



GOVERNMENT OF KHYBER PAKHTUNKHWA
INFORMATION COMMISSION
Near Abdara BRT Station, Behind Jabar Flats,
Arbab Colony, University Road, Peshawar
Email: complaints@kprti.gov.pk
Ph: +92-91-9216557-67

**COMPLAINT TITLED: MR. SAIF ULLAH VS. KOHAT UNIVERSITY OF SCIENCE
AND TECHNOLOGY (KUST) (COMPLAINT NO. 11103)
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013**

1. FACTS OF THE COMPLAINT:

- i. A citizen/complainant namely Mr. Saif Ullah sought the following information from the Kohat University of Science and Technology (KUST) under KP Right to Information Act, 2013;
- 1) *On what grounds and under which rules/law my pension contribution and CP Fund transfer case was placed before the Finance and Planning Committee (F&PC) and syndicate? Copy of rules/laws may be provided.*
 - 2) *The copies of working paper/agenda items regarding transfer of my pension contribution and GP Fund which was placed before the Finance and Planning Committee and syndicate may be provided along with all annexures/connected papers.*
 - 3) *Under which rules/law the F&PC and Syndicate withheld and forfeit my pension contribution which was transferred to the university by my previous employer i.e. local council board (LCB)? Copy of rules/laws may be provided.*
 - 4) *Under which rules/laws the management of the university i.e. F&PC and Syndicate withheld and forfeit the GP Fund deduction from my monthly salary? Copy of rules/law may be provided.*
 - 5) *Under which rules/laws the management of the university i.e. F&PC and Syndicate withheld and forfeit my pension contribution for my pensionable service/job in the University. Copy of rules may be provided.*
 - 6) *Under which rules/laws the management of the university i.e. F&PC and Syndicate withheld earn profit/interest on investment of my pension contribution and GP Fund for the last 6 years.*
 - 7) *Why the urban Areas Development Authority (UADA) Mansehra and Peshawar Development Authority (PDA) shall not claim compound interest on my pension contribution and GP Fund which has been invested by the university for last 6 years and is earning profit/interest on it? Copy of rules/laws may be provided.*



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- 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. In response the Public Body shared incomplete information/documents vide letter No. KUST/Estt/RTI/16-3/24/1286-92, Dated; February 28, 2024, therefore, directions were once again issued but in vain, which warranted the Commission to issue Personal Hearing notice to the Public Body to attend the Commission on **05.09.2024 at 11.00 sharp**, so, as to explain the factual position of the subject complaint for early disposal.
- iii. The Public Information Officer (PIO) attended the Personal Hearing and appraised the Commission about the subject case. He once again referred to the KUST letter quoted above and stated that the relevant rules/law/documents have been shared under which the case of the Complainant was placed before F&PC and Syndicate.

2. Observation:

- i. The Commission observed that the documents sought in the instant complaint are covered within purview of Section 5 of the KP RTI Act, 2013 and need to be proactively disclosed on the official website of the Public Body.
- ii. The letter referred to above along with documents/information provided are incomplete and do not serve the purpose.

3. Decision:

- i. In view of the above the Commission directed the Public Body to submit parawise reply to the Commission along with all relevant/supporting documents in support of each para within **seven (7) working days**. All relevant rules/regulations/statutes/instructions may also be proactively disclosed and uploaded on the official website of the university as required under Section 5 of the KP RTI Act, 2013.

--Sd--

**CHIEF INFORMATION COMMISSIONER
KP INFORMATION COMMISSION**

Ends No. KPIC/ARK/11103/2024/29348-52

Dated: September 18, 2024

Copy for Information to:

1. PS to Chief Information Commissioner, KPIC.
2. Dr. Faysal Mahmood, Public Information Officer, KUST, Kohat.
3. Deputy Director (IT) for uploading on official website of KPIC.
4. Mr. Saif Ullah (Complainant).


