



Training Manual

For

Journalists from Merged

Districts

**“Investigative Journalism using
Federal and Khyber Pakhtunkhwa
Right to Information Laws”**

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I. Training Agenda

Session	Facilitators	Time
Registration	Ms. Sadiqa	09:30 to 10:00
Welcome Note and Training Objectives	Mr. Asad Ali	10:00 to 10:10
Introduction of the Participants	Mr. Asad Ali	10:10 to 10:30
Session 1: Understanding of Good Governance <ul style="list-style-type: none"> ➤ Definition of Good Governance ➤ Stakeholders in Governance ➤ Principles of Governance 	Mr. Muddassar Alam	10:30 to 11:15
Morning Tea		11:15 to 11:30
Session 2: Accountability & Voice <ul style="list-style-type: none"> ➤ Key Concepts of Voice & Accountability 		11:30 to 12:30
Session 3: RTI conceptual Underpinnings <ul style="list-style-type: none"> ➤ What is right to information? ➤ Why RTI law ➤ Principles of right to information 		12:30 to 1:30
Lunch and Prayer Break		1:30 to 2:15
Session 4: Legislation of Right to Information law in Pakistan <ul style="list-style-type: none"> ➤ Context of RTI Law in Pakistan ➤ Freedom of Information Ordinance 2002 ➤ RTI legislation in Pakistan 	Mr. Mudassar Alam	2:15 to 3:00
Session 5: Salient Features of Federal Right of Access to Information Act 2017 and Khyber Pakhtunkhwa Right to Information Act 2013 <ul style="list-style-type: none"> ➤ Preamble of the Acts 	Mr. Mudassar Alam	3:00 to 5:00

<ul style="list-style-type: none"> ➤ Purpose ➤ Exempted information ➤ Responsibilities of the Public Information officer ➤ Federal and KP Information Commission 		
Evening Tea		5:30

Day 2

Sessions	Trainers	Time
Review of Day 1	Mr. Muddassar Alam	10:00 to 10:30
Session 6: Procedure of filing RTI Information request and Complaint under KP RTI Law <ul style="list-style-type: none"> ➤ Process of filing information requests under KP RTI 2013 ➤ Process of lodging complaints 	Mr. Muddassar Alam	10:30 to 11:30
Morning Tea		11:30 to 11:45
Session 6: Group exercise, RTI Information request and Complaints Conti....	Mr. Muddassar Alam	11:45 to 1:00
Lunch Break		1:00 to 2:00
Session 7: Using KP and Federal RTI Laws for Investigative Journalism <ul style="list-style-type: none"> ➤ Data Driven Journalism ➤ Generate evocative success stories ➤ Use innovative tools 	Mr. Muddassar Alam	2:00 to 4:00
Review of the training and close up remarks	Mr. Muddassar Alam	4:00 to 4:30

Day 3

Sessions	Trainers	Time
Review of Day 1	Mr. Muddassar Alam	10:00 to 10:30
Session 8: Procedure of filing RTI Information request and Complaint under Federal RTI Law	Mr. Muddassar Alam	10:30 to 11:30

<ul style="list-style-type: none"> ➤ Process of filing information requests under federal Right of Access to Information Act 2017 KP RTI 2013 ➤ Process of lodging complaints 		
Morning Tea		11:30 to 11:45
Session 9: Group exercise, RTI Information request and Complaints Conti...	Mr. Muddassar Alam	11:45 to 1:00
Lunch Break		1:00 to 2:00
<ul style="list-style-type: none"> ➤ Review of the Training and Certificate Distribution 	Mr. Muddassar Alam Mr. Asadullah Khan	2:00 to 4:00
Review of the training and close up remarks	Mr. Muddassar Alam	4:00 to 4:30

2. Introduction

The Federal Right of Access to Information Act was enacted in 2017 while Khyber Pakhtunkhwa Right to Information Act was enacted on October 31, 2013. Under both laws, federal and KP governments have already established Information Commission comprised of Chief Information Commissioner and two commissioners in each commission. The information commissions have to devise detailed rules of business under the laws. Furthermore, all federal and provincial public bodies have also to designate public information officers.

