



*o/c*

**COMPLAINT TITLED: MR. JAMSHED IQBAL KHATTAK VS DEPUTY COMMISSIONER,  
KARAK (COMPLAINT NO. 11433)**

**PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013**

**1. FACTS OF THE COMPLAINT:**

i. A citizen/complainant namely Mr. Jamshed Iqbal Khattak sought some information from the office of Deputy Commissioner Karak as per detail given below;

*1) Two Photostat copies of "award" to affected land owners of "Black top Road Khurram to Nari Panos Karak" duly attested/stamped by the PIO/Assistant Commissioner Headquarter Karak..*

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 transmit the requisite information to the complainant under intimation to the Commission. The Public Body vide letter No. 2080/DC/PIO/RTI , dated; 28/06/2024 forwarded the complaint to the department concerned i.e. Land Acquisition Assistant, DC Office Karak" (a copy of which was endorsed to this office) with directions to furnish the requisite information for onward submission to Information Commission. A series of correspondence were made between the public body and the Information Commission, however, the Public Body failed to produce the requisite information or reply of the department concerned to the Information Commission. Being a matter of public importance and non-provision of the requested record/information by the Public Body warranted the Information Commission to issue personal hearing notice to the Public Body and the complainant.

iii. Thus the PIO of the Public Body was called for personal hearing scheduled on **22.08.2024 at 11:00 am sharp** so, as to explain the factual position of the subject complaint for early disposal.

**2. Observation:**

i. During proceedings the representative of the Public Body informed that the requisite information has been received from quarter concern on 11.07.2024, and shared with the complainant. However, the Commission observed that neither copy of the same was shared with this office nor with the complainant.

**3. Decision:**

- i. In view of the position explained above, the Commission directed the Public Body to share the information with the Commission. Accordingly, the same was provided and after examination found correct.

Hence the instant complaint is disposed of. The Commission will further share the information with the complainant.

--Sd--

**CHIEF INFORMATION COMMISSIONER  
KP INFORMATION COMMISSION**

Ends No. KPIC/ARK/11433/2024

Dated: September 03, 2024

**Copy for Information to:**

1. PS to Chief Information Commissioner, KPIC.
2. Deputy Commissioner, District Karak.
3. Mr. Muhammad Junaid, Additional Assistant Commissioner-II, District Karak.
4. PA to Secretary KPIC.
5. Mr. Jamshed Iqbal Khattak (Complainant).
- 6. Complaint file No. 11433.

  
**ASSISTANT REGISTRAR  
KP INFORMATION COMMISSION**



GOVERNMENT OF KHYBER PAKHTUNKHWA  
INFORMATION COMMISSION  
Near Abdara BRT Station, Behind Jabar Flats,  
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o/c

**COMPLAINT TITLED: MR. HAYAT ULLAH VS. DISTRICT EDUCATION OFFICER  
(MALE) LAKKI MARWAT, (COMPLAINT NO. 11070)  
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013**

**1. FACTS OF THE COMPLAINT:**

- i. A citizen/complainant namely Mr. Hayat Ullah sought following information from the District Education Officer (Male) Lakki Marwat.
  - 1) *Recruitment of class-IV Employees from 01-01-2021 to 01-06-2022 in DEO (M) Lakki Marwat.*
- 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 transmit the requisite information to the complainant under intimation to the Commission. However, the Public Body vide letter No. 1328, dated; 08/03/2024 submitted incomplete information. Therefore, a final notice was issued vide this office letter of even No. dated: 27.03.2024. In response the Public Body once again shared incomplete/partial information (deceased quota/invalidated quota) vide letter No. 2414, dated; 17.04.2024, which warranted personal hearing in the instant case.
- iii. Thus the PIO of the Public Body was called for personal hearing scheduled on 22.08.2024 at 11:00 am so, as to explain the factual position of the subject complaint for early disposal.

**2. Observation:**

- i. The representative of the Public Body attended the proceedings, and provided complete information.
- ii. The Commission observed that the PIO did not attend the hearing personally.

**3. Decision:**

- i. In view of the record provided and verified, the Commission decided to dispose of the complaint with the direction that in future the PIO should attend proceedings of the Commission.

--Sd--

**CHIEF INFORMATION COMMISSIONER  
KP INFORMATION COMMISSION**

Ends No. KPIC/ARB/11070/2024

Dated: September 03, 2024

**Copy for Information to:**

1. PS to Chief Information Commissioner, KPIC.
2. District Education Officer (Male) District Lakki Marwat.
3. PA to Secretary KPIC.
4. DD (IT) for uploading on official website of KPIC.
5. Mr. Hayat Ullah (Complainant).
6. Complaint file No. 11070.

  
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KP INFORMATION COMMISSION**



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**COMPLAINT TITLED: MR. INAM ULLAH VS. DEPUTY COMMISSIONER  
LAKKI MARWAT, (COMPLAINT NO. 10658)**

**PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013**

**1. FACTS OF THE COMPLAINT:**

i. A citizen/complainant namely Mr. Inam Ullah sought some information from the Deputy Commissioner, Karak as per detail given below;

1) *Details of funds/budget transferred in Account four (A.C-4) in Year 2021 and 2022 along with details of budget/funds transferred to different departments.*

2) *Details of funds utilization in Year 2021 and 2022 from account four (A.C-4) duly signed by DC or his nominated DDO on different schemes.*

ii. The complaint was examined by the Commission vis-à-vis the various Sections of the KP RTI Act 2013, and decided to direct the Public Body to transmit the requisite information to the complainant under intimation to the Commission. Various letters were issued to the Public Body, however, no response has been received. Therefore, a final notice was served vide this office letter of even No. dated: 09.05.2024 but in vain, which warranted the Commission to issue personal hearing notice to the Public body to attend the Commission on 22.08.2024 at 11.00 sharp, so, as to explain the factual position of the subject complaint for early disposal.

iii. The representative of the Public Information Officer i.e. Mr. Muhammad Sajjad attend the personal hearing and produced a document i.e. detention order of Mr. Inam Ullah Khan issued by the Deputy Commissioner, Lakki Marwat on 16.09.2021. He was of the opinion that the instant complaint is lodged with ulterior/malafide intentions therefore, the subject complaint may be regretted as per exempted clauses of the RTI Act, 2013.