**ASSISTANT REGISTRAR
KP INFORMATION COMMISSION**



**COMPLAINT TITLED: MR. SARDAR GULZEB VS. PHED ABBOTTABD,
(COMPLAINT NO. 11463)
PERSONAL HEARING UNDER SECTION 25 & 26 OF THE KP RTI ACT, 2013**

1. FACTS OF THE COMPLAINT:

- I. A citizen/complainant namely **Mr. Sardar Gulzeb** sought the following information from Public Health Engineering Department (PHED) Abbottabad regarding ADP. No. 247/160556 for the year 2017-18 WSS Lower Mair Kalan UC Namli Maira water supply scheme.
 - i. Funds released for the subject scheme by the Provincial Government.
 - ii. Whether the project is completed or otherwise?
 - iii. How many houses in village Maira Kalan are supplied water through this scheme? Detail of houses may be provided.
 - iv. Whenever PHED install it water supply scheme an employee is recruited or it is handed over to an employee of the department for maintenance/look after; Detail of the recruited employee or handing over to any existing employee of the PHED Abbottabad may be provided.

- II. The Complaint was examined by the Commission vis-à-vis the various provisions/sections of the KP RTI Act 2013, and the Public Body vide letter No. KPIC/ARH/1-11463/2024/27739-41, Dated: 15.07.2024, was directed to provide the requisite information to the complainant under intimation to the Information Commission. The Public Body vide letter No.04/M-110, Dated: 16.08.2024 responded to the Information Commission and information was transmitted to the Complainant. However, the Complainant showed dissatisfaction over the provision of information specifically over the completion certificate. Being a matter of public importance the Information Commission, decided to call Personal Hearing of the Public Body and the Complainant so as to decide the complaint on merit. Thus the PIO was called for Personal Hearing on 13.09.2024 at 11:00 am in KPIC Divisional Office Abbottabad. However, the PIO did not attend the proceedings of the Commission and sent a representative. Having heard both, the Public Body and the Complainant in detail, the following has been decided.

2. Observations:

The Commission observed that the PIO instead attending the Personal Hearing proceedings himself sent a representative.

During the proceedings the representative of the Public Body did not satisfy the Complainant with the available information/documents.



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3. Decision:

- I. After having heard both sides, the Commission decided and directed the Public Body and the Complainant to jointly visit the site and submit a joint report/reply within a period of **ten (10) working days** to the Commission. The Complaint may be treated as most urgent and visit be made on priority basis being matter of Public Importance.
- II. Regarding attendance of the Public Information Officer in Personal Hearing proceedings order passed in Complaint No. 10788 i.e. Muhammad Zaheer vs PHED may be adhered to in letter and spirit in future.

--Sd--

CHIEF INFORMATION COMMISSIONER
KP INFORMATION COMMISSION

Ends No. KPIC/ARH/11463/2024/29804-10

Dated: September 30, 2024

Copy for Information to:

1. PS to Chief Information Commissioner, KPIC.
2. Secretary to Govt. of Khyber Pakhtunkhwa Public Health Engineering Dept.
3. Sub Division Officer (SDO)/PIO Public Health Engineering Department Abbottabad for necessary compliance within stipulated time.
4. DD (IT) for uploading on official website of KPIC.
5. Mr. Sardar Gulzeb (Complainant).
6. Complaint file No. 11463.

ASSISTANT REGISTRAR
KP INFORMATION COMMISSION

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ADP (IT)

7/10/24



**COMPLAINT TITLED: MR. MUHAMMAD ZAHEER VS. PHED ABBOTTABAD,
(COMPLAINT NO. 10788)
PERSONAL HEARING UNDER SECTION 25 & 26 OF THE KP RTI ACT, 2013**

