

Pakistan Information Commission
Government Of Pakistan
Order
Appeal No: 3915-09/2024
Akhtar Hanif Aziz
VS
Federal Investigation Agency (FIA)

November 19, 2024 Ms. Sania Imtiaz, Deputy Director (Law), FIA appeared on behalf of the public body.

2. The public body, vide letter dated 23-09-2024, furnished the required information, which was shared with the appellant, who has acknowledged receipt of the same but has raised objections vide letter dated 09-10-2024. The appellant submitted that although he has received the statement of Mr. Hamid Arshad (Witness No. 1) but it was provided without the 15 documents mentioned in Part-1 of the letter. The appellant has requested that the said documents also be provided to him.
3. The public body has furnished written reply to the rejoinder, submitting that the documents now required by the appellant are classified and enjoy exemption under Section 7 of the Right of Access to Information Act, 2017, as they pertain to third-party information.
4. The Commission has examined the information request, the information furnished by the public body, the appellant's rejoinder, and the reply thereon. It has been noted that all the documents listed at Serial Nos. 1 to 6 of the information request have been provided to the appellant, including the statement of the witness. Although the appellant, at Serial No. 7 of the information request, requested "any other document," the details of the said document have not been mentioned as required under Section 11 of the Right of Access to Information Act, 2017.
5. The documents now mentioned in the rejoinder were neither included in the original information request nor can they be provided to the appellant, as they are beyond the scope of the information request. Therefore, the objections raised in the rejoinder are not sustainable.
6. No further proceedings are required. The appeal stands disposed of. Copy of the order be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission
Government Of Pakistan
Order
Appeal No: 4013-10/2024
Naveed Saleem
VS
K-Electric

November 19, 2024

None appeared on behalf of the public body, however, K-Electric, vide letter dated 09-11-2024, has filed written reply. It has been submitted in the written reply that K-Electric is not a public body and has erroneously been classified as such by the Commission. Moreover, it is added that the information and documents required by the appellant are not public record in pursuance of Section 5 of the Right of Access to Information Act, 2017, and are confidential and exempted from disclosure under Section 16 of the Act. In the last paragraph of the written reply, it is submitted that the Commission should immediately cease and restrain itself from pursuing this appeal.

2. The Commission has seriously noted the language used by the public body in the last paragraph of the written reply. It appears that K-Electric has presumed itself to be an adjudicating authority and advised the Commission to cease and restrain itself from pursuing this matter further. The said language is not only contemptuous but also appears to lack justification and authority. This attitude of the public body, well covered under the Right of Access to Information Act, 2017, is not desirable. Their persistent denial of the law and hiding behind lame excuses makes it obligatory for the Commission to invoke the provisions of Section 20(1) of the Right of Access to Information Act, 2017.

(1) The information Commission shall have all the powers, direct or incidental, as are necessary to perform its functions as provided for in this Act.

3. In view of the far-reaching intent of the legislators, the Commission deems it appropriate to direct the Secretary, Ministry of Energy (Power Division), to ensure proper conduct and adherence to the law on the part of the respondent/public body.
4. As far as the maintainability of the appeal is concerned, it has been found that the information request has been filed by the appellant seeking records pertaining to an application filed by his late father along with documents appended with that application for the allocation of an electricity meter and the documents of property No. 3/9, Model Colony, Deher Mehran, Malir, Karachi. The appellant has applied for certified copies of

the above-mentioned records as one of the legal heirs of his late father, alongside Farhat Akhtar Hussain, Shahnaz Aziz, Khalid Pervez, and Nadeem Ahmed. However, it is noted that neither the consent of the remaining legal heirs of their late father has been obtained, nor has any authority letter been provided by the remaining legal heirs.

5. In view of the above, the appellant cannot apply for the required information regarding his late father's property and the application moved by his late father to K-Electric unless the consent of the remaining legal heirs is obtained or an authority letter is attached. In light of what has been stated above, No further proceedings are required. The appeal stands disposed of. Copy of the order be sent to both the parties. Copy of the order be also sent to the Secretary, Ministry of Energy (Power Division).

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission

Government Of Pakistan

Order

Appeal No: 3697-06/2024

Ch. Ashraf Ali Gujjar

VS

Zarai Taraqati Bank Limited (ZTBL)

November 19, 2024

Muhammad Naeem Ur Rahman Bhutta Advocate appeared on behalf of the public body.

