/1-6294/2019/

26723-29

-sd-

Farah Hamid Khan

Chief Information Commissioner.

dated: 23 May, 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Hospital Director, Khalifa Gul Nawaz Teaching Hospital, Bannu.
3. Litigation Officer/PIO, Khalifa Gul Nawaz Teaching Hospital, Bannu
4. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
5. Deputy Director (Communication), KP Information Commission, Peshawar.
6. Mr. Shehzad Noor (Complainant)

**Deputy Registrar,
KP Information Commission,
Peshawar.**



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**REF: - MR. NAEEM SADIQ VS. DIRECTORATE GENERAL EXCISE TAXATION &
NARCOTICS CONTROL DEPARTMENT, PESHAWAR
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 10956)**

1. FACTS OF THE COMPLAINT:

i. Brief facts of the case are that a citizen/ complainant namely Mr. Naeem Sadiq sought the following information from the Directorate General Excise Taxation and Narcotics Control Department, Peshawar, herein after referred as Public Body.

1. Please intimate what is the Total number of Provincial Government's official/ government cars (4 wheelers) registered in your E&T Department.
2. Please intimate what is the Total number of official / government cars (4 wheelers) of the Federal government registered in your E&T Department.

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 reply to the Commission. A series of correspondence were made between the Public Body and the Commission. However, the Public Body responded vide their letter No. 8921/Estb./Information Commission Dated: 12-02-2024 that "Under Clause (e) Section 16 of the Khyber Pakhtunkhwa Right to Information Act, 2013 read with Article 19A of the Constitution of Islamic Republic of Pakistan, the information asked for by the complainant is exempted from disclosure."

iii. This warranted personal hearing in the instant complaint on 16-05-2024.

iv. Incompliance, PIO of the Public Body attended the Commission and appraised the Commission that para 2 of the RTI Request of the complainant does not pertain to this office whereas as far as in para 1 the directions of the Commission will be complied in letter and spirit.

Pls upload in relevant section on official website.
Jahid 21/5/2024



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2. OBSERVATIONS OF THE COMMISSION:

- i. The Commission observed that the exemption claimed by the Public Body is not maintainable.
- ii. Moreover, the complainant sought only the total number of the vehicles which falls within the purview of section 05 of the KP RTI Act 2013, and needs to be proactively disclosed on the official website.

3. DECISION:

- i. In view of the above, the Commission decided to direct the Public Body to submit parawise response as well as proactively disclose the information on the official website on the Public Body which falls within the purview of section 05 of the Act *ibid.* within **ten** working days positively to decide the instant complaint.

Endst No. & date RTIC/AR/1-/2023 *26595-26602* dated: *20* May, 2024

-sd-
Farah Hamid Khan
Chief Information Commissioner.

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. PS to Secretary to Government of Khyber Pakhtunkhwa, Excise Taxation and Narcotics Control Department, Peshawar.
3. PS to Director General, Directorate of Excise Taxation and Narcotics Control Khyber Pakhtunkhwa, Peshawar
4. Superintendent/PIO, Directorate of Excise Taxation and Narcotics Control Khyber Pakhtunkhwa, Peshawar.
5. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
6. Deputy Director (Communication), KP Information Commission, Peshawar.
7. Mr. Naeem Sadiq (Complainant)


Deputy Registrar,
KP Information Commission,
Peshawar.



**REF:- MR.KAMRAN KHAN VS. DISTRICT HEALTH OFFICER, LAKKI MARWAT.
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO.10654)**

1. FACTS OF THE COMPLAINT:

i. Brief facts of the case are that a citizen/ complainant namely Mr. Kamran Khan sought information from the District Health Officer, Lakki Marwat regarding the following below;

- 1) Total number of basic health units and staff working over there.
- 2) Total number of staff including Nurses and number of Class IV employees and Clerical Staff
- 3) Details of employees working in Tehsil Sarai Norang, Tajudiand and Lakki Marwat.
- 4) Details of fuel consumed for generator in all the hospitals of the above mentioned Tehsils from 2010 to 2022.
- 5) Number of vehicle used and fuel expenses from 2010 to 2022.
- 6) Total number of Health employees and their salaries in in Lakki Marwat.
- 7) Details of Polio funds.
- 8) Number of residential apartments and details of residents.
- 9) 2020 to 2022 polio companions and details of fund used.
- 10) Details of Corona funds.
- 11) Details of funds used in Corona pandemic.
- 12) Details of Doctors, Nurses, paramedical staff, class-Iv in all hospitals and BHUz.
- 13) Details of all vacant positions.
- 14) Annual budget and details of funds received from Govt, semi Govt organizations from 2010 to 2022.
- 15) Details of funds used in repair of buildings and BHU in Lakki Marwat from 2010 to 2022.



- 16) Details of medicine used in all hospitals from 2010 to 2022.
 - 17) Details of Generator and other daily base expenses.
- 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 except para 15, 16, and 17 to the complainant. A series of correspondence were made between the Commission and the Public Body in this regard but, the Public Body failed to respond to the direction of the Commission. which warranted personal hearing in the instant complaint. Thus, the Commission issued personal hearing notice dated; 02/05/24 to the P.I.O concerned to explain the factual position.
- iii. No representative of the Public Body attended the Commission.