**2. Observation:**

i. The Commission observed that the documents sought in the instant complaint are covered within the purview of Section 5 of the KP RTI Act, 2013 and need to be proactively disclosed on the official website of the Public Body.



**3. Decision:**

- i. In view of the above and copy of order produced by the Public Body the Commission decided that the Public Body may not hand over the subject documents to the complainant, however, upload the same on the official website as required under Section 5 of the RTI Act, 2013 within seven (7) working days under intimation to the Commission.

**Farah Hamid Khan**  
**CHIEF INFORMATION COMMISSIONER**



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**REF:- HAJI MUHAMMAD ZUBAIR VS. BURN & PLASTIC TRAUMA CENTER,  
PESHAWAR**  
**PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013**  
**(COMPLAINT NO. 11423)**

**1. FACTS OF THE COMPLAINT:**

- i. Brief facts of the case are that a citizen/ complainant namely Haji Muhammad Zubair sought information from the Burn & Plastic Surgery Centre, Hayatabad Peshawar here after referred as Public Body, regarding as listed below:
  - 1) Letter by Worthy Ex-Dean KGMC (Prof: Dr. Muhammad Noor Wazir) for invitation of applications for promotion of Burns & Plastic Surgery Employees from the positions of Associate Prof: Plastic Surgery BPS-19 to Prof: Plastic Surgery BPS-20. (Attested by worthy Ex-Dean KGMC Prof: Muhammad Noor Wazir).
  - 2) Application for apply regarding promotion by Dr. Tahmeedullah from the positions of Associate Prof: Plastic Surgery BPS- 19 to Prof: Plastic Surgery BPS- 20 along with acknowledgment of apply. (Attested by worthy Ex- Dean KGMC Prof: Dr. Muhammad Noor Wazir)
  - 3) All documents submitted by Dr. Tahmeedullah for promotion including complete PER's, management Degree prior to July – 2020 duly authenticated by (PM&DC /PMC) alongwith published articles on the capacity of Associate Professor Plastic Surgery till August – 2018 (attested by worthy Ex- Dean KGMC Prof: Dr. Muhammad Noor Wazir).
  - 4) Letter for Constitution of Departmental Promotion Committee by Worthy Ex- Dean KGMC (Prof: Dr. Muhammad Noor Wazir) for the promotion of above mentioned doctor. (Attested by worthy Ex- Dean KGMC Prof: Dr. Muhammad Noor Wazir).
  - 5) Scrutiny committee letter constituted by worthy Ex- Dean (Attested by worthy Ex- Dean KGMC Prof: Dr. Muhammad Noor Wazir).
  - 6) Scrutiny committee meeting minutes duly signed by all committee members' alongwith attendance sheet & working papers. (Attested by worthy Ex- Dean KGMC Prof: Dr. Muhammad Noor Wazir).
  - 7) Departmental Promotion committee meeting minutes duly signed by all committee members alongwith attendance sheet and working appears. (Attested by worthy Ex- Dean KGMC Prof: Dr. Muhammad Noor Wazir).



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- 8) Letter for Constitution of Institutional Promotion Committee (IPC) by Worthy Ex- Dean KGMC (Prof: Dr. Muhammad Noor Wazir).
- 9) Institutional Promotion committee meeting minutes duly signed by all committee members' alongwith attendance sheet and working papers. (Attested by worthy Ex- Dean KGMC Prof: Dr. Muhammad Noor Wazir).
- 10) Board of Governors MTI- HMC & its allied institutes approval for promotion of Doctor concerned in 2018 duly signed by each Board Member. (Attested by Secretary to BoG's).
- 11) Promotion order of Dr. Tahmeedullah by worthy Ex- Dean KGMC. (Attested by worthy Ex- Dean KGMC Prof: Dr. Muhammad Noor Wazir).
- 12) Transfer letter of Dr. Tahmeedullah in 2018 by Ex- Dean KGMC (Attested by worthy Ex-Dean KGMC Prof: Dr. Muhammad Noor Wazir), from KGMC to director Burns & Plastic Surgery Center strength alongwith departure & arrival from KGMC to B&PSC, Hayatabad Peshawar duly attested by Prof: Muhammad Tahir Ex-Director BPSC.
- 13) Advertisement of Director B&PSC Position in the newspaper. (Attested).

- 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 except Para 3 & 14. A series of correspondence were made between the Public Body and the Commission
- iii. This warranted the Commission to issue personal hearing notice to the Director/PIO of the Public Body to attend the Commission and explain the factual position on 21-08-2024.
- iv. Incompliance, Director of the Public Body attended the Commission and submitted reply vide dairy No. 14076 Dated: 21-08-2024.

**2. OBSERVATIONS OF THE COMMISSION:**

- i. The Commission observed that the information sought by the complainant pertains to the Director concerned and his promotion. Therefore, to further ascertain the facts of the case it would be appropriate to issue personal hearing notice to the instant Public Body as well as to the PIO of HMC i.e. Principal Medical Officer since the notification/ appointment order had been issued by MTI- HMC.



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**3. DECISION:**

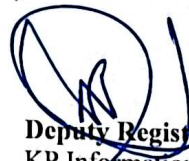
- i. In view of the above, the Commission decided to direct both the Public Bodies i.e. Director of the Burn & Plastic Trauma Centre as well as PIO of the HMC i.e. Principal Medical Officer to attend the Commission on 11-09-2024 along with all the requisite record pertaining to the instant complaint.

