Guidelines for Heads of Federal Public Bodies and Public Information Officers for Implementation of the Right of Access to Information Act 2017

These guidelines will help Officers designated by each Federal public body under The Right of Access to Information Act 2017 and heads of public bodies in the following:

- Responding to Information Requests; and
- Facilitating a public body in compliance with provisions of The Right of Access to Information Act 2017 .

Guidelines for Head of a Public Body for Compliance with the Provisions of the Act:

1. Ensure that records are properly maintained in line with rules and standards of this Act.
2. Ensure that record management practices are brought in line with the secretariat instruction, 2004.
3. Ensure that records mentioned in Section 5 of this Act, subject to availability of resources, are duly published in an up-to-date and easily accessible manner, including on the web site.
4. Ensure to prepare annual report listing number of information received by the public body and information as to how these information requests were processed.
5. Designate and notify Public Information Officer, (PIO) by post and not by name for purposes of this Act.
6. Act as a Public Information Officer if officer has not been designated or in case of his absence or unavailability of the designated officer.
7. Do not initiate the process of imposing legal, administrative or appointment related sanctions if a public official releases information in good faith in accordance with provisions of Section 23 of this Act.
8. Carry out instructions of Pakistan Information Commission for implementation of rules, regulations and provisions of this Act.

Guidelines for Public Information Officers for Compliance with the Provisions of the Act:

1. Provisions of this Act take precedents over other laws related to information disclosure e.g. Official Secret Act.
2. The applicant will not have to provide reasons for requesting the information.
3. The applicant can file information request in person, by mail, fax or E-mail.
4. If an applicant is unable to describe sufficient details of information, help him locate the information.
5. Write information request on behalf of illiterate person, sign and stamp it, put date on it and provide copy of the application to the illiterate person.
6. Provide assistance to persons with disabilities in filing information requests.
7. In case the requested information is not available with the public body, forward the request for information to the relevant public body and also inform the applicant.
8. Return the information request to the applicant in case you do not know the relevant public body that holds the information.
9. If the requested information is available with public body, notify the applicant that request for information has been accepted and inform the applicant to deposit the fee to get the requested information.
10. When providing the requested information, also provide a certificate testifying that the information being provided is true. Sign this certificate and put date on it.
11. Provide reasons in writing for rejecting the request for information.
12. Seek written approval of the head of the public body before conveying to the applicant that access to the requested information is being denied.
13. Inform the applicant where the requested information could be found if request for information is rejected on the ground that information is already available in published form.
14. In case request for information is rejected on the ground that requested information belongs to categories of exempted information, inform the applicant about the exact exception and also that the applicant has the right of appeal against this decision.
15. Provide the requested information as soon as possible but within 10 working days.

16. Take maximum of 10 extra working days if the requested information has to be searched from large number of records, belongs to third party or the requested information is available with different offices of the public body.
17. Provide the requested information within 2 working days if it pertains to life or liberty of an individual.
18. Do not charge an applicant for filing the information request.
19. Only charge the actual fee for producing and sending the requested information according to the cost set by Federal Information Commission.
20. If a person files an appeal against your decision, prove before Pakistan Information Commission that you acted in accordance with the provisions of this Act.
21. Implement the decision of Pakistan Information Commission if your decision is turned down, or, if you may think it appropriate, file appeal against this decision within 30 days.

Guidelines for Dealing with Information Requests Pertaining to Exempted Information:

1. Do not apply secrecy provision of other laws.
2. If part of requested information belongs to the exempted information, and it can be separated without damaging the record, keep that part and provide the rest of the information to the applicant.
3. Provide even the exempted information if 20 years have passed since its initiation.
4. Forward the requested information to the Minister-in-Charge of the Federal Government to record reasons as to why the harm from disclosure of information outweighs public interest
5. Provide the requested information pertaining to allegation of corruption and violation of human rights.
6. Do not apply The privacy clause in the following cases:
    - More than 20 years of the death of an individual;
    - The individual has consented the disclosure of information;
    - The applicant is guardian of the individual, next of kin, or the executor of the will of a deceased individual; or
    - The individual is or has been a public official and the information pertains to functions performed as public official.
7. Provide the requested information if the individual has waived his right of protecting legally privileged information.
8. Seek opinion of the third party about the information provided in confidence but decide on objective consideration whether the information belongs to the categories of exempted information or not.