1. FACTS OF THE COMPLAINT:

- I. A citizen/complainant namely **Mr. Muhammad Zaheer** sought the following information from Public Health Engineering Department (PHED) Abbottabad.
 1. Total number of sub-schemes executed under M&R Rehabilitation and Extension for water gravity scheme VC-II, Tajwal, since 2007.
 2. Total amount of funds allocated and expenditures made for these water gravity scheme VS-II, Tajawal, since 2007 (scheme wise).
 3. Attested copies of MBs/Vouchers and Completion Certificate of these schemes, since 2007.
 4. Details of departmental petty funds utilized for water gravity schemes VC-Tajwal, since 2007.
 5. Details of replaced rusted pipes in this scheme i.e. entries in stock registers etc. or auction documents.
 6. Approved design and map of water gravity scheme VC-I.
 7. Total numbers of extension lines and approved house hold connections up till now.
 8. Total number of NOCs issued by your department up till now.
 9. Provide general criteria for households' connections including dia and equal water distribution policy.
- 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 Public Body for the provision of information, however, the Public Body provides partial information vide letter No. M-110/066, Dated; 22-12-2023, as indicated by the complainant in its email Dated; February 06, 2024. Thus this warranted the Commission to called Personal Hearing proceedings of the Public Body.
- III. Hence the Pubic Body was called for Personal Hearing on **13.09.2024** in the KPIC Divisional Office Abbottabad so as to ascertain factual position of the instant complaint for early disposal. However, the PIO fails to attend the Personal Hearing proceedings.

2. Observations:

The following shortcomings were observed during proceedings and examination of the record.

- I. The Public Body shared partial information vide letter quoted above without having annexures attached with reply to para 3.
- II. The PIO himself fails to attend the Personal Hearing proceedings and was attended by representative of Public Body.



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3. Decision:

- I. In view of the shortcoming observed the Commission directed the Public Body to provide the remaining documents i.e. MBs/Vouchers and Completion certificates of the schemes indicated at Para-I of the letter (copy enclosed) within **five (5) working days** under intimation to the Commission.
- II. The Public body also ensure that in future the nominated PIO shall attend the Personal Hearing instead of sending representative.

--Sd--

CHIEF INFORMATION COMMISSIONER
KP INFORMATION COMMISSION

Ends No. KPIC/ARH/10788/2024/29797-29803 Dated: September 30, 2024

Copy for Information to:

1. PS to Chief Information Commissioner, KPIC.
2. Secretary to Govt. of Khyber Pakhtunkhwa Public Health Engineering Dept.
3. Sub Division Officer (SDO)/PIO Public Health Engineering Department Abbottabad for necessary compliance within stipulated time.
4. DD (IT) for uploading on official website of KPIC.
5. Mr. Muhammad Zaheer (Complainant).
6. Complaint file No. 10788.


ASSISTANT REGISTRAR
KP INFORMATION COMMISSION

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AD(S.T)

 7/10/23



**COMPLAINT TITLED: MR. MANZOOR AHMAD VS. AGRICULTURE DEPARTMENT
ABBOTTABAD (COMPLAINT NO. 11016)
PERSONAL HEARING UNDER SECTION 25 & 26 OF THE KP RTI ACT, 2013**