-sd-

**Farah Hamid Khan  
Chief Information Commissioner.**

Endst No. & date KPIC/DR/1-11423/2024/ 28967-74 dated: 06 September, 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Director, Burn & Plastic Trauma Center, Hayatabad Peshawar
3. Hospital Director, MTI HMC Hayatabad Medical Complex, Hayatabad Peshawar
4. Principal Medical Officer/PIO, MTI HMC Hayatabad Medical Complex, Hayatabad Peshawar
5. Deputy Director (Communication), KP Information Commission, Peshawar.
6. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
7. Haji Muhammad Zubair (Complainant)

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

*Kindly upload on website  
& share link  
on social media platform.*

*J.M.  
9/9/24*

ADDITION





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**REF: - MR. MUKHTAR AHMAD VS. DIRECTORATE OF ANTI-CORRUPTION  
KHYBER PAKHTUNKWA, PESHAWAR.  
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013  
(COMPLAINT NO. 11178)**

**1. FACTS OF THE COMPLAINT:**

i. Brief facts of the case are that a citizen/ complainant namely Mr. Mukhtar Ahmad sought the following information from Directorate of Anti-Corruption as below:

- 1) The Total number of cases of corruption that were registered by the Anti-Corruption Establishment between January 01, 2018, to December 31, 2023.
- 2) The total number of cases that were closed at the enquiry stage between January 01, 2018, to December 31, 2023.
- 3) The total number of cases that were closed at the investigation stage due to a lack of evidence or other reason between January 02, 2018, to December 31, 2024.
- 4) The total number of cases that were prosecuted between January 01, 2018, to December 31, 2023. Please provide a complete list of such cases.
- 5) The total number of convictions obtained by the Anti-corruption Establishment in cases related to corruption between January 01, 2018, to December 31, 2023. Please provide a complete list of such cases.
- 6) The total number of convictions that were appealed by any of the parties including Anti-Corruption Establishment between January 01, 2018, to December 31, 2023. Please provide a list of such cases along with status of each appeal.

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. The Public Body responded by sharing partial information with the Commission.



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- iii. Consequently, the Commission vide this office letter No. KPIC/DR/1-11178/2024/25361-63 Dated: 27-03-2024 directed the Public Body to respond to para 4 and 5 as well.
- iv. Accordingly, the Public Body shared the requisite information with the Commission which was transmitted to the complainant vide this office letter No. KPIC/DR/1-11178/24/26583-85 Dated: 20-05-2024. However, the complainant informed the Commission vide through his letter received vide diary No. 13316 Dated: 31-05-2024 to get certified information from the Public Body.
- v. This warranted personal hearing in the instant complaint on **21-08-2024**.
- vi. Incompliance, Assistant Director (admin) attended the Commission and submitted certified information to the Commission vide their letter No. 5540/ACE/Peshawar Dated: 21-08-2024.

**2. DECISION:**

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

sd-

**Farah Hamid Khan**

**Chief Information Commissioner.**

Endst No. & date RTIC/AR/1-11178/2023/29140-48 dated: 10 September 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Director, Directorate of Anti-Corruption, Khyber Pakhtunkhwa, Peshawar.
3. Assistant Director/PIO, Directorate of Anti-Corruption, Khyber Pakhtunkhwa, Peshawar.
4. Deputy Director (Communication), KP Information Commission, Peshawar.
5. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
6. Mr. Mukhtar Ahmad (Complainant)

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



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**REF:- MR. MUHAMMAD IBRAR KHAN VS. KHYBER PAKHTUNKHWA  
PROVINCIAL ASSEMBLY, PESHAWAR.  
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013  
(COMPLAINT NO. 10290)**

**1. FACTS OF THE COMPLAINT:**

- i. Brief facts of the case are that a citizen/ complainant namely Mr. Muhammad Ibrar Khan sought the following information from the Khyber Pakhtunkhwa Provincial Assembly, Peshawar herein after referred as Public Body.
  1. The KP Assembly Secretariat had conducted interviews for various posts on 18<sup>th</sup> of Oct, 2022, So far, the results have been displayed on any platform, be it electronic media or print media.
  2. The applicant had been interviewed for AD interpretation, but the result of which have not been provided to the interviewed one- so far.
  3. As per RTI Act 2013, the applicant requests the KP Assembly Secretariat to provide him with documental proof (evidence) in order to ensure transparency and merit.
- 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. PA/Khyber Pakhtunkhwa/PIO, 2023/8438 Dated: 29-05-2023 that the said merit list has been provided to the Commission.
- iii. However, after examination of the requisite information the Commission directed that the information provided by the Public Body is not in line with the request and further directed to provide certified copy of the requisite information to the Commission.
- iv. This warranted personal hearing in the instant complaint on 21-08-2024.



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- v. Incompliance, PIO of the Public Body attended the Commission and appraised the Commission that the certified copy of the requisite information has been provided on 21-08-2024 vide dairy No. 14077.

**2. DECISION:**

- i. In view of the above, the Commission decided to share the certified information with the complainant and dispose of the instant complaint accordingly.

-sd-

**Farah Hamid Khan  
Chief Information Commissioner.**

Endst No. & date KPIC/AR/1-/10290/2023 29133-39 dated: 10 September, 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Assistant Secretary, Khyber Pakhtunkhwa Provincial Assembly, Peshawar
3. Public Information Officer, Khyber Pakhtunkhwa Provincial Assembly, Peshawar.
4. Deputy Director (Communication), KP Information Commission, Peshawar
5. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
6. Mr. Muhammad Ibrar Khan (Complainant)

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



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**REF:- MR. LUQMAN AHMAD KHAN VS. GOVERNMENT OF KHYBER  
PAKHTUNKHWA, HEALTH DEPARTMENT, PESHAWAR.  
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013  
(COMPLAINT NO. 11337)**

**1. FACTS OF THE COMPLAINT:**

i. Brief facts of the case are that a citizen/ complainant namely Mr. Luqman Ahmad Khan sought information from the Government of Khyber Pakhtunkhwa, Health Department, Peshawar and here after referred as Public Body to regarding information are mentioned below:

1) Provide inquiry report vide letter No. 3179AEVI  
Dated: 09/05/2023.

