

**Pakistan Information Commission**

**Government Of Pakistan**

**Order**

**Appeal No: 3743-07/2024**

**Sarmad Ali Khan**

**Vs**

**National Highway Authority (NHA)**

September 10, 2024

Muhammad Waqas Saleem Advocate appeared on behalf of the public body and filed fresh power of attorney. In response to the notice of the Commission, NHA /public body vide letter dated 13-06-24 furnished the required information which was shared with the appellant vide letter dated 16-08-24 under RGL No. 139877496 but no objection has been received. It appears that the appellant is satisfied with the response of the public body. No further proceedings are required. The appeal stands disposed of.

2. 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: 3804-07/2024**

**Rizwan Naqvi**

**Vs**

**Water and Power Development Authority (WAPDA)**

September 10, 2024

None appeared on behalf of the public body however, the public body vide letter dated 15-08-24 furnished reply of all the queries of the appellant informing that the required information does not relate to WAPDA as after unbundling since 2007, WAPDA is dealing with Hydro Power generation only and the matter regarding by Distribution Companies. About query No. 8 of the information request, it is submitted that the pay and perks package of WAPDA employees includes free electricity units as per entitlement of employees and is paid by WAPDA to concerned Distribution companies.

2. The reply of the queries was shared with the appellant vide letter dated 26-08-24 under RGL No. 139877580 but 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: 3735-06/2024**

**Samuel Mushtaq**

**Vs**

**Federal Public Service Commission (FPSC)**

September 10, 2024

Muhammad Arshad, Assistant Director, FPSC appeared on behalf of the public body.

2. The public body vide letter dated 15-08-24 furnished the required information, which was shared with the appellant vide letter dated 23-08-24 under RGL No. 139877842 but 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: 3802-07/2024**

**Malik Ammar Ali**

**Vs**

**State Life Insurance Corporation of Pakistan**

September 10, 2024

Appellant present in person. Muhammad Yousaf, Manager Law, Asim Nawaz, Admin Officer, State Life Insurance Corporation of Pakistan appeared on behalf of the public body.

2. The public body vide letter dated 09-09-2024 has filed written reply. It has been submitted that the appellant was hired by the employee (Prime HR) and not by the State Life Insurance (public body). Hence the required information may be collected from Prime HR by giving them notice for the provision of the required information. It is further added that the information required by the appellant is not held by the public body and hence cannot be shared.
3. During arguments, it was explained by the representative of the public body that the service of the appellant was outsourced to Prime-HR and all payment including salary and gratuity is to be made by the said contract / Prime-HR therefore when the required information is not held by the public body it cannot be forced to share with the same with the appellant. In view of the above, the appeal is not maintainable and is dismissed accordingly.
4. 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: 3805-07/2024**

**Rizwan Naqvi**

**Vs**

**Federal Board of Revenue (FBR)**

September 10, 2024

Muhammad Ijaz Shaheen, Deputy Collector Custom and Syed Shabih Haider, Deputy Director,

2. The public body vide letter dated 16-08-2024 furnished the required information with copy to the appellant and the Commission has also shared the said information to the appellant vide letter dated 26-08-24. The appellant vide his email dated 07-09-24 informed that he has received the required information and has no objection on disposal of appeal. Since the required information has been furnished by the public body and stands shared with the appellant. 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: 2881-06/2023**

**Ali Abbas Khan**

**Vs**

**Federal Investigation Agency (FIA)**

September 10, 2024

Appellant present in person. Ayaz Khan, Additional Director, Sarfaraz Khatana, Deputy Director, and Asad FAKhar ud din, Assistant Director, FIA appeared on behalf of the public body.