1. FACTS OF THE COMPLAINT:

- I. A citizen/complainant namely **Mr. Manzoor Ahmad** sought some information from Agriculture Department Abbottabad (**Annex-A**).
- II. The complaint was examined by the Commission vis-à-vis various Provisions/Sections of the KP Right to Information Act 2013, and directed the Public Body vide letter No. KPIC/ARH/1-11016/2023/23153-56, Dated; 04.01.2024 to provide the requisite information to the Complainant (parawise) with intimation to the Information Commission. The Public Body vide letter No. 116/DDA ATD, Dated; 14.02.2024 intimated that the Information consists of more than 1000 pages and as per the Act ibid only 20 number of pages are allowed free of cost. Therefore, the complainant may be asked to deposit amount on account of photocopies charges at market rate of @ 7/per photocopy.
- III. The Complainant was advised vide this office letter of even No. Dated; 02-04-2024 to visit the office concerned and obtained the requisite documents against payment of photocopy charges. In meanwhile the Complainant vide letter Dated; 08.04.2024 conveyed that he has visited the concerned office and agreed to pay the amount on account of photocopy charges, however, the Public Body neither disclose the number of exact pages against which payment was required nor does provide the requisite information. The Public Body provided a letter without bearing any dispatch number and date. The Complainant once again reiterated to pay the photocopy charges (if any) against the requisite documents.
- IV. This casual attitude of the Public Body towards non provision of official record warranted the Commission to issue Personal Hearing notice.
- V. Thus the Public Body was called for Personal Hearing on **13.09.2024 at 11:00 hours** in KPIC Divisional Office Abbottabad so as to ascertain factual position for early disposal of the instant Complaint.
- VI. The PIO along with subject expert attended the Commission proceedings. The Complainant was also present. The Complaint was discussed parawise in detail and necessary directions were issued to the Public Body regarding provision of complete and relevant record without further delay. Points were recorded both by the Commission and Public Body for compliance.



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2. Observation:

The following shortcomings were observed by the Commission during proceedings and examination of the record.

- I. The Public Body without compiling requisite documents conveyed to the Commission to direct the Complainant to deposit amount on account of Photocopy charges as per market rate i.e @ Rs. 7/per copy.
- II. When the complainant visited the office of Public Body he was denied the provision of documents despite the fact that he was ready to pay or deposit the amount on account of photocopies charges.
- III. The complainant was further rebuffed with provision of one pager letter without having dispatch number and date.

3. Decision:

- I. In view of the shortcomings observed the Commission directed the Public Body to provide complete record to the complainant duly certify/attested as discussed in the proceedings within **fifteen (15) working days** under intimation to the Commission.
- II. The Commission further decided to issue a show cause notice to the PIO of the Public Body concerned for misleading both the complainant and the Information Commission.
- III. The PIO of the Public Body is further directed to ensure provision of record/information with proper diary and dispatch of official letters and verified documents to the complainant or the Information Commission as the case may be.
- IV. Chief Minister Khyber Pakhtunkhwa Directives are also enclosed herewith for ready reference.

--Sd--

**CHIEF INFORMATION COMMISSIONER
KP INFORMATION COMMISSION**

Ends No. KPIC/ARH/11016/2024/29811-17

Dated: September 30, 2024

Copy for Information to:

1. PS to Chief Information Commissioner, KPIC.
2. Secretary to Govt. of Khyber Pakhtunkhwa Agriculture Department.
3. District Director/PIO Office of the District Director Abbottabad for necessary compliance within stipulated time.
4. DD (IT) for uploading on official website of KPIC.
5. Mr. Manzoor Ahmad (Complainant).
6. Complaint file No. 11016.


ASSISTANT REGISTRAR
KP INFORMATION COMMISSION

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**COMPLAINT TITLED: MR. SALAHUDDIN KHAN VS. KAGHAN DEVELOPMENT
AUTHORITY (KDA) MANSEHRA, (COMPLAINT NO. 10679)
PERSONAL HEARING UNDER SECTION 25 & 26 OF THE KP RTI ACT, 2013**

1. FACTS OF THE COMPLAINT:

- I. A citizen/complainant namely **Mr. Salahuddin Khan** sought the following information from Kaghan Development Authority (KDA).
 - i. Gazetted, signed and approved amended by-laws of KDA after BCR-2020 of KDA (Specifically where ground+two stories are allowed).
 - ii. List of the Building plans approved with their approval dates by KDA after BCR-2020 till date. i.e. 22.05.2023.
- 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 Public Body for the provision of information, however, without any fruitful outcomes. The Public Body vide letter No. 492-94/DN/KDA, Dated; 03-10-2023, shared incomplete and irrelevant documents followed by an abstract of an anonymous meeting held on 11.02.2024 (Copy Annex-A) pointing towards framing/amending the CBR/bylaws in near future. However, till date no such record/documents regarding framing Building regulations/amending the CBR-2020 have been provided. Since May 2022 (date of RTI request) the Public Body is denying/concealing the required documents on one pretext or the other. This casual attitude of the Public Body warranted the Commission to call Personal Hearing. Hence the PIO was called for Personal Hearing on **Friday, September 13, 2024** at Divisional Office Abbottabad. However, the PIO failed to attend the Personal Hearing proceedings.