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 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 directions. Thus; the Commission issued Personal Hearing notice to the Deputy Secretary (Admin)/PIO to explain the factual position on 21-08-2024.

iii. Incompliance, Section Officer (s) attended the Commission and appraised the Commission that though the inquiry report is finalized however, their department vide their letter No. SO(Secret)/SD/10-11/RTI/2024 Dated: 13-08-2024 invoked section 16 (b) of the Right to Information Act, 2013 for not providing the inquiry report.

**2. OBSERVATIONS OF THE COMMISSION:**

i. The Commission observed that section 16 (b) is not attracted in the instant complaint.

ii. Suffice to add that it is the job of the Commission to decide whether to share the inquiry report or otherwise as it is the mandate of the Commission to balance the provision of information in each and every case keeping in view the nature of the information.



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**3. DECISION:**

- i. In view of the above, the Commission decided to direct the Public Body to share the requisite inquiry report with the Commission for examination and decision within seven working days positively.

-sd-

**Farah Hamid Khan**  
Chief Information Commissioner.

Endst No. & date KPIC/DR/1-11337/2024/

dated: 29/08/24 September 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Health Department, Peshawar.
3. Deputy Secretary (Admin)/PIO, Government of Khyber Pakhtunkhwa, Health Department, Peshawar.
4. Section Officer (Secret), Government of Khyber Pakhtunkhwa, Health 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. Mr. Luqman Ahmad Khan (Complainant)

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



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**REF: - MR. NAVEED ULLAH VS. DIRECTORATE OF ANTI-CORRUPTION KHYBER  
PAKHTUNKWA, PESHAWAR.  
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013  
(COMPLAINT NO. 9883)**

**1. FACTS OF THE COMPLAINT:**

- i. Brief facts of the case are that a citizen/ complainant namely Mr. Naveed Ullah sought the following information from Directorate of Anti-Corruption as below:
  - Complete Inquiry Report
  - Declarations submitted by XEN Ali Ur Rehman
  - Declarations submitted by Secretary irrigation
  - Closed/file findings facts
  - Anti-Corruption legal team findings.
  - Anti-Corruption Technical team findings
  - PDA Reports against illegal Plots (benami) at Regi Model Town.
  - Director Anti-Corruption approval/closing remarks/decision letter against file closing.
- 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 copy of the inquiry report for examination and decision 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 21-08-2024.
- iv. Incompliance, Assistant Director (admin) attended the Commission and appraised the Commission vide the letter No. 5539/ACE/Peshawar Dated: 21-08-2024 that the same is under investigation and will be shared after completion of the investigation.



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**2. DECISION:**

- i. In view of the above, the Commission decided to dispose of the instant complaint sine die with directions to the Public Body to share a copy of the requisite inquiry report once completed with the Commission.

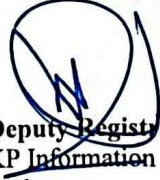
sd-

**Farah Hamid Khan**

**Chief Information Commissioner.**

Endst No. & date RTIC/AR/1-9883/23/ 29114-20 Chief Information Commissioner. dated: 10 September, 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Director, Directorate of Anti-Corruption, Khyber Pakhtunkhwa, Peshawar.
3. Assistant Director/PIO, Directorate of Anti-Corruption, Khyber Pakhtunkhwa, Peshawar.
4. Deputy Director (Communication), KP Information Commission, Peshawar.
5. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
6. Mr. Naveed Ullah (Complainant)

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





**GOVERNMENT OF KHYBER PAKHTUNKHWA  
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**REF:-MR. TASHBEEH UL HASSAN VS. GOVERNMENT OF KHYBER  
PAKHTUNKHWA, HIGHER EDUCATION, ARCHIVES & LIBRARIES  
DEPARTMENT, PESHAWAR.**

**PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013  
(COMPLAINT NO. 11053)**

**1. FACTS OF THE COMPLAINT:**

- i. Brief facts of the case are that a citizen/ complainant namely Mr. Tashbeeh Ul Hassan sought information from the Government of Khyber Pakhtunkhwa, Higher Education, Archives & Libraries Department, Peshawar here after referred as Public Body regarding are as below:
  - 1) Enquiry report of Ex-Managing Director, Khyber Pakhtunkhwa Education Foundation (KPEF) conducted by the Provincial Inspection Team KPK. (Enquiry report of Mr. Imad Ali Lohani).
- 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 provide the requisite information i.e. Enquiry Report to the Commission. A series of correspondence were made between the Public Body and the Commission. Incompliance, the Government of Khyber Pakhtunkhwa, Higher Education, Archives & Libraies Department, vide their letter No. **SOG/HE/PIO/Tashbeeh Ul Hassan/23/1240-41** Dated: **30-01-2024** send the requisite information i.e. Inquiry Report to the complainant.
- iii. The complainant through his letter received vide dairy No. 12147 Dated: 22-02-2024 informed the Commission that page 3 and 16 of the requisite information are not legible. Therefore, it is requested to direct the Public Body to provide legible copies as desired.
- iv. Consequently, the Commission vide this office letter No. **KPIC/DR/1-11053/2024/25017-19** Dated: **11-03-2024** directed the Public Body to share legible copies of page of No. 3 and 16 with the Commission but to no avail.
- v. This warranted the Commission to issue personal hearing notice to the Deputy Secretary (Admin)/PIO of the Public Body to attend the commission and explain the factual position on 21-08-2024.