This manual aims at creating better understanding about right to information and its linkage with investigative journalism. It is designed as a resource for journalists who want to employ RTI legislation as tool for invest give journalism. It elaborates concept of Good Governance, conceptual underpinning of Right to Information Salient Features of both federal and KP RTI laws and provides step-by-step instructions to use these laws.

How to Use this Manual:

This manual can be used by journalists in the following three ways.

- ❖ Used as a guide for trainers running courses for investigative Journalism.
- ❖ Can be used by journalists as learning tool.
- ❖ It can be used by journalists as a reference material who have already gone through a training course on Right to Information.

Objectives of the training:

At the end of a three-days training workshop based on this manual, participating journalists will achieve a number of specific learning objectives. They will be able to:

- ❖ Understand the Good Governance and Principles of Good Governance.
- ❖ Know Voice and Accountability mechanisms.
- ❖ Explain the meaning and value of Right to Information.
- ❖ Establish the linkage between right to information and investigative journalism, data driven journalism.
- ❖ Be able to submit information requests to KP and Federal public bodies.

The Content of the Manual:

The content of the manual is consisted on 9 sessions. Each session has in-depth information accordingly. The first session imparts Understanding of Good Governance. Second session provides the information on mechanism of Voice and Accountability. Third session presents the conceptual understanding on Right to Information. Fourth session reviews historical background of the Right to Information law and Principles of Right to Information. Fifth session highlights the Salient Features of Khyber Pakhtunkhwa Right to Information Act 2013. The sixth session of the manual explains the process of filing information request and lodging complaint in case of non-provision of requested information. The seventh sessions inculcates using RTI laws for investigative and data driven journalism. Besides, group exercises are included so that sessions can be made more participatory. The eight sessions is about process of filing information requests under federal RTI law and how to file complaints, if public bodies do not provide information. The ninth session is about group work on how to file information request under federal RTI law. The last session is about review of training and certificate distribution.

Objectives of the session
✓ Understand the concepts of good governance
✓ Learn about the principles of good governance



Defining of Good Governance:

Dimensions of Governance:

“Fundamental aspects of governance” are graft, rule of law, and government effectiveness. Other dimensions are voice and accountability, political instability and violence and regulatory burden. –Kaufman, Kraay and Zoido-Labaton 1999.

Property rights and rule-based governance: The quality of budgetary & financial management; the efficiency of revenue mobilization; the efficiency of public expenditures; and transparency, accountability. World bank CPIA indicators.

Good Governance:

The United Nations Development Program (UNDP) definition of good governance is set out in a 1997 UNDP policy document entitled “Governance for Sustainable Human Development”. The document states that governance can be seen as the exercise of economic, political and administrative authority to manage a country’s affairs at all levels–UNDP.

It ... “encompasses the role of public authorities in establishing the environment in which economic operators function and determining the distribution of benefits as well as the relationship between the rule and ruled”. OECD (www.oecd.org/dac)

Mechanisms for assuring good governance have three key elements: **Internal rules and restraints** (for example, internal accounting and auditing systems, independence of the judiciary and the central bank civil service and budgeting rules); **“Voice” and partnership** (for example, public-private deliberation councils and service delivery survey to solicit client feedback); and **Competition** (for example, competitive social service delivery, private participation in infrastructure, alternative dispute resolution mechanisms and outright privatization of certain market-driven activities). WDR 1997.

<http://www.ifad.org/gbdocs/eb/67/e/EB-99-67-INF-4.pdf>



Stakeholder in Governance:









Eight Principles of Good Governance:

“**Good Governance**” includes 8 guiding principles that are used in the processes of decisions making and implementation. They help leaders make the right decisions with the most effective outcomes. Mentioned below are the principles and explanation for understanding:

Principles of Good Governance:

Principles	Example	For Example
Participation 	Informed, organized and legitimate participation of both men and women either directly or indirectly through legitimate representatives at various levels	
Rule of Law 	Fair legal frameworks that protect fundamental rights and freedom for all citizens including minorities. Impartial enforcement of law by an independent judiciary and an efficient and accountable police force.	