2. Observation:

The following shortcomings were observed after pursuing the record.

- I. The PIO did not attend the Personal Hearing proceedings nor sent any representative.
- II. Meanwhile through letter No. 1163-1165/KDA/DN, dated; 18-09-2024 the Public Body once again shared incomplete and irrelevant documents which inter-alia means that the Public Body is deceiving the Information Commission on one pre-text or the other without any valid justification despite clear directions.



3. Decision:

- I. In view of the lax attitude the Commission decided to direct the Administrative Secretary to call an explanation from DG KDA regarding non-attendance of the Personal Hearing. Furthermore, the quarter concerned may also be directed to provide the requisite information within **Ten (10) working days** after issuance of this order to the Information Commission. The Commission after examination will decide whether to provide the same to the Complainant or otherwise.
- II. The willful obstructions/delay in the provision of record/information by the Public Body (KDA) shall also be taken up with the Provincial Government in light of Chief Ministers' Directives (**Annex-I**).
- III. The Public Body is further directed to share notification of the nomination of Public Information Officer (PIO) within a period of seven (7) working days. In case of failure to receive the subject notification, the Director General, KDA shall be deemed to be the PIO of the Public Body as per the Act *ibid*.

--Sd--

CHIEF INFORMATION COMMISSIONER
KP INFORMATION COMMISSION


Ends No. KPIC/ARH/10679/2024 / 29 818-25

Dated: September 30, 2024

Copy for Information to:

1. PS to Chief Information Commissioner, KPIC.
2. PSO to Chief Minister Govt. of Khyber Pakhtunkhwa.
3. Director General Kaghan Development Authority Mansehra for necessary compliance within stipulated time.
4. Assistant Director (Architecture) KDA w.r.t letter quoted above sharing irrelevant and incomplete information/documents.
5. DD (IT), for uploading on official website of KPIC.
6. Mr. Salahuddin Khan (Complainant).
7. Complaint file No. 10679,

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A.D.S.T.)  7/10/24



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**COMPLAINT TITLED: MR. AJAB KHAN VS. LOCAL GOVERNMENT ELECTION
AND RURAL DEVELOPMENT DEPARTEMENT, BANNU,
(COMPLAINT NO. 9499)
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013**

1. FACTS OF THE COMPLAINT:

- i. A citizen/complainant namely **Mr. Ajab Khan** sought the following information/document from the Assistant Director, Local Government, Election and Rural Development Department under KP Right to Information Act, 2013.
 - 1) *Copy of bank statement of the Village Council Mama Khel-II for the year 2019 till July 2022.*
- 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. A series of correspondence were made to the Public Body, however, the information submitted were incomplete and did not serve the purpose thus the Commission issued personal hearing notice to the Public Body.
- iii. Mr. Sikandar Khan, Progress Officer being representative of the Public Information Officer (PIO) attended the Commission on due date i.e. 05.09.2024 at 11:00 am and produced the information before the Information Commission.

2. Observation:

- i. During verification of record the document produced were found incomplete.
- ii. The PIO himself did not attend the personal hearing instead authorize progress officer.
- iii. The provision of information was delayed for longer period of time without any justifiable reason.

3. Decision:

- i. In view of the above, the Commission therefore, directed the Public Body to provide complete record duly attested/verified within **seven (7) working days** with intimation to the Commission.
- ii. In future the PIO should attend the Commission proceedings and ensure the provision of information within stipulated time as per Section 10 read with Section 11 of the KP RTI Act, 2013.