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- vi. Incompliance, Section Officer (G) of the Public body attended the Commission and provided the complete inquiry report to the Commission vide dairy No. 14076 Dated: 21/08/2024.

**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.

-sd-

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

Endst No. & date KPIC/DR/1-11053/2024/29060-66 dated: 10 September, 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Higher Education, Archives & Libraries Department, Peshawar.
3. Section Officer (General), Government of Khyber Pakhtunkhwa, Higher Education, Archives & Libraries Department, Peshawar
4. Deputy Director (Communication), KP Information Commission, Peshawar.
5. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
6. Mr. Tashbeeh Ul Hassan (Complainant)

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



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**REF:- MR. MOMIN KHAN VS. BOARD OF INTERMEDIATE AND SECONDARY  
EDUCATION, KOHAT.  
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013  
(COMPLAINT NO. 7746)**

**1. FACTS OF THE COMPLAINT:**

i. Brief facts of the case are that a citizen/ complainant namely Mr. Momin Khan sought information from the Board of Intermediate and Secondary Education, Kohat here after referred as Public Body to submit parawise response to the information sought from Para 1 to Para 8; some of which are mentioned below:

- 1) First appointment order of Muhammad Taslim as junior clerk, attested copy of advertisement by which he was recruited, his last pay fixation and last pay salary detail/slip. His last Seniority list in the post of Junior Clerk before promotion to S/C.
- 2) Promotion order of Muhammad Taslim to senior clerk, Minutes of the DPC for his promotion to Senior Clerk, His first pay fixation in the post of Senior Clerk, Detail/slip of his first monthly salary in the post of Senior Clerk. How much was the period of his probation on his promotion to the post of Senior Clerk. DFA/Note sheet of his promotion to Senior Clerk. Attested copy of the Entry of the service book page on his promotion to senior clerk. His last Seniority list in the cadre of Senior Clerk.
- 3) Promotion order of Muhammad Taslim to Assistant, his first pay fixation in the post of an Assistant, his first monthly salary slip with full



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- detail, how much time was spent between his promotion from senior clerk to Assistant (mention years, months and days etc. if any). DFA/Note sheet of his promotion to Assistant.
- 4) Information with all written record of the whole process on my complaint against Muhammad Taslim Superintendent, for example inquiry report with all annexures, correspondence with the Secretary E&SE with both side letters on the said complaint. Final officer order of the disposing of the said complaint.
  - 5) Post qualification experience certificate of Arshid Javed, Account Officer
  - 6) How much cash amount was deposited in the board treasury through money order during financial year 2008-09, 2009-10, 2011-12, and 2012-13.
  - 7) How much cash amount was deposited in the board treasury through general receipt books during financial year 2008-09, 2009-10, 2011-12.
  - 8) Audit Paras of the financial years 2014-15 to 2020-21.
  - 9) Full detail of latest install CCTV cameras in the board premises.
  - 10) Full detail of Vigo vehicle its standard quotation check for its purchase, minutes of the purchase committee purchase date and current physical



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status, Registration No. and total cost on its purchase.

- 11) Full detail of purchase stationary papers answer book and certificate etc. during the financial year 2019-20 and 2020-21 along with the minutes of the purchase committee quotation tender copy and total cost separately on each item.
- ii. The complaint was examined by the Commission vis-à-vis the various provisions/sections of the KP RTI Act 2013, and the Commission vide the proceedings letter No. KPIC/AR/1-7746/2021/1280-81 Dated: 27-01-2022 directed the Public Body to provide the information sought to the Commission for examination except para 4, 9, 10 and 11, but to no avail.
- iii. The issue was taken up with the Chairman of the BISE, Kohat but to no avail.
- iv. This warranted the Commission to issue personal hearing notice to the Public Body to explain the factual position on 26-10-2023 and 21-08-2024.
- v. Incompliance, the Chairman of the Public Body vide their letter No. 677/ACCTT/DISEK/-2024 informed the Commission that the authorities are busy in the preparation of results of HSSC Annual-I Examination, 2024. It is kindly requested that the date for hearing of the above case may be postpoment till the declaration of the said result.

**2. OBSERVATIONS OF THE COMMISSION:**

- i. The Commission observed that despite repeated order of the Commission the Pubic Body failed to comply the directions of the



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Commission in letter and spirit rather it is involved in unnecessary correspondence which further aggravated the long awaited provision of information to the Commission.

- ii. Moreover, the Job of the Commission is to balance the provision of information as well by the Public Body.
- iii. The Commission also observed that such casual attitude on the part of the Public Body not only creates hurdles for the implementation of the Act *ibid.* within the Public Body but also creates doubts about the working of the Public Body being established for the services of the citizen.
- iv. The Commission also observed that the Administrative Department also failed to implement the order of the Commission in letter and spirit.

### 3. DECISION:

- i. In view of the above, the Commission decided to direct the Chairman/ the Head of the Public Body to comply the order of the Commission issued vide this office letter No. RTIC/AR/1-7746/2023/21999-22006 and this order in letter and spirit and provide the requisite information regarding Para 1, 2, 3, 5, 6, 7 & 8 within seven working days positively to avoid penal action.



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**GOVERNMENT OF KHYBER PAKHTUNKHWA  
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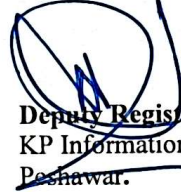
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-sd-

**Farah Hamid Khan  
Chief Information Commissioner.**

Endst No. & date RTIC/AR/1-7746/2023/29067-74 dated: 10 September 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department, Peshawar.
3. Chairman, Board of Intermediate and Secondary Education, Kohat.
4. Assistant Secretary/PIO, Board of Intermediate and Secondary Education, Kohat.
5. Deputy Director (Communication), KP Information Commission, Peshawar.
6. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
7. Mr. Momin Khan (Complainant)

  
Deputy Registrar,  
KP Information Commission,  
Peshawar.