2. In response to the reply of the rejoinder of the appellant, the appellant has furnished another reply dated 14-11-2024. His focus and concern are primarily on the language used by the ZTBL representative regarding a third person who is not a party in this case. The appellant has requested the Commission to take action against the public body for using such language against him and a third person.
3. The Commission has examined the content of the information request, written reply, rejoinder of the appellant, and the reply of the public body. Regarding the appellant's concern about the language allegedly used against him and Agha Saleem Khursheed, it has been noted that the information requested by the appellant has been provided and shared. The current dispute between the parties pertains to matters unrelated to the Commission's jurisdiction.
4. However, the Commission expects that, while corresponding through the Commission, both parties shall use polite language and show mutual respect. If any party feels that abusive language has been used against it, it has remedy to approach the concerned forum under defamation laws. No further proceedings are required. The appeal stands disposed of. Copy of the order shall be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission

Government Of Pakistan

Order

Appeal No: 3748-07/2024

Ch. Ashraf Ali Gujjar

VS

Zarai Taraqiati Bank Limited (ZTBL)

November 19, 2024 Muhammad Yar Khan, Advocate, appeared on behalf of the public body.

2. The public body, vide letter dated 23-10-2024, furnished information in respect of query 1 and 4 of the information request, whereas regarding information 2 and 3, it was submitted that no such documents are at place/available in the record. Copy of the said written reply was shared with the appellant, who filed a rejoinder vide email dated 15-11-2024. His focus and concern are primarily on the language used by the ZTBL representative regarding a third person who is not a party in this case. The appellant has requested the Commission to take action against the public body for using such language against him and a third person.
3. The Commission has examined the content of the information request, written reply, rejoinder of the appellant, and the reply of the public body. Regarding the appellant's concern about the language allegedly used against him and Agha Saleem Khursheed, it has been noted that the information requested by the appellant has been provided and shared. The current dispute between the parties pertains to matters unrelated to the Commission's jurisdiction.
4. However, the Commission expects that, while corresponding through the Commission, both parties shall use polite language and show mutual respect. If any party feels that abusive language has been used against it, it has remedy to approach the concerned forum under defamation laws. No further proceedings are required. The appeal stands disposed of. Copy of the order shall be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission
Government Of Pakistan
Order
Appeal No: 3738-06/2024
Agha Hassan Khurshid
VS
Zarai Taraqati Bank Limited (ZTBL)

November 19, 2024 Muhammad Yar Khan, Advocate, appeared on behalf of the public body.

2. The information furnished by the public body was shared with the appellant vide letter dated 29-10-2024 under RGL No. 139879617, and no response has been received from the appellant. It appears that the appellant is satisfied with the response of the public body. No further proceedings are required. The appeal stands disposed of.
3. Copy of the order be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission

Government Of Pakistan

Order

Appeal No: 3935-09/2024

Shaikh Akhtar Javaid

VS

National Highway Authority (NHA)

November 19, 2024

Muhammad Waqas Advocate appeared on behalf of the public body.

2. The public body has furnished written reply categorically stating that, as per NHA policy, parking fees are not charged for vehicles parked on NHA's Right of Way (ROW) or service roads. Moreover, it is added that no notification has been issued by NHA authorities regarding any contract for parking, as it is the policy of NHA that parking fees are not charged for vehicles.
3. The written reply addresses the information request, and copy of the same be shared with the appellant. No further proceedings are required. The appeal stands disposed of. Copy of the order shall be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission

Government Of Pakistan

Order

Appeal No: 4004-09/2024

Nadeem Umer

Vs

Metropolitan Corporation Islamabad

November 19, 2024 None appeared on behalf of the public body. The public body, vide letter dated 01-11-2024, has submitted that the information required by the appellant does not pertain to the Metropolitan Corporation, Islamabad. Copy of the said reply be shared with the appellant. No further proceedings are required. The appeal stands disposed of. Copy of the order be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner

Pakistan Information Commission
Government Of Pakistan
Order
Appeal No: 3740-06/2024
Muhammad Dildar Abbasi
VS
Capital Development Authority (CDA)

November 19, 2024 Ms. Mehraj Tareen, Advocate, and Abdul Haq, Deputy Director, CDA, appeared on behalf of the public body.

2. As far as the remaining information is concerned, the public body, through its representative, has submitted in black and white that it does not pertain to CDA. Copy of the said submission be sent to the appellant. Since partial information has already been furnished and the remaining is not related to CDA as per its plea, no further proceedings are required. The appeal stands disposed of. Copy of the order be sent to both the parties.

Ijaz Hassan Awan
Information Commissioner

Shoaib Ahmad Siddiqui
Chief Information Commissioner