<p>Transparency</p> 	<p>Transparency is the characteristics of governments, companies, organizations and individual that are open in the clear disclosure of information, rules, plans, processes and action.</p>	
<p>Accountability</p> 	<p>Not only governmental institutions, but also the private sector and civil society organizations must be accountable to the public for their policies and actions and their institutional stakeholders through a legitimate process.</p>	
<p>Responsiveness</p> 	<p>Institutions and processes serve the needs of all stakeholders. Mechanisms established that allow citizens to express their interests to policy makers/government institutions and receive a timely response.</p>	
<p>Consensus Orientation</p> 	<p>Mediate that different demands of society to reach a broad consensus in on what is in the best interest of the whole community and how this can achieved.</p>	
<p>Equity and inclusiveness</p> 	<p>All, groups, but particularly the most vulnerable, have opportunities to participate in all processes without discrimination to maintain and improve their well-being.</p>	
<p>Effectiveness and Efficiency</p> 	<p>Processes and institutions produces results that meet and needs of society while making the best use of resources at their disposal.</p>	

Objectives of the session	
✓	Realize the importance of their voice and collective voice
✓	Understand the Accountability and its existing mechanism in Pakistan
✓	Recognize the relationship between voice and accountability
✓	Learn about the process of raising their voice and making government accountable



Key Concepts of Voice and Accountability:

Voice is the capacity of **all people**- including the poor and most marginalized- to:

Express views, interests and opinions	Access information and demand answers	Demand action from those in power to improve the situation	Influence governing processes
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Voice can be directed to processes of **decision-making** or/and **policy implementation** or/and **service delivery**.



Citizen's voice	Refers to the capacity of citizens to influence the decisions made by others on the issues that affect their lives.
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Accountability refers to the **obligation** of an individual or organization to **account** for its **activities**, **accept responsibility** for them and to **disclose the results** in a **transparent** manner to relevant authorities and citizens for whom they work.

Accountability is;

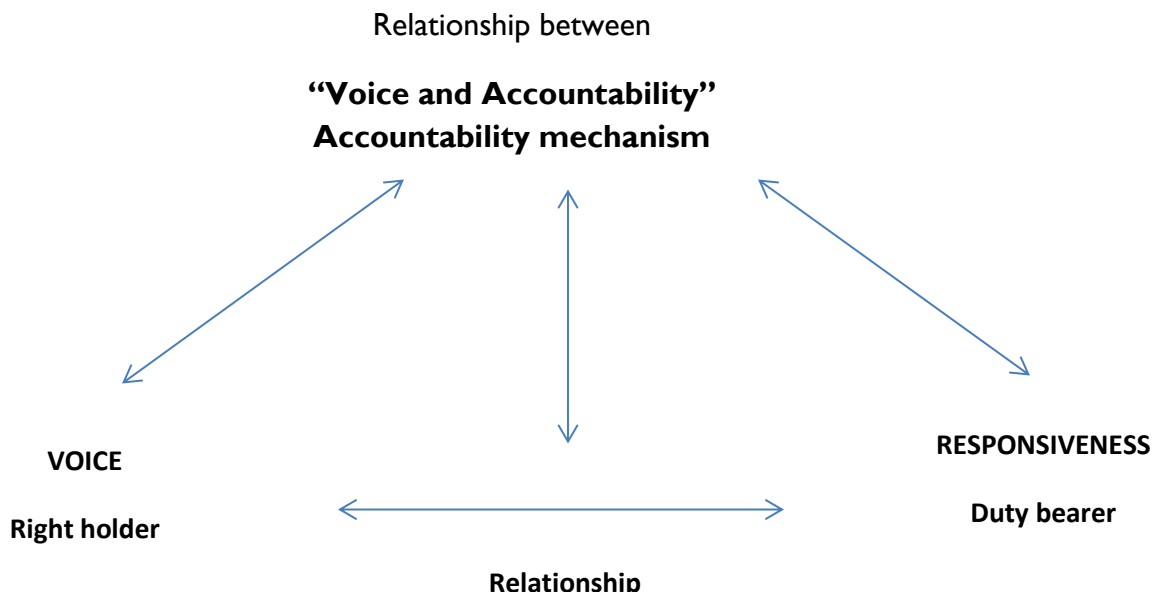
- A **proactive process** by which officials **inform about** and **justify** their plans of action, their behavior and results, and are **sanctioned** accordingly.
- The ability of the **citizens** to evaluate the performance of the **institutions/individuals** and to hold them **responsible** for fulfilling their public duties.
- **Incomplete** without the following two aspects;

Answerability	Enforceability
When an official/institution is answerable for its actions/policies to the citizens	When the citizens can take public official/government to task if the performance is not satisfactory according to the agreed standards.
Example:	Example:

	Vertical Accountability: occurs when citizens hold public officials accountable for their actions/policies		Horizontal Accountability: occurs when state bodies hold each other accountable for their respective actions/policies
Example:		Example:	

Accountability is important because it...