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**REF: - DR. ARIF UL HAQ VS. EDUCATION TESTING & EVALUATION AGENCY  
(ETEA), PESHAWAR.  
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013  
(COMPLAINT NO. 10250)**

**1. FACTS OF THE COMPLAINT:**

- i. Brief facts of the case are that a citizen/ complainant namely Dr. Arif Ul Haq sought the following information from the Education Testing & Evaluation Agency (ETEA), Peshawar herein after referred as Public Body.
  1. Approved job specification i.e. requirements in terms of evacuation experience, age, and other requirements for the appointment of all officers in BPS-27 and above in ETEA on both Project and Regular basis.
  2. Document/regulations/service rules/statuses showing approved or cut-off/passing criteria based on which selected candidates were called for interview of officers to be appointment on a project/regular basis.
  3. Documents showing the distribution of marks for the academic record, experience, training, diploma, and certificates, etc. for appointment and selection of Deputy Director Academics.
  4. Document showing approved members (and co-opted, if any) of the scrutiny committee.
  5. Approved shortlisting criteria used by the scrutiny committee for shortlisting for the position of Deputy Director Academics.
  6. Approved minutes of the scrutiny committee for shortlisting of candidates for the position of Deputy Director Academics.
  7. The minimum number of candidates legally required to be shortlisted for an interview as per ETEA service rules.
  8. Photocopies of academic degrees, CNIC (for proof of age), experience certificates, training etc. of the candidates shortlisted for interviews.





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9. A documents showing quantification of marks for education, training, experience, certifications, and interview etc.

10. Photocopies of all educational certificates, training certificates, experience certificates, certifications, and other etc.

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.

iii. This warranted personal hearing in the instant complaint on 21-08-2024.

iv. Incompliance, PIO of the Public Body attended the Commission and appraised the Commission vide letter No. ETEA/3-3/Misc/8825-26 Dated: 21-08-2024 that the information sought by the complainant are no more held by the Public Body as the Public Body has abolished the requisite post about which information of sought by the complainant.

**2. DECISION:**

i. In view of the above, the Commission decided to share the above referred reply of the Public Body with the complainant and dispose of the instant complaint accordingly.

-sd-

**Farah Hamid Khan**  
Chief Information Commissioner.

dated: 10 September, 2024

Endst No. & date RTIC/AR/1-10250/2023/

21085-91

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Executive Director, Education Testing & Evaluation Agency (ETEA), Peshawar.
3. Deputy Director (Admin)/PIO, Education Testing & Evaluation Agency (ETEA), 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. Arif Ul Haq (Complainant)

  
Deputy Registrar,  
KP Information Commission,  
Peshawar.



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**REF:- MR. ABDUL SATTAR VS. KHYBER PAKHTUNKHWA BAR COUNCIL  
PESHAWAR.  
ORDER OF THE COMMISSION UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013  
(COMPLAINT NO. 11633).**

**1. FACTS OF THE COMPLAINT:**

- i. Brief facts of the case are that a citizen/ complainant namely Mr. Abdul Sattar sought the following information from the Khyber Pakhtunkhwa Bar Council, Peshawar.
  1. First intimation form of Mubarik Zeb Advocate S/o Aurangzeb Bc No. 10-3455.
  2. Second intimation form of Mubarik Zeb Advocate
  3. Character certificates annexed with above referred forms sign by Senior Advocates.
  4. High Court enrollment form of Mubarik Zeb Advocate.
  5. List of 20 cases and wakalatnamajat annexed with high court enrollment form.
- ii. The Secretary of the Khyber Pakhtunkhwa Bar Council, shared the order of Vice chairman of the Khyber Pakhtunkhwa Bar Council with the Commission vide their letter No. 378/KP/BC Dated: 11-07-2024.
- iii. Suffice to add that the same reply that the order under reference was already shared with the complainant/requester.
- iv. However, the complainant being dissatisfied from the reply of the Bar Council submitted a complaint to the Commission under section 23 of the KP RTI Act, 2013.

**2. DECISION:**

- i. In view of the above, the Commission by placing the reply of the Bar Council in juxtaposition with the complaint of the citizen vis-à-vis various provisions of the Act *ibid.* decided to decline the entertainment of the instant complaint on the grounds of the reply of the Public Body being reproduced as "*the right to information is one of the fundamental rights, the language of Article 19-A of*



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*the Constitution of Islamic republic of Pakistan, 1973 is so clear and further has liberally and positively been interpreted by the superior courts and such right cannot be denied, abridged, impaired, restricted or curtailed by any legislative instrument however the subject information sought is whether of the public importance and is subject to the reasonable restrictions imposed by law. In this case, the information sought pertains to the enrollment/ personal file of a third party (Mubarik Zeb Advocate). The perusal of both the applications submitted by the Petitioner would reveal that no such allegation of forgery or submission of fake documents or any other such allegation prejudicial to the code of conduct of the advocate has been levelled by the Petitioner neither the personal file is a matter of public importance. The Khyber Pakhtunkhwa Bar Council is the custodian of the records of its members appearing on the roll, unfathomably the demand of the Petitioner for the provision of enrollment/ personal file is unreasonable, unwarranted and does not come within the ambit of Article 19-A of the Constitution of Islamic Republic of Pakistan, 1973. As the right of third party is involved against whom subject information has been sought by the Petitioner, in absence of any allegation of his disability to remain as Advocate or otherwise; However the Khyber Pakhtunkhwa Bar Council does not enjoy such immunity in other matters when there is allegation of misuse of funds or other such maladministration or information which relates to public importance or such other information relating to the cases of code of conduct or professional misconduct or other misconduct of any advocate. Therefore, the provision of Article 19-A of the Constitution of Islamic Republic of Pakistan, 1973 could sparingly be exercised in such other matters as discussed above but not in the present case and the Khyber Pakhtunkhwa Bar Council is not bound so provide enrollment/personal file of any advocate to any third party.*