2. Ayaz Khan, Deputy Director, FIA CCW Islamabad has appeared in person and furnished reply of show cause notice issued to him. In the said reply it has been explained that in compliance with the order of the Commission, the appellant was asked to visit the office of FIA for the collection of the required documents but he did not appear however today vide letter dated 10-09-24 certified copies of all information except information cited at Serial No. 4, 5 and 8 has been furnished and copy of the same has been handed over to the appellant. As far as information cited at Para 4 and 5 is concerned since it was already provided to the appellant in another appeal, therefore, the Commission excluded the said information vide order dated 11-07-24. About the information cited at Para 8 of the information request, it has been explained that in fact FIA written letter to the RPO, Hazara Division and the summons were issued by the RPO Office hence are not available with the FIA, the explanation is appropriate. Since all the information required by the appellant has been furnished by 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: 3759-07/2024**

**Sarfaraz A. Bhatti**

**Vs**

**Capital Development Authority (CDA)**

September 10, 2024

Appellant present in person. Ms. Mehraj Tareen Advocate appeared on behalf of the public body.

2. The learned counsel appearing on behalf of the public body states that all available record has been provided to the appellant in Appeal No. 2956-07/2023. She has stated that an officer of the public body has also submitted before the Commission in writing that no other record pertaining to this plot/matter is available with the public body.
3. In the instant information request/ appeal, the appellant has sought correspondence in file No. CDA-21(5)-Coord/67 starting from January 01, 1971 till December 31, 1976. The legal advisor of the public body stated that in view of their contention and written statement in Appeal No. 2956-07/2023 no further proceedings need to ensue. The appellant confronts their statement and says that there are other records available. In this scenario, instead of going for an information request decided already by the Commission, the appellant may file a complaint against the public body and its concerned officer for providing wrong information or concealing the public record. 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: 3744-07/2024**

**Sarmad Ali Khan**

**Vs**

**Capital Development Authority (CDA)**

September 10, 2024

Ms. Mehraj Tareen Advocate appeared on behalf of the public body.

2. The learned legal counsel appearing on behalf of the public body has furnished the required information in tabulated form. The Commission has examined the information request and reply of the queries which have been found appropriate. In view of above, 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: 3574-03/2024**

**Muhammad Sajid**

**Vs**

**Senate of Pakistan**

September 10, 2024

Mr. Muhammad Javed Iqbal, Deputy Director, Senate Secretariat appeared on behalf of the public body.

2. The representative of the public body furnished reply to the rejoinder of the appellant. In the written reply to the rejoinder of the appellant, Mr. Muhammad Javed Iqbal, Deputy Director, Senate Secretariat/designated officer has furnished copy of the order of the Chairman, Senate Secretariat vide which the Chairman Senate declared the record of the Senate Secretariat employee their Sanction strength and related number their persons and vacant positions and all other related matters as classified. It was further added that the Commission also considering the stance of the public body in appeal No. 3070-09/23 titled Ch. Rizwan Vs Senate of Pakistan closed the appeal accepting the plea of the public body that the said record is classified by the Chairman, Senate. The Commission has examined the order of the Chairman, Senate referred above and the relevant provision of law that is Section 7 (f) of the Right of Access to Information Act, 2017. Section 7 (f) of the Right of Access to Information Act, 2017 empowers the Minister-in-charge of the Federal Government to declare any record as classified. The Chairman, Senate enjoys a higher status than the Minister-in-Charge and is overall incharge of the Senate Secretariat (House of Federation). The order of the Chariman, Senate vide which record of the Senate Secretariat employees has been classified contained reasons for classification stating that work of the parliament is not only extremely significant but also high sensitive. In view of this, the Senate made a special provision for the Senate Secretariat in its Rules of Procedure and Conduct of Business in the Senate, 2012. It is further mentioned in the order that Rule 52 of the ibid Rules provides that questions relating to Secretariat of the Senate may be asked of the Chairman by means of a private communication and not otherwise or in the House. That intent of the legislature is worth noting that public disclosure of information related to

Senate Secretariat is not allowed even for the legislators in the House.

3. The reasons explained in the said order for declaring the Senate Secretariat employee's record as classified has been found reasonable therefore the remaining information, stated to be missing by the appellant, cannot be shared with him as the said record stands declared classified by the Chairman, Senate under section 7 (f) of the Right of Access to Information Act, 2017 therefore the appeal is disposed of accordingly.
4. Copy of the order be sent to both the parties.

**Ijaz Hassan Awan**  
Information Commissioner

**Shoaib Ahmad Siddiqui**  
Chief Information Commissioner