1	2	3
Is an essential component of good governance	Involves citizens in the process of good governance	Results in citizens' freedom and well being



Instructions:

Participants will be asked to read the case study in group and answer the question mentioned below

Time: 30 minutes**Handout: Group Work****Power Cuts Parks Violent Protests:**

Lahore: owing to excessive load shedding across the province, the outraged citizens staged protests at different locations across the city on Sunday. The protests led to massive traffic jams and clashes between police and protesters that left many injured.

The protesters torched several vehicles and destroyed government properties, including Chung Police station and several grid stations. The city witnessed scenes of burning tyres and protesting mobs at key locations throughout the day.

Hundreds of people blocked different roads across the metropolis and chanted slogans against the government and WAPDA officials for unprecedented load shedding.

An atmosphere of panic was seen among the non-protesting citizens and a large number of people shopping or working in and around the areas where protest were being staged, tried to rush to their homes or to other safer locations. This eventually led to massive traffic jams across the city, featuring numerous cases of road accidents as well.

The protest continued for six hours which brought traffic at Main Multan road, GT road and Band Road to a standstill. The protesters were of the view that the discriminatory attitude of the federal government in terms of power supply to Lahore has left the citizens in turmoil who were already busy in fighting dengue that had claimed the lives of over 150 citizens until now. They demanded immediate and uninterrupted supply of electricity, warning that they would launch a long march against the federal government if the demand was not met.

Heavy contingent of police reached the scene to disperse the protesters and started thrashing them when they refused to move. As a result, the angry mob set the vehicle of a DSP on fire, also damaging the vehicle of an SP.

In reaction to this, police launched a crackdown against the protesters and arrested 34 persons from their homes.

Meanwhile, residents of Prem Nagar also came out on the roads as a mark of protest against the excessive load shedding and set the LESCO office on fire. Local police reached the scene and managed to disperse the protesters.

Separately on Multan Road, a heavy contingent of police reached the scene to clear the main road by dispersing the protesters. Initially, police officers tried to convince them through dialogue, but when the protesters refused to succumb, they resorted to baton charge and aerial firing. They also opened tear-gas shelling on the protesters which further infuriated them.

Resultantly, the angry mob attacked the Chung Police Station. The protesters broke the building's windowpanes and damaged parked motorcycles and cars. A sub-inspector of Chung Police also received wounds during the scuffle.

Senior officials of Saddar Division reached the scene along with officers from other police stations and arrested 12 protesters. Most of the protesters dispersed after police resorted to aerial firing. Later, a case was registered against 12 protesters as dozens of unidentified locals of the area.

1. What was the issue?

2. What went wrong?

3. What actions were taken and by whom?

4. What was a better way to resolve the issue?

Source: Daily Times, Monday, October 3, 2011

<http://tribune.com.pk/story/265534/threshold-of-pain-riots-break-out-over-power-cuts/>

Session 3: RTI-Conceptual Underpinnings:

Time: 60 Minutes

Objectives of the session
✓ Conceptual understanding of Right to Information
✓ Understand the important of Right to Information law
✓ Know about Principles of Right to Information



Handout: **What is Right to Information**

The terms ‘Access to Information’, ‘Freedom of Information’ (FOI) and ‘Right to Information’ (RTI) are interchangeably used but the underlying meaning is the same. –to have the ability to access information. ‘Information’ as a term has been derived from the Latin words ‘Formation’ and ‘Forma’ which means giving shape to something and forming a pattern, respectively. (National documentation center on mass communication, research, reference and training division)

However, the word information in these terms is used in a certain context. It denotes to that information which is held by the government. The information held by the government belongs to the people and the government and its functionaries are custodians of this information for the time being. It belongs to the people because it is primarily “The sum total of a collection of facts about the people and the country”.

