

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO. 1897-05-2022

Khadija Saqib Rashid

Versus

Capital Development Authority

Fawad Malik: Information Commissioner

A. APPEAL

1. Miss, Khadija Saqib Rashid filed an application to the Secretary, Capital Development Authority Islamabad for the provision of information under the Right of Access to the Information Act, 2017. The text of the application is reproduced as under:

- I. *“It is submitted with the due respect that applicant is owner in possession of House No. 250. Street No. 23, Sector E-7 Islamabad. The said house was fraudulently transferred in the name of one Mehmood Iqbal the said transfer was cancelled on my application after inquiry by the order of the Chairman CDA Islamabad and this fact was conveyed to me through Letter No. CDA/EM-E-(250)/75/4480 Dated: 1703-2015.*
- II. *Subsequently, another alleged Letter No. CDA/EM-E-(250)/75/11866 Dated 02-07-2015 was also issued wherein it is mentioned that cancellation of transfer of above said property which was conveyed through above said letter dated 17-03-2015 has been withdrawn. It is necessary to mentioned here that above said both letters are just official correspondence without signature of Chairman CDA whereas certified copies of original orders of Chairman has never been conveyed till date despite of repeated requests (Copies of both letters are annexed herewith).*
- III. *Therefore it is requested to kindly issue certified copies of final orders of Chairman CDA as mentioned in Letter No. CDA/EM-E-(250)/75/4480 Dated 17-03-2015 and Letter No. CDA/EM-E-(250)/75/11866 Dated 02-07-2015 respectively.”*

2. Feeling aggrieved for the non-provision of the requested information, appeal before the Pakistan Commission on access to information. Along with the appeal copies of Letters dated 07-02-2022, 17-03-2015 and 02-7-2015 are attached.

C. COMMISSION'S VIEW

3. The appellant in order to seek her legal remedies has sought the certified copies of final orders of the Chairman CDA pertaining to the Letters dated 17-03-2015 and 02-07-2015. The requested information and record is public record as defined under the Act.
4. Every citizen deserves to protect his property and for that end the access to the requested information is preferential constitutional right guaranteed under the Constitution of Pakistan.

D. ORDER

5. The appeal is allowed the Secretary, Capital Development Authority is directed to furnish the appellant certified copies of the requested information forthwith, but in any case not later than five days of the receipt of this order.

Mohammad Azam
Chief Information Commissioner

Fawad Malik
Information Commissioner

Zahid Abdullah
Information Commissioner

Announced on 02.06.2022

Certified that this order consists of 02 pages, each page has been read and signed