2. OBSERVATIONS OF THE COMMISSION:

- i. The Commission took a serious notice of the absence of the P.I.O of the Public Body in the instant complaint.
- ii. The Commission also observed that, the information sought by the complainant came within the preview of Section 5 of RTI Act 2013 and needs to be pro-actively disclosed on the official website of the Public Body.

3. DECISION:

In view if the above,

- i. The Commission decided to direct the public body to provide the requisite information to the complainant within seven working days (subject to the payment of charges) under intimation to the Commission as well as ensure the presence of P.I.O before the Commission in future.



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- ii. The Commission also decided to take up the matter with the Director General Health Services Khyber Pakhtunkhwa to direct the quarter concerned to make available the record on the official website of the Public Body as mandated by Section 5 of the Act *ibid*.


-sd-

Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date: KPIC/ARB/1-10654/2023/ 20443-4915 dated: 15 May, 2024.

Copy to:

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. PS to Secretary, Health Department, Khyber-Pakhtunkhwa.
3. The Director General, Health Services, Khyber-Pakhtunkhwa.
4. The Deputy Director (IT), KP Information Commission, Peshawar. For uploading on the Official Website.
5. The Deputy Director (Communication), KP Information Commission, Peshawar.
6. Mr. Kamran Khan (Complainant).


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



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**REF:- MR.KAMRAN KHAN VS. MEDICAL SUPERINTENDENT DISTRICT HEAD
QUARTER HOSPITAL LAKKI MARWAT.
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO.9500)**

1. FACTS OF THE COMPLAINT:

- i. Brief facts of the case are that a citizen/ complainant namely Mr. Kamran Khan sought information from the Medical Superintendent District Headquarter Hospital Lakki Marwat here after referred as Public Body regarding the following below;
- 1) Total No of Doctors working in DHQ Lakki Marwat along with their details.
 - 2) Total No of Nurses working in the Hospital
 - 3) Total No of Class- IV employees working and Clerical Staff
 - 4) Annual Budget from the Year 2010 to 2022 also the details of funds received from National and International Organizations.
 - 5) Details of medicines used in the hospital along with the Annual Record from the year 2010 to 2021.
 - 6) Repair and other Instruments provided to the hospital during 2010 to 2021.
 - 7) The employees monthly salaries and allowance ,
 - 8) Total Vacant position including Class-IV and Clerks .
 - 9) Total number of vehicles their models and fuel charges from 2010 to 2021.
 - 10) Total number of Generators their daily fuel consumptions and repairing details from 2010 to 2021
- 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 Commission and the Public Body in this regard but, the Public Body failed to respond to the direction of the Commission. which



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warranted personal hearing in the instant complaint. Thus, the Commission issued personal hearing notice dated; 02/05/24 to the P.I.O concerned to explain the factual position.

- iii. In compliance, the Deputy Medical Superintendent attended the Commission and apprised the Commission that, the Public Body has requested the complainant to visit their office and collect the desired information However, the complainant refused to do so.

2. OBSERVATIONS OF THE COMMISSION:

- i. The Commission observed that, the Public Body failed to justify the reason of non- provision of information pending since long at their end.
- ii. The Commission also observed that, the information sought by the complainant came within the preview of Section 5 of RTI Act 2013 and needs to be pro-actively disclosed on the official website of the Public Body.

3. DECISION:

In view of the above,

- i. The Commission decided to direct the Public Body to provide the requisite information to complainant within seven working days under intimation to the Commission also justify the reason for non-provision of the information.



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- ii. The Commission also decided to direct Director General Health Services Khyber Pakhtunkhwa to fix the responsibility of the quarter responsible for failure to pro-actively disclose the requisite information on the official website within **fifteen** working days under the intimation to the Commission.

-sd-

Farah Hamid Khan

Chief Information Commissioner.

Endst No. & date: KPIC/ARB/1-9500/2022 *20436-42* dated: *18* May, 2024.

Copy to:

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. PS to Secretary, Health Department, Khyber-Pakhtunkhwa.
3. The Director General, Health Services, Khyber-Pakhtunkhwa.
- 4. The Deputy Director (IT), KP Information Commission, Peshawar. For uploading on the Official Website.
5. The Deputy Director (Communication), KP Information Commission, Peshawar.
6. Mr. Kamran Khan (Complainant).

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



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REF:- DR. JAWAD ALI VS. KOHAT UNIVERSITY OF SCIENCE AND
TECHNOLOGY, DISTRICT KOHAT.
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO.9772)

1. FACTS OF THE COMPLAINT:

- i. Brief facts of the case are that a citizen/ complainant namely Dr. Jawad Ali sought information from P.I.O Kohat University of Science and Technology regarding the following;
 - 1) Complaint Copy received against Dr. Jawad Ali from institute of Numerical Sciences KUST.
 - 2) Envelope of the aforesaid complaint.
 - 3) Minutes sheet copy.
- 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 except para-II to the complainant. However, the Public Body Vide letter No. KUST/Estt/RTI/16-3/23/10950/55 dated 21-12-2023 submitted the requisite information pertaining to para -I and II except para - III. A series of correspondence were made between the Commission and the Public Body in this regard but, the Public Body failed to respond to the direction of the Commission, which warranted personal hearing in the instant complaint thus, the Commission issued personal hearing notice dated; 02/05/24 to the P.I.O concerned to explain the factual position.
- iii. Subsequently, the complainant telephonically requested the Commission to dispose of his case by stating that, he is willing to resolve his matter with the Public Body internally.
- iv. However, the Superintendent Kohat University of Science and Technology also attended the personal hearing proceedings and record the same statement before the Commission.