Now, if you think over these two terms ‘right to information’ and ‘freedom of information’, do they provoke any questions in your minds? Make a list of the questions which these terms raise in your mind. Is your list, more or less, similar to the following?

- 1) What is the need to have this right?
- 2) How can this right be exercised?
- 3) Who can exercise this right?
- 4) Does this right have any linkage with other basic rights like right to life, freedom, property, housing etc?
- 5) Is it an absolute right?

There are certain cases in which the government may not share the information with the citizens. This kind of information is put under the ‘exceptions’ category and all the RTI laws enacted by different countries have this category. For example, the information pertaining to the legitimate security concerns of the state may not be declared to the public.

<http://www.rrtd.nic.in/RIGHT%20TO%20INFORMATION.html>

However, it does not necessarily mean that the government can deny access to information to the public under this pretense.

That is why there have evolved internationally the principles or best practices pertaining to the issue as to how the information sharing process should be handled.

We will be talking about these principles afterwards. It is important to understand first the exceptions or what not to know in order to understand how the principles of freedom of information deal with grey areas pertaining to the exceptions.

- National security, defense and international relations;
- Public safety;
- Prevention, investigation and prosecution of criminal activities;
- Privacy and other legitimate private interests;
- Commercial and other economic interests, be they private or public;
- Equality of parties concerning court proceedings;
- Inspection, control and supervision by public authorities;
- Economic, monetary and exchange rate policies of the state;
- Confidentiality of deliberations within or between public authorities for an authority's internal preparation of a matter.

Governments generally have this tendency not to divulge information. They often cite '**national interest**', '**public interest**' and 'security' to deny information. It is important to know the principles of freedom of information so that as and when a public body denies access to information, it could be challenged from rights based perspective.

Principles of Freedom of Information

Many countries have enacted right to information laws. During this process of formulating laws on right to information, some basic principles have emerged. These principles serve as a yardstick to test the effectiveness of right to information legislation. This list comes from ARTICLE 19's Principles on Freedom of Information¹ Legislation.

1. Freedom of information legislation should be guided by the principle of maximum disclosure
2. Public bodies should be under an obligation to publish key information

www.article19.org/pdfs/standards/righttoknow.pdf

3. Public bodies must actively promote open government
4. Exceptions should be clearly and narrowly drawn
5. Requests for information should be processed rapidly and fairly and an independent review of any refusals should be available
6. Individuals should not be deterred from making requests for information by excessive costs
7. Meetings of public bodies should be open to the public
8. Laws which are inconsistent with the principle of maximum disclosure should be amended or repealed
9. Individuals who release information on wrongdoing – whistleblowers – must be protected

RTI and Other Basic Rights:

The linkage between RTI and other basic rights and freedoms can be found in resolution 59(1), which UN adopted in its very first session in 1945. It stated: “**Freedom of information is a fundamental human right, the touchstone of all the freedoms to which the UN is consecrated**”. What is the logic of attaching importance to access to information to an extent that it is not only regarded as a fundamental human right but it is also identified as a yardstick to measure other freedoms? Why is freedom of information being considered as a touchstone or a benchmark for other rights and freedoms? This clearly means that there is corresponding link between the ability to exercise the right to information and the level of the quality of life enjoyed by the citizens.

In other words, the assumption is that those who have a greater level of access to information have a better quality of life as compared to those who have lesser level access to information.

It also means that right to information does not, in itself, guarantee other basic rights. In other words, it empowers citizens to attain their basic human rights. This leads to another important question. How level of access to information empowers people to attain their basic human rights and vice versa? For example, if people know the total budget of a dispensary or of a school in their area, they will demand corresponding quality in the services.

Similarly, if they know the total cost to be incurred on the proposed road in their area, they will create immense public pressure on their representatives and officials if the quality is compromised because of the kickbacks. In these examples, we find the linkage of right to information with public accountability and democracy. If people have access to this information, there could be following outcomes:

- Better Healthcare facilities
- Better education for their children

- Better infrastructure
- Ability to make informed choices while exercising their vote power

This is the power of the right to information.

How people could be empowered to exercise their right to information?

From the above examples, it is abundantly clear that the exercise of right to information brings about qualitative change in the lives of people. It is also clear that these are matters of public interest. The question arises as to how public accountability in matters pertaining to public interest be ensured? Civil society organizations, concerned citizens can play a pivotal role in promoting and protecting citizens' right to information.

