



**In the Pakistan Information Commission, Islamabad**

**Appeal No 762-12/20**

**Muhammad Tahir Zia**

**(Appellant)**

Vs.

**Capital Development Authority**

**(Respondent)**

**Order**

**Date:** August 04, 2021

**Mohammad Azam:** Chief Information Commissioner

**A. The Appeal**

1. The Appellant filed an appeal, dated December 15, 2020, to the Commission, stating that he submitted an information request to the Chairman, Capital Development Authority dated November 24, 2020 under the Right of Access to Information Act 2017 but did not receive the requested information from the public body.
2. The information sought by the Appellant is as under:  
*“(i). The names of localities falling within the urban/municipal limits of Islamabad; and  
(ii). The names of localities falling outside the urban / Municipal limits of Islamabad (ICT)”*

**B. Proceedings**

3. This commission through a notice dated December 22, 2020 sent to the Chairman, Capital Development Authority called upon the Respondent to submit reasons for not providing the requested information.
4. The Respondent through a letter vide No CDA/PLW-MPC-1(625)2019/11 dated Jan 12, 2021 submitted its response which is as under:  
*“I am directed to inform that your request regarding provision of details with regards to urban and municipal limits of Islamabad has been examined in the Authority and it has been observed that since the promulgation of Local Government Act 2016, the said issue concerns with MCI, Islamabad. CDA has nothing to do in this regard.”*
5. The response of the public body was shared with the appellant on January 22, 2021 which was not delivered to him.
6. The response of the public body was again sent to the appellant on February 02, 2021.

7. The appellant through an email dated February 10, 2021 submitted his response to the information shared by the public body, which is as under:  
*“Please refer to PIC’s letter dated 2nd February, 2021 (Received on 8th February, 2021) forwarding therewith a copy of CDA’s report on the subject mentioned above.*
  2. *In the report under reference, instead of providing the requisite information straightaway the Capital Development Authority has tried to shift its responsibility to Metropolitan Corporation Islamabad though they [CDA] have been providing the information like the one requested in my application dated 24th November, 2020 (Copy attached) to the needy without ado. Attention in this regard is invited to their letter No. CDA-29(36)(95)(28)-Coord/2020-1559 dated 28th October, 2020 (Copy attached) through which they recently provided a copy of Map showing the boundary lines of Capital and Municipal limits of Islamabad to a citizen.*
  3. *Therefore, it is requested that while considering the subject Appeal the Public Body may kindly be directed to provide the requisite information at the earliest.”*
8. The objection raised by the appellant was shared with the respondent on May 04, 2021 and Public Information Officer / Secretary CDA Board, Capital Development Authority was directed to give a written reply to the objection raised by the appellant.
9. The respondent did not respond to the notice of the commission. The appeal was fixed for hearing on June 08, 2021 and both parties were informed through notice sent on May 31, 2021.
10. The council of the Respondent through an email dated June 13, 2021 requested to reschedule the hearing of the appeal.
11. The appeal was again fixed for hearing on July 13, 2021 on request of the respondent. No one appeared before the commission to represent the Respondent during the hearing held on July 13, 2021.

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

6. The commission has to decide that whether the information requested by the citizens falls within the ambit of the public record and whether the public body has responded or not to the information request and notices of the commission within time limit mentioned in the Right of Access to Information Act, 2017, hereafter referred to as Act.
7. The information requested by the appellant is declared as public record in section 5 (1) of the right of Access to Information act 2017 and the public bodies are bound to ensure that all such categories of the information and record defined in Section 5 of the Act are duly published including uploading over the internet or in a manner which best ensures that these are accessible to the public.
8. The Respondent through a letter vide No. CDA-29(36)(95)(28)-Coord/2020 dated October 28, 2020 has shared similar information with a citizen namely Mr. Sharafat Ali Zia, but when the Appellant asked for this information the public body refused to share the information and stated the matter concerns with MCI.
9. Disclosure of this information on the internet will also help the citizen to check the limits of the Federal Capital and uploading map on website will also reduce work load of the Respondent.
10. According to Section 19 (d) of the Act, this commission is bound to make sure the all information determined in Section 5 of the Act available on the website of the public bodies. In this regard, the Pakistan Information Commission has developed a template to

ensure proactive disclosure of information. The template is available on the website of this commission i.e. [www.rti.gov.pk](http://www.rti.gov.pk)

11. If directions of the commission in this Order are not followed, it will be left with no option but to invoke Section 20 (f) of the Right of Access to Information Act 2017.

#### **D. Order**

12. The appeal is allowed. The Public Information Officer, Capital Development Authority is directed to provide the information requested in Para 2 with intimation to this office, at the earliest, but in any case, not later than 10 working days of the receipt of this Order.
13. The public body is also directed to take immediate steps to proactively share through the web site all categories of information mentioned in Section 5 of the Right of Access to Information Act 2017 and submit the compliance report to the commission by August 27, 2021.
14. Copies of this order be sent to the Public Information Officer, Capital Development Authority and the Appellant for information and necessary action.

#### **Mohammad Azam**

Chief Information Commissioner

#### **Fawad Malik**

Information Commissioner

#### **Zahid Abdullah**

Information Commissioner

Announced on:  
August 04, 2021

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