



In the Pakistan Information Commission, Islamabad

Appeal No 2034-06/22

Sharafat Ali Zia

(Appellant)

Vs.

Capital Development Authority

(Respondent)

ORDER

Date: November 03, 2022

Mohammad Azam: Chief Information Commissioner

A. The Appeal

1. This commission has received an appeal from Mr. Sharafat Ali Zia dated June 29, 2022, stating that he submitted an information request dated June 10, 2022 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) Yardstick applied to determine the requirement of non-executive members of CDA Board and necessity of keeping such number at four;*
 - “(ii) Criterion (of qualification/ experience etc) adopted for making selection/ appointment of non-executive members currently in position in a transparent manner and how far did they meet that criterion;*
 - “(iii) Authority competent to give approval for appointment of non-executive members once selected vide (ii) above;*
 - “(iv) Effective date(s) of appointment of non-executive members currently in position along with copies of their appointment orders; and*
 - “(v) Financial perks and other benefits (e.g plot etc) admissible to non-executive members of CDA Board along with the ones actually drawn by them since appointment till now.”*

B. Proceedings

3. Through a notice dated July 20, 2020, sent to Secretary (CDA Board), Capital Development Authority, the Commission 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 appeal was fixed for hearing on August 23, 2022 and both parties were informed through notices sent on August 03, 2022.
5. The Respondent through a letter vide No. CDA/SCB/PIC/2022/295 dated June 27, 2022. Which was shared with the appellant on August 24, 2022.
6. The appellant on September 04, 2022 submitted rejoinder to the response of the public body, which was shared with the Respondent with the directions to respond to the queries of the appellant within 10 working days.
7. The Respondent through a letter vide No. CDA/SCB/PIC/2022/2017 dated September 29, 2022 submitted response to the queries of the appellant, which is as under:
“ With reference to your letter referred above, it is informed that requisite relevant information as requested by the applicant has already been submitted by this office at the mailing address of applicant as well as to your kind office vide this office letter No.CDA/SCB/PIC/2022/1295, dated 27-06-2022. As this office has provided factual and comprehensive reply to the applicant, therefore, dissatisfaction by the applicant is unjustified. Therefore, already provided information, may kindly be considered.”
8. Response of public body was shared with the appellant on October 04, 2022.

C. Discussion and Commission’s View on Relevant Issues

9. The commission has to decide:

The question for the consideration of the commission is that whether the Respondent has provided complete information to the appellant? And whether the public body has fulfilled its duties as defined in the Right of Access to Information Act, 2017 hereafter referred to as Act?

10. The record on the file shows that respondent has provided the complete requested information except information requested in Para-v of the information request dated June 10, 2022.
11. The information requested in Para-V of the appellant's information request is public record under Section 6(c) of the Act, which is as under;

“(c) Information regarding grant of licenses, allotments and other benefits, privileges, contracts and agreements made by a public body;”

D. Order

12. The Secretary (CDA Board), Capital Development Authority is directed to provide information regarding the financial perks and other benefits (e.g. plot etc) admissible to non-executive members of CDA Board to the Appellant, at the earliest but not later than 7 working days of the receipt of this Order, with intimation to this office..
13. Copies of this order be sent to Secretary (CDA Board), Capital Development Authority and the Appellant for information and necessary action.

Mohammad Azam

Chief Information Commissioner

Zahid Abdullah

Information Commissioner

Announced on: November 03, 2022

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