As right to information is cross-cutting and is linked with other fundamental rights, be it right to education, right to health and other rights, civil society organizations can use right to information to strengthen their work.

Similarly, concerned citizens can create awareness about right to information and solve problems faced by their respective communities through the use of right to information legislation. For this, there is need to understand the role of press as a fourth estate in democratic system of governance. The fourth estate model dictates the press to make government accountable by publishing information about matters of public interest even if such information reveals abuses or crimes perpetrated by those in authority.

In the recent past, media has also empowered the public in many ways by using variety of formal and informal sources to have access to information. However, the very fact that media has not utilized the right to information regime leaves much to be desired.

The print and electronic media has brought to the fore corruption surrounding the utilization of public funds, allotment of government property and official residences, insider trading, privatization of public institutions, manipulation of electoral process at all three tiers of government etc. With the help of RTI tool and media civil society organizations can dig deep and address deeper structural issues impacting the lives of common people.

<p>Instructions:</p> <p>After the session participants will be asked to discuss about Right to Information for a couple of minutes and write down and share their thoughts whether it is true or false</p>	<p>Time: 10 minutes</p>
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True or False?

Question	True / False
Right to information is an absolute right.	
The information held by the government belongs to the people and the government and its functionaries are custodians of this information for the time being.	
It belongs to the people because it is primarily “The sum total of a collection of facts about the people and the country.	
There are certain cases in which the government may not share the information with the citizens.	
Freedom of information legislation should not be guided by the principle of maximum disclosure.	
There is corresponding link between the ability to exercise the right to information and the level of the quality of life enjoyed by the citizens.	
Exceptions should not be clearly and narrowly drawn.	
Right to information does not, in itself, guarantee other basic rights.	
The fourth estate model dictates the press to make government accountable by publishing information about matters of public interest even if such information reveals abuses or crimes perpetrated by those in authority.	
Public bodies should be under an obligation to publish key information.	
With the help of RTI tool, journalist can dig deep and address deeper structural issues impacting the lives of common people.	

Session 4: Legislation of Right to Information Law in Pakistan

Time: 45 Minutes

Objective of the session

- ✓ Know Right to Information laws legislation and its current provincial status



Handout: **Right to Information**

The law bestows the right to access to any information or record held by a body. It also states that it facilitates and encourages the disclosure of information, promptly and at the lowest reasonable cost.

RTI is recognized in the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1976) and the UN Guidelines on consumer Protection (1985). RTI is essential to protect individual's right to life and liberty, as well as to enable practice of freedom of expression.

Information is the oxygen of democracy and Right to Information has been recognized as a fundamental right and touchstone of all the freedoms to which the UN is consecrated. It ensures accountability and transparency in the functioning of public bodies and it empowers people to meaningfully participate in decision making process at various levels of government. The concept of RTI is not new; rather it has evolved through recognition by internationally accepted and recognized legal and human rights instruments, as well as through continuous efforts on the part of various reputed individuals, social movements and non-governmental organizations.

In the whole South Asia, Pakistan is the only country to adopt a law access to information from public bodies at the national level to its community.

In 2002, the Freedom of Information Ordinance (FOIO) was promulgated laying down procedures for citizens to access information held by ministries, departments and agencies of the Federal Government. Baluchistan and Sindh adopted freedom of information legislation modeled along the lines of FOIO in the year 2005 and 2006 respectively. In 2010, with the adoption of 18th amendment to the Constitution of Pakistan, the right of the citizens of Pakistan to access information of public importance from their government has been enshrined in the fundamental law of the land.

Under the 18th amendment, Article 19-A, which deals with the right to information, has been added to Constitution. Even before the insertion of 19-A in the constitution, in 1993, the Supreme Court had observed that "...the government is the major source of information, which in a democratic setup, it is duty-bound to disseminate public

awareness, to enable them to adjudge the conduct of those who are in office and the wisdom and follies of their policies” (PLD 1993 SC 746).