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-sd-

**Farah Hamid Khan  
Chief Information Commissioner.**

Endst No. & date KPIC/DR/1-11633/2024/29099-29105 dated: 10 September 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Chairman, Khyber Pakhtunkhwa Bar Council, Peshawar.
3. Secretary, Khyber Pakhtunkhwa Bar Council, Peshawar
4. Deputy Director (Communication), KP Information Commission, Peshawar.
5. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
6. Mr. Abdul Sattar (Complainant)

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



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**REF: - MS. SYEDA ROZINA KAUSAR VS. DIRECTORATE OF ELEMENTARY &  
SECONDARY EDUCATION, PESHAWAR  
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013  
(COMPLAINT NO. 10360)**

(21<sup>st</sup> August, 2024)

**1. FACTS OF THE COMPLAINT:**

- i. Brief facts of the case are that a citizen/ complainant namely Ms. Syeda Rozina Kausar sought information regarding copy of the Merit List of the Female SST of all zones of KP issued on July 12 1999 from the Directorate of Elementary & Secondary Education, Peshawar here 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 provide copy of the concerned merit list to the complainant under intimation to the Commission. A series of correspondence was made between the Commission and the Public Body for the provision of information however, the Public Body vide their letter No. 3750/File:555/RTI/P.F.Syeda Rozina Kausar/Peshawar/2023 Dated: 06-09-2023 informed the Commission the desired information is not available in the Public Body which warranted the Commission to issue personal hearing notice to the Assistant Director (RTI & Ombudsman)/PIO to explain the factual position on 21-08-2024.
- iii. Incompliance, Assistant Director and Section Officer of the Public Bodies attended the Commission.
- iv. The PIO of the Directorate informed the Commission that the requisite information in the instant complaint pertains to the year 1999 and they are searching for the requisite record in the instant case. Suffice to add that a committee has also been formed to facilitate the complainant in the requisition of the record/ information therefore, it is requested to give some time to settle the issue of the complainant.

**2. OBSERVATIONS OF THE COMMISSION:**

- i. The Commission 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.



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- ii. The Commission also observed that the reply of the Public Bodies vide their letter No. SO(IMP-I)/RTI/Syeda Rozina Kausar/2023/2293 is not maintainable as the record is relating to appointment which does not fall in category (c) of the **GOVERNMENT of NWFP ESTABLISHMENT & ADMINISTRATION DEPARTMENT (REGULATION WING)** of the Policy files.

**3. DECISION:**

- i. In view of the above, the Commission decided to direct the PIOs of both the Public Bodies to retrieve the requisite record/information from the quarter concerned and submit the same to the Commission within **twenty** working days positively.

-sd-

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

Endst No. & date RTIC/AR/1-10360/2023/ 29106-13 dated: 10 September, 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education, Department, Peshawar
3. Deputy Secretary (R&I)/PIO, Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department, Peshawar.
4. Assistant Director (RTI & Ombudsman)/PIO, Directorate of Elementary & Secondary Education, Peshawar.
5. Deputy Director (Communication), KP Information Commission, Peshawar.
6. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
7. Ms. Syeda Rozina Kausar (Complainant)

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



**COMPLAINT TITLED: MR. SAYYED MAJID FALOOK BUKHARI VS. DISTRICT  
ADMINISTRATOR, AFGHAN REFUGEES, KOHAT.  
(COMPLAINT NO. 10017)  
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013**

**1. FACTS OF THE COMPLAINT:**

- i. A citizen/complainant namely **Mr. Sayyed Majid Falook Bukhari** sought some information from the District Administrator, Afghan Refugees, Kohat as per detail given below:
  - 1) *Verified copy of Service Book in respect of ex-constable Afghan Refugees, Para Chinar, Mr. Mirza Gul s/o Pur Dil Khan.*
- ii. The complaint was examined by the Commission vis-à-vis the various Sections of the KP RTI Act 2013, and decided to direct the Public Body to transmit the requisite information to the complainant under intimation to the Commission. A series of correspondence were exchanged between the Commission and Public Body including District Comptroller of Accounts, District Kurram but to no avail. This warranted the Commission to issue personal hearing notice to the Public Body, including District Comptroller of Accounts, Kurram and Additional Commissioner (Security) Afghan Refugees, Peshawar on **22.08.2024 at 11:00 am sharp** so, as to explain the factual position of the subject complaint for early disposal.
- iii. The District Administrator, Afghan Refugees, Kohat and representative of the Additional Commissioner (Security) Afghan Refugees, Peshawar attended the Commission and appraised the Commission that the subject service book is not available on the record of the District Administrator, Afghan Refugees, however, they will try to trace the record as early as possible for onwards submission to the complainant.

**2. Observation:**

- i. The Commission observed that the subject service book should be available on the record of the District Administrator, Afghan Refugees being custodian of official record.

**3. Decision:**

- i. In view of the above the Commission directed the District Administrator, Afghan Refugees Kohat along with representative of Afghan Commissionerate, Peshawar that efforts should be made to trace the missing Service Book by deputing someone to the District Comptroller of Accounts, District Kurram. Progress on the matter be intimated within 15 days to the Commission.

--Sd--

**CHIEF INFORMATION COMMISSIONER  
KP INFORMATION COMMISSION**

Ends No. KPIC/ARK/10017/2024

Dated: September 03, 2024

**Copy for Information to:**

1. PS to Chief Information Commissioner, KPIC.
2. Additional Commissioner (Security) Afghan Commissionerate, Peshawar.
3. District Administrator, Afghan Refugees, Kohat.
4. The District Comptroller of Accounts District Kurram.
5. PA to Secretary KPIC.
6. Mr. Sayyed Majid Falook Bukhari (Complainant).
7. Complaint file No. 10017.