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2. DECISION:

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

-sd-

Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date: KPIC/ARK/1-9772/2021/ 20429-38 dated: 18 May, 2024.

Copy to:

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. The Public Information Officer, Kohat University of Science & Technology, Kohat.
3. The Superintendent, Kohat University of Science & Technology, Kohat.
4. The Deputy Director (IT), KP Information Commission, Peshawar. For uploading on the Official Website.
5. The Deputy Director (Communication), KP Information Commission, Peshawar.
6. Mr. Jawad Ali (Complainant).

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



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**REF: - MR. JAVEED KHATAK VS DISTRICT SPORT OFFICER DISTRICT KOHAT.
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 9792)**

1. FACTS OF THE COMPLAINT:

- i. Brief facts of the case are that, a complainant Mr Javeed Khatak sought information from Sport Officer District Kohat regarding;

1) The current status /progress made in response of the letter No.5642-45/1000Play grounds/Vol-1/DSO Dated 6-8-20

2) If there is no reason quote any reason.

- i. The complaints were 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. Hence, personal hearing notice was issued to the Public Body dated; **02-05-2024** to explain the factual position.
- ii. No one from the Public Body attended the Commission.

OBSERVATIONS OF THE COMMISSION:

The Commission observed that;

- i. The P.I.O of the concerned Public Body failed to attend the personal hearing or comply with the direction of the Commission which is a clear violation of the provisions of KP RTI Act.
- ii. It is further observed that, the said information is of public importance.



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2. DECISION:

- i. In view of the above; the Commission decided to recommend a formal inquiry against District Sport Officer Kohat to Director General Sport Department Khyber Pakhtunkhwa being the administrative Head of the Department for considerable delay on the part of Public Body in provision of the record and non-attendance of the personal hearing.
- ii. It was also decided to direct the Director General Concerned to retrieve the requisite information from the quarter concern and submit the same to the Commission within 15 working days positively.

-sd-

Farah Hamid Khan

Chief Information Commissioner.

Endst No. & date: KPIC/ARK/1-9792/2022 ⁹⁶⁴⁰⁰⁻⁰⁸ dated: 15 May, 2024.

Copy to:

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. PS to Director General Sports Department, KhyberPakhtunkhwa.
3. The District Sports Officer, Kohat.
4. The Deputy Director (IT), KP Information Commission, Peshawar. For uploading on the Official Website.
5. The Deputy Director (Communication), KP Information Commission, Peshawar.
6. Mr. Javed Khattak (Complainant).

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



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REF:- MR.PIR KHAN VS. DISTRICT EDUCATION OFFICER (MALE).
ABBOTTABAD.
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO.10904)

1. FACTS OF THE COMPLAINT:

- i. Brief facts of the case are that a citizen/ complainant namely Mr.Pir Khan sought information from the District Education Officer, Abbottabad regarding;
 - 1) Seniority list of PTC for the year, 2017.
 - 2) Minutes of the Departmental Promotion Committee held on 02/10/2016 and 16/02/2017 for the promotion of PTC's to SPTC.
- 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. However, the Public Body vide letter No.942-44/F.No.RTI(G) dated; 23/02/24 submitted incomplete information which was again taken up with the Public Body with the directions to provide complete information to the complainant. A series of correspondence were made between the Commission and the Public Body in this regard but, the Public Body failed to respond to the direction of the Commission. which warranted personal hearing in the instant complaint. Thus, the Commission issued personal hearing notice dated; 02/05/24 to the P.I.O concerned to explain the factual position.
- iii. In compliance, the Assistant District Education Officer (Sports) visited the Commission office and submitted the requisite information vide letter No.2528/RTI(G) Dated: 30-04-2024.



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2. DECISION:

- i. The Commission examined the record/information provided by the Public Body and decided to share the same with the complainant.
- ii. The Commission also decided to direct the District Education Officer concerned to nominate a P.I.O not below the rank of BPS-17 as mandated under Section 6 KP RTI Act, 2013.
- iii. In view of the compliance made by the Public Body the instant complaint may be treated as disposed of.

-sd-

Farah Hamid Khan
Chief Information Commissioner.

Endst No. & date: KPIC/ARH/1-10904/2023/26397-26401 dated: 18 May, 2024.

Copy to:

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. The District Education Officer (Male), Abbottabad.
4. The Deputy Director (IT), KP Information Commission, Peshawar. For uploading on the Official Website.
5. The Deputy Director (Communication), KP Information Commission, Peshawar.
6. Mr. Pir Khan (Complainant).

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