

# IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

APPEAL NO. E257-04-2022

Mst. Romana Qamar

Versus

Cantonment Board Office, Karachi

Fawad Malik: Information Commissioner

## A. APPEAL

1. Mst. Romana Qamar filed an application under the Right of Access to the Information Act, 2017, addressed to the Executive Officer Cantonment Board Office, Karachi. In the application dated 12.02.2022 she has requested the following information:

- *It is requested, that the Designated Officer under the Right of Access to Information Act, 2017 may be please to provide certified copies of all the related documents on which No-Objection Certificate is refused in the matter of mutation of House No: 52/1, Street # 28, Phase-V Extension, DHA, Karachi on the Letter of Administration granted by the Hon'ble High Court of Sindh to Mst. Romana Qamar widow of Syed Qamar ul Islam.*
- *Prescribed application form for obtaining record under Right of Access to Information Act, 2017 is attached herewith.*

2. Feeling aggrieved for the non-provision of the requested information she has filed appeal before the Pakistan Commission on access to Information, Islamabad.

## B. PROCEEDINGS

3. The notice of the Commission was responded by Executive Officer, Cantonment Board Clifton wherein it is informed that the applicant was responded vide letter dated 03.02.2022. The text of letter dated 03.02.2022 is reproduced as under:

- *It is intimated that your application referred to above matter, has been considered at appropriate level and regretted, as the conveyance deed dated: 27-11-1993 registered as No. 4879,*

*dated 27-11-1993, in respect of subject property has been registered in favor of Mr. Muneef Ahmed Vahidy S/o Aqeel Ahmed by Mr. Sabahat Moin S/o Abdul Moin Khan.*

- *The same owner has executed another Conveyance dated on 17-04-2017, by Mr. Sabahat Moin S/o Abdul Moin Khan through his duly constituted Legal and Lawful Attorney Mrs. Farhat Nasir Lodhi to Syed Qamar ul Hassan.*
- *You are hereby required to approach the concerned sub-registrar for correction rectification of registered deed/deeds (if required any) please.*

### **C. COMMISSION'S VIEW**

4. The appellant is widow of Syed Qamar ul Hassan who admittedly purchased House No: 52/1, Street # 28, Phase-V Extension, DHA, Karachi from Mr. Sabahat Moin S/o Abdul Moin Khan through his duly constituted Legal and Lawful Attorney Mrs. Farhat Nasir Lodhi through Conveyance dated 17-04-2017 registered as No.1390. It is also pointed out by the public body in the reply that earlier the said property through the conveyance deed dated 27-11-1993 registered as No. 4879, has been registered in favor of Mr. Muneer Ahmed Vahidi S/o Aqeel Ahmed by Mr. Sabahat Moin S/o Abdul Moin Khan therefore the No-Objection Certificate has been refused to the appellant. The widow under the Right of Access to Information Act, 2017 has asked for the certified copies of all the related documents on the basis of which No-Objection Certificate is refused by the Executive Officer, Clifton Cantonment Board.
5. The appellant has been denied the No-Objection Certificate of the said property on the basis of the record available with the respondent's office, reflected in the reply. It is obligatory on the part of the public body to furnish the appellant copies of all the documents which were contributory and caused the refusal of the No-Objection Certificate.
6. The appellant in her application has not asked for the correction of any record therefore the advice to approach the concerned sub-registrar for correction rectification of registered deed/deeds is not relevant answer to the request.

**D. ORDER**

7. The appeal is allowed. The Executive Officer Cantonment Board Office, Karachi is directed to furnish the appellant copies of all the documents which were contributory and caused the refusal of the No-Objection Certificate 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 01.06.2022

Certified that this order consists of 03 pages, each page has been read and signed