**ASSISTANT REGISTRAR  
KP INFORMATION COMMISSION**





GOVERNMENT OF KHYBER PAKHTUNKHWA  
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Near Abdara BRT Station, Behind Jabar Flats,  
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Email: [complaints.kprti@kp.gov.pk](mailto:complaints.kprti@kp.gov.pk)  
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*o/c*

**COMPLAINT TITLED: MR. KALIM ULLAH KHAN VS. DISTRICT HEADQUARTER  
HOSPITAL (DHQ) LAKKI MARWAT, (COMPLAINT: 11464)  
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013**

**1. FACTS OF THE COMPLAINT:**

- i. That a citizen/complainant namely Mr. Kalim Ullah Khan sought some information from the District Headquarter Hospital, Lakki Marwat as per detail given below;
  - a) *Attested photo copy of Advertisement in which class-IV post for trauma center DHQ Hospital were advertised for the period of 2023-24.*
  - b) *Minutes of Departmental Selection Committee (DSC) of the said recruitment.*
  - c) *Complete merit list, selection criteria/Esta Code formula.*
  - d) *Attested photo copy of NOC letter for Class IV for the period of 2023-24 from manager employment exchange Lakki Marwat.*
- ii. The complaint was examined by the Commission vis-à-vis the various Provisions/Sections of the KP RTI Act 2013, the Commission decided to direct the Public Body to transmit the requisite information to the complainant under intimation to the Commission. However, the Public Body vide letter No. 3451, dated; 23/07/2024 informed that they have submitted the requisite reply/information to the complainant vide letter No. 2625/RTI, dated; 01.06.2024 by informing the citizen that record of Class IV recruitment of Trauma Center is not available/traced in DHQ Hospital Lakki Marwat for the reason that the same has been taken away by the Ex-MS i.e. Mr. Akbar Zaman for which he has been directed to provide the record. The same will be produced as and when received from him.
- iii. Keeping in view the nature and sensitivity of the case, the Commission called upon for personal hearing of both the existing MS of DHQ Hospital Lakki Marwat being head/PIO and Ex-MS Dr. Akbar Zaman for taking away the official record on 22.08.2024.

**2. Observation:**

The Commission after going through the record and proceeding observed the following.

- a) The Ex-MS i.e. Dr. Akbar Zaman did not attend the personal hearing.
- b) Despite knowing the facts no action has been initiated against the Ex-MS.
- c) The PIO himself did not attend the proceeding and sent a representative who was not well versed with the case.
- d) The reply of the Public Body was a clear violation of the KP RTI, 2013 Act and also deprived the complainant of his legitimate right.

**Decision:**

In view of the above the Commission expressed displeasure over the explanation of the Public Body and decided and directed Public Body as under:

- a) Showcase notice be issued to Ex- MS for not attending the Commission proceedings.
- b) An independent enquiry should be conducted at appropriate level to fix responsibility on the person for missing official record.
- c) Lodge FIR on the person at fault and efforts should be made through law enforcement agency for early retrieval of official record.
- d) The existing MS should explain reasons for not initiating action against the Ex. MS besides when he was made aware of the facts.
- e) The information related to DHQ Hospital Lakki Marwat may invariably be uploaded in future over the internet/website.

**CHIEF INFORMATION COMMISSIONER  
KP INFORMATION COMMISSION**

Ends No. KPIC/ARB/11464/2024

Dated: September 03, 2024

**Copy for Information to:**

1. PS to Chief Information Commissioner, KPIC.
2. PS to Director General Health Services (DGHS) KPK Peshawar.
3. District Health Officer (DHO) Lakki Marwart for prompt action as per law.
4. Deputy Director (IT), for uploading on official website of KPIC.
5. PA to Secretary KPIC.
6. Mr. Kalim Ullah (Complainant).
7. Complaint file No. 11464.

  
**ASSISTANT REGISTRAR  
KP INFORMATION COMMISSION**



GOVERNMENT OF KHYBER PAKHTUNKHWA  
INFORMATION COMMISSION  
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**COMPLAINT TITLED: MISS. SHADAB AZIZ VS. DEO (FEMALE) BANNU,  
(COMPLAINT NO. 9906)**

**PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013**

### 1. FACTS OF THE COMPLAINT:

- i. A citizen/complainant namely **Mr. Shadab Aziz D/O Aziz Ullah Qurashi** sought some information from the DEO (Female) Bannu. Copy attached for ready reference (Annex-A)
- ii. The complaint was examined by the Commission vis-à-vis the various Sections of the KP RTI Act 2013, and decided to direct the Public Body to transmit the requisite information to the complainant under intimation to the Commission. Series of correspondence were made with the Public Body, however, no response has been received from DEO (F) Bannu which warranted personal hearing in the instant complaint, therefore, the PIO of the Public Body was called for personal hearing scheduled on 22.08.2024 at 11:00 am sharp so, as to explain the factual position of the subject complaint for early disposal.
- iii. The ADEO attended the office on due date and appraised the Commission that neither the complainant approached the office of DEO (F), Bannu nor any correspondence have been received from the Information Commission.

### 2. Observation:

- i. The Commission showed displeasure over the non-responsiveness attitude of the Public Body towards the official correspondence of the Commission including lame excuse of non-receipt of official correspondence/letters from the Information Commission.
- ii. The Commission further observed that the DEO (Female) Bannu being Public Information Officer did not attend the personal hearing.



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**3. Decision:**

- i. In view of the above the Commission provided a copy of the instant complaint to the Public Body with the direction to provide the requisite information to the Commission within 07 working days.
- ii. The Commission also directed that in future the PIO should attend the Commission proceedings.

**Farah Hamid Khan**  
**CHIEF INFORMATION COMMISSIONER**