It encourages public bodies to explicitly publish information for common people to be accessible in an easy manner, both on printable and internet formats. The focus is on the use of proactive disclosure of information which has never been the focus in previous legislations in Pakistan. This law binds public bodies to publish information on:

1. Acts, rules, regulations, by-laws, manuals, and orders,
2. Information including structure, function, powers, duties and services about organization,
3. Information on all employees including their remuneration, perks, privileges, powers, and duties,
4. Standard operating procedures,
5. Decision making processes and opportunities for citizen engagement,
6. Important information on the organization policies and decisions being made and/or in process,
7. Budget including proposed and actual and
8. Details on benefit programs including subsidy including details about the amount and beneficiaries.

It is an international practice to exempt certain limited information to be placed in public domain. The law usually restricts access to information on;

1. International relations and security
2. Disclosure harmful to law enforcement
3. Public economic affairs
4. Policy making
5. Privacy
6. Legal privilege
7. Commercial and confidential information etc.

Regions	Right to Information
Punjab	Law available- The Punjab transparency and right to information bill 2013 passed, 12 th December 2013.
Sindh	Available law: the Sindh Freedom of Information Act 2006 passed 15 th , November 2006.
Khyber Pakhtunkhwa	Law available - the Khyber Pakhtunkhwa right to information act 2013.
Baluchistan	Available law: Freedom of Information Act 2005
Gilgit Baltistan	No law

Objective of the session
✓ Know Khyber Pakhtunkhwa Right to Information Act 2013



Handout: KP Right to Information Act 2013

Khyber Pakhtunkhwa Assembly enacted Khyber Pakhtunkhwa Right to Information Act 2013 on 31st October, 2013. This document provides the legislative framework under which citizens of Pakistan can have access to information held by KP public bodies. Key features of this Act are as under.

Preamble:

The Act sets out with a preamble which states the purpose of this legislation.

An Act

To provide for ensuring transparency and access to information in the Province of the
Khyber Pakhtunkhwa.

WHEREAS Article 19A of the Constitution of the Islamic Republic of Pakistan provides that every citizen shall have the right to access to information in all matters of public importance, subject to regulation and reasonable restrictions imposed by law;

AND WHEREAS transparency of information is vital to the functioning of democracy and also to improve governance, reduce corruption, and to hold Government, autonomous and statutory organizations and other organizations and institutions run on Government or foreign funding, more accountable to its citizens;

AND WHEREAS it is essential that citizens shall have right to information to participate meaningfully in a democratic process and further to improve their involvement and contribution in public affairs;

Purpose of the Act:

Section 3 of the Act tells about the purpose of this Act and how is it going to be achieved. It says that this Act should be interpreted to advance the purposes of this Act. Furthermore, this section also says that the purpose of this Act is to “to facilitate and encourage, promptly and at the lowest reasonable cost, the disclosure of information“.

Information exempted from Disclosure:

Sections 15 to 22 contain type of information exempted under this law. The exempted information is as under:



Public Interest VS Exempted Information:

The law does not give blanket or absolute exemption to exceptions mentioned in Section 14 to 22. In this regard, Key features of Section 14 are as under:

- If part of requested information belongs to the exempted information, that part should be kept by the public body and the rest of the information should be provided to the requester.
- Even if the information pertains to categories of exempted information, there should be strong presumption for disclosure if information exposes corruption, criminal wrongdoing, other serious breaches of the law, human rights abuse, or serious harm to public safety or the environment.
- Even the exempted information will be made public after 20 years of its initiation, which can be further exempted from disclosure for 15 years with the consent of KP Information Commission.

Section 6 of this Act asks the public bodies to designate officials to handle the process:

In case of the absence or the unavailability of such an official, the incharge of the public body would be responsible for handling the information requests.

Duty to assist requesters:

Section 8 of the Act makes it binding on the public official to take necessary steps to assist a requester in the process of obtaining information.

Key features of Section 8 are as under:

- Designated officer will help requester in locating the information.
- Designated officer will assist persons with disabilities in filing information requests.
- Designated officer will help illiterate persons in writing the information requests.

Procedure for disposal of applications:

Section 10 and Section 11 describe procedure to be followed in handling the information requests. Key features of this procedure are as under:

- Designated officer will provide the information within 10 working days of the receipt of the information request.
- The time period of 10 working days can be extended for further 10 working days in cases where public body has to collect information from different offices or from third party.
- Information needed to protect the life or liberty of any individual will be provided within two working days.
- The designated officer will notify the requester that information has been accepted and if applicable, will ask him to pay the fee.
- If information request is rejected on the ground that it pertains to exempted information, the designated officer will notify the requester this fact and mention his right to appeal.
- If the information is denied for any reason, the designate officer will describe the reasons in writing.
- The designated officer would certify that the information provided is correct.

