

**Pakistan Information Commission  
Government of Pakistan**

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**In the Pakistan Information Commission, Islamabad**

**Appeal No 1560-12/21**

**Sbarafat Ali Zia**

(Appellant)

Vs.

**Capital Development Authority**

(Respondent)

**ORDER**

**Date:** August 23, 2022

**Mohammad Azam:** Chief Information Commissioner

**A. The Appeal**

1. This commission has received an appeal from Mr. Sharafat Ali Zia dated December 22, 2021, stating that he submitted information request dated November 20, 2021 under the Right of Access to Information Act 2017 to the Chairman, Capital Development Authority. The Respondent public body has not responded to his information request as required under section 13 of the Right of Access to Information Act, 2017. Therefore, the appellant has filed his appeal to the Commission.
2. The information sought by the Appellant is as under:
  - (i) *“Detailed profile of the site / plot that was earmarked / reserved for bank along with other amenity / commercial sites /plots while finalizing / approving the Lay-out plan of Model Village Chak Shahzad (Shahzad Town);*
  - (ii) *Provide a legible and certified copy of the Lay out plan referred to at (i) above;*
  - (iii) *Indicate the then existing status of the site plot meant for bank whether it was an amenity plot or a commercial plot;*
  - (iv) *Indicate the status regarding allotment / utilization of said site / plot originally meant for bank as per CDA’s law / by-laws. Rules / regulations prevailing before and after 11<sup>th</sup> February, 2018 along with a copy of the law /by-laws rules and regulations applicable in that context before and after the 11<sup>th</sup> February, 20-18 plus specific information regarding its sale as commercial plot, sale price, date of sale and buyer’s profile; and*

*In case no plot for use of bank was either reserved in the Town’s Lay out plan for if reserved the same was sold to a party other than bank then please indicate the alternate*

*plan of making available a similar site / plot to let about 10,000 population of Shahzad Town have a bank facility over that site / plot ASAP.”*

## **B. Proceedings**

3. Through a notice dated January 03, 2022, sent to Secretary Board, Capital Development Authority stated that “Under Section 14 of the Right of Access to Information Act 2017, each federal public body is bound to respond to a request as soon as possible and in any case within ten working days of receipt of the request. You are directed to provide reasons in writing within 7 working days of the receipt of this notice as to why the requested information has not been provided to the applicant, (copy of the information request and appeal thereon enclosed)”.

4. The Respondent through a letter vide No. CDA/SCB/PIC/2022/172 dated January 21, 2022 submitted its response to the information request of the appellant, which is as under:

*“The requisite information as requested vide above referred application is forwarded herewith duly certified by the concerned formations. So far as the matter regarding certification of the copies of “Islamabad Land Disposal Regulation, 2005” is concerned, it is informed that “Islamabad Land Disposal Regulation, 2005” is a published document of the Authority and also published in the Gazette of Pakistan. Besides the same is also available on CDA’s website i.e. [www.cda.gov.pk](http://www.cda.gov.pk). Hence, certification of said published document is not mandatory.”*

5. The response submitted by the public body was shared with the appellant on Jan 26, 2022.

6. The appellant through an email dated Feb 18, 2022 submitted a rejoinder to the response of the public body which is as under:

*“Kindly refer to PIC’s letter dated 26<sup>th</sup> January, 2020 on the subject cited above.*

2. *In their Letter No. CDA/SCB/RAI-2017/2021/2324, dated 23-12-2021 the respondent public body has stated, inter-alia, that the CDA Board approved conversion of subject plot from “bank” to “commercial” category. However, the relevant rule / regulation under which the CDA Board approved said conversion has not been quoted. The needful may please be done and a copy thereof provided for Appellant’s Information/record.*

3. *Moreover, copy of the minutes of the meeting dated 12<sup>th</sup> February, 2018 received with their letter under reference does not contain CDA Board’s approval for conversion of impugned plot from banks’ category generalized commercial plot’s category. Therefore, copy of the relevant decision / minutes of the Board’s meeting may also be provided.*

4. *PIC may therefore be pleased to advise the respondent public to respond the queries made above as early as possible.”*

## **C. Discussion and Commission’s View on Relevant Issues**

7. This commission has to decide,

1. Has the public body provided complete and relevant information to the appellant?
2. Whether the appellant has the right to ask additional questions/information in response to the information shared by the public body?

8. This commission holds that in the instant appeal the public body has addressed all the questions asked by the appellant in his information requested.
9. This commission is of the view that queries raised by the Appellant in the rejoinder submitted through email dated February 18, 2022 is not part of his information request dated November 20, 2021. The appellant can't extend his information request.

**D. Order**

10. The appeal is dismissed with no further directions to the public body.
11. Copies of this order be sent to the Secretary Board, Capital Development Authority and the Appellant for information.

**Mohammad Azam**

Chief Information Commissioner

**Fawad Malik**

Information Commissioner

**Zahid Abdullah**

Information Commissioner

Announced on: August 23, 2022

This order consists of 3 (three) pages, each page has been read and signed.