--Sd--

**CHIEF INFORMATION COMMISSIONER
KP INFORMATION COMMISSION**

Ends No. KPIC/ARB/9499/2024 / 29329-34

Dated: September 18, 2024

Copy for Information to:

1. PS to Chief Information Commissioner, KPIC.
2. Assistant Director, LG&RDD, Bannu.
3. Mr. Ajab Khan (Complainant)
4. Complaint file No. 9499.

5. DD (IT), KPIC.


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**COMPLAINT TITLED: MR. RAHMAT ULLAH VS. DISTRICT EDUCATION OFFICER
(MALE) BANNU, (COMPLAINT NO. 10653)**

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

1. FACTS OF THE COMPLAINT:

- i. A citizen/complainant namely **Mr. Rahmat Ullah** sought the following information/document from the District Education Officer (Male) Bannu.
 - *Photocopy of Inquiry Report conducted by DEO (Male) Bannu vide Notification No. 2446, Dated: 07.03.203.*
- 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. A series of correspondence were made to the Public Body including Final Notice of even No. Dated; 13.02.2024. However, response of the Public Body towards the provision of information was poor, which warranted personal hearing notice to be issued in the instant case.
- iii. Thus the PIO of the Public Body was called for personal hearing scheduled on **05.09.2024 at 11:00 am** so, as to explain the factual position of the subject complaint for early disposal.
- iv. The representative of the Public Body attended the Commission and shared the requested documents.

2. Observation:

- i. The representative of the Public Body attended the proceedings instead of nominated PIO.
- ii. The representative of the Public Body produced the requested documents before the Information Commission.

3. Decision:

- i. In view of the record provided and verified, the Commission therefore, decided to transmit the desired documents to the complainant and disposed of the instant complaint with directions that in future the nominated PIO should attend the proceedings of the Commission.

--Sd--

**CHIEF INFORMATION COMMISSIONER
KP INFORMATION COMMISSION**

Ends No. KPIC/ARB/10653/2024/29335-40

Dated: September 18, 2024

Copy for Information to:

1. PS to Chief Information Commissioner, KPIC.
2. District Education Officer (Male) District Bannu.
- ~~3.~~ DD (IT) for uploading on official website of KPIC.
4. Mr. Rahmat Ullah (Complainant).
5. Complaint file No. 10653


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**REF:- MS. BIBI NAZMA VS. DISTRICT EDUCATION OFFICER (FEMALE),
NOWSHERA
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013
(COMPLAINT NO. 10550)**

1. FACTS OF THE COMPLAINT:

- i. Brief facts of the case are that a citizen/ complainant namely Ms. Bibi Nazma sought information from the District Education Officer (Female), Nowshera here after referred regarding **inquiry report made by Mr. Umar Farooq principal GHS Pabbi & MR. Rooh Ul Amin (Junior Clerk) on 20-12-2019.**
- 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. 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 District Education Officer/PIO to attend the commission and explain the factual position on **2nd-October-2024**
- iii. Incompliance, the DEO (Female) Nowshera informed the Commission via e-mail that our focal person Sajida Bano is ill and request for adjournment.
- iv. Consequently, the Litigation Officer, District Education Officer (Female), Nowshera attended the Commission on **07-10-2024** and submitted the better copy of the inquiry report concerned to the Commission vide their Diary No. **14655** Dated: **07-10-2024.**



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Email: complaints@kprti.gov.pk

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 RTIC/AR/1-10550/2023/ 30132-39 dated: 10 October, 2024

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Assistant Director (RTI & Ombudsman)/PIO, Directorate of Elementary & Secondary Education, Peshawar.
3. District Education Officer (Female), Nowshera
4. Litigation Officer, District Education Officer (Female), Nowshera
5. Deputy Director (IT), KP Information Commission, Peshawar for uploading on the Official Website.
6. Deputy Director (Communication), KP Information Commission, Peshawar.
7. Mst. Bibi Nazma (Complainant)