Fees for Filing Information Request:

Section 13 deals with the issue of fees for filing information requests. Key features of this section are as under:

- Filing information requests will be free.
- There will be no fee for first 20 pages.
- KP RTI Commission has issued notification regarding fee i.e. single page Rs. 2/- and for back to back, Rs. 4/- will be charged accordingly.
- There will be no fee for persons below poverty line.

<http://www.kprti.gov.pk/rti/documents/1433223184556d3b26bc7f5.pdf>

Khyber Pakhtunkhwa Right to Information Commission:

- The Commission shall consist of not more than three Information Commissioners to be appointed from amongst the following;
 - A person who is or has been in the service of Pakistan in basic pay scale 21 or equivalent ;
 - A person who has been or is qualified to be a Judge of the High Court;
 - A person from civil society having a degree based on sixteen years of education from a recognized institution and experience of not less than fifteen years in the field of mass communication, academic or right to information.

Functions of Information Commission:

1. The Information Commission shall have a primary responsibility to receive and decide on complaints.
2. The Information Commission shall, in addition to this complaints function, conduct the following activities;
 - a. Set rules and minimum standards regarding manner in which public bodies are required to manage their records.
 - b. Designate further categories of information which may be subject to proactive disclosure.
 - c. Adopt a schedule of fee that public bodies may charge for providing information to requesters.
 - d. Approve or reject extensions to the maximum period that information may be kept confidential.
 - e. Compile a user friendly handbook in English and Urdu, describing in easily comprehensible form the rights established and how to make request for information under this Act.
 - f. Refer to appropriate authorities those cases which reasonably disclose an evidence of offence under this act.
 - g. Compile a comprehensive annual report both describing its own activities, including an overview by all public bodies to implement this act, taking into account the information provided by individual public bodies.
 - h. Have an accredited accountant conduct an audit of its accounts on an annual basis and provide a copy of its audited accounts to the Provincial Assembly and Department of Finance.

Powers of Information Commission:

- I. Direct or incidental as necessary to undertake its functions
- II. Conduct inquiries

- III. Summoning
- IV. Requiring public bodies to produce documents & things
- V. Inspect the premises of the Public Bodies
- VI. Order to disclose the information to the requester
- VII. Impose fine from 250/- to 25,000/-
- VIII. Ask public bodies to take general measures or activities i.e appointing designated officer, conduct training for its employees, manage records, publishing information or annual report proactively

<p>Instructions:</p> <p>After the session participants will be asked to discuss about Right to Information for a couple of minutes and write down and share their thoughts whether it is true or false</p>	<p>Time: 10 minutes</p>
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True or False?

Question	True / False
Anyone can have access to information under KP RTI ACT 2013.	
Under this Act, only what is declared under section 15 is public record.	
Noting on the file and minutes of meetings are public records under KP RTI ACT 2013.	
It is binding on the public body to take necessary steps to assist a requester in the process of obtaining information.	
Under KP RTI ACT 2013, designated official will be an at least BSP-18 officer.	
There is no fee for first 15 pages of information.	
Public Information officer is bound to respond within 21 days on requested information.	
Information request can be submitted throughout the country under KP Right to Information Act 2013	
KP RTI Commission has only authority to impose fine on Public information officer.	

Session 6: Procedure of filing RTI Information request and Complaint

Time: 135 Minutes

Objective of the session
✓ Know process of filing information request to the Public Body under Khyber Pakhtunkhwa Right to Information Act 2013
✓ Know about process of lodging complaint



Process for submitting Information Request under Khyber Pakhtunkhwa Right to Information ACT 2013:

Access to information contained in the government records requires one to go through a particular process. This process involves both analysis and practical steps that need to be taken to access information. Understanding this process helps save time and money as well as enables the requester in providing access to the targeted information. This chapter explains the method of submitting information requests.

Fill in the below form or provide this information on a plain paper:

1. Attach a copy of your National