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



**COMPLAINT TITLED: MR. SAIF ULLAH VS. KOHAT UNIVERSITY OF SCIENCE
AND TECHNOLOGY (KUST) (COMPLAINT NO. 11103)
PERSONAL HEARING UNDER SECTIONS 25 & 26 OF THE KP RTI ACT, 2013**

1. FACTS OF THE COMPLAINT:

i. A citizen/complainant namely **Mr. Saif Ullah** sought the following information from the Kohat University of Science and Technology (KUST) under KP Right to Information Act, 2013;

- 1) *On what grounds and under which rules/law my pension contribution and CP Fund transfer case was placed before the Finance and Planning Committee (F&PC) and syndicate? Copy of rules/laws may be provided.*
- 2) *The copies of working paper/agenda items regarding transfer of my pension contribution and GP Fund which was placed before the Finance and Planning Committee and syndicate may be provided along with all annexures/connected papers.*
- 3) *Under which rules/law the F&PC and Syndicate withheld and forfeit my pension contribution which was transferred to the university by my previous employer i.e. local council board (LCB)? Copy of rules/laws may be provided.*
- 4) *Under which rules/laws the management of the university i.e. F&PC and Syndicate withheld and forfeit the GP Fund deduction from my monthly salary? Copy of rules/law may be provided.*
- 5) *Under which rules/laws the management of the university i.e. F&PC and Syndicate withheld and forfeit my pension contribution for my pensionable service/job in the University. Copy of rules may be provided.*
- 6) *Under which rules/laws the management of the university i.e. F&PC and Syndicate withheld earn profit/interest on investment of my pension contribution and GP Fund for the last 6 years.*
- 7) *Why the urban Areas Development Authority (UADA) Mansehra and Peshawar Development Authority (PDA) shall not claim compound interest on my pension contribution and GP Fund which has been invested by the university for last 6 years and is earning profit/interest on it? Copy of rules/laws may be provided.*



- 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. In response the Public Body shared incomplete information/documents vide letter No. KUST/Estt/RTI/16-3/24/1286-92, Dated; February 28, 2024, therefore, directions were once again issued but in vain, which warranted the Commission to issue Personal Hearing notice to the Public Body to attend the Commission on **05.09.2024 at 11.00 sharp**, so, as to explain the factual position of the subject complaint for early disposal.
- iii. The Public Information Officer (PIO) attended the Personal Hearing and appraised the Commission about the subject case. He once again referred to the KUST letter quoted above and stated that the relevant rules/law/documents have been shared under which the case of the Complainant was placed before F&PC and Syndicate.

2. Observation:

- i. The Commission observed that the documents sought in the instant complaint are covered within purview of Section 5 of the KP RTI Act, 2013 and need to be proactively disclosed on the official website of the Public Body.
- ii. The letter referred to above along with documents/information provided are incomplete and do not serve the purpose.

3. Decision:

- i. In view of the above the Commission directed the Public Body to submit parawise reply to the Commission along with all relevant/supporting documents in support of each para within seven (7) working days. All relevant rules/regulations/statutes/instructions may also be proactively disclosed and uploaded on the official website of the university as required under Section 5 of the KP RTI Act, 2013.

--Sd--

**CHIEF INFORMATION COMMISSIONER
KP INFORMATION COMMISSION**

Ends No. KPIC/ARK/11103/2024/29348-52

Dated: September 18, 2024

Copy for Information to:

1. PS to Chief Information Commissioner, KPIC.
2. Dr. Faysal Mahmood, Public Information Officer, KUST, Kohat.
3. Deputy Director (IT) for uploading on official website of KPIC.
4. Mr. Saif Ullah (Complainant).

**ASSISTANT REGISTRAR
KP INFORMATION COMMISSION**

Please upload on website of F.B.
and send in original documents
to D (S.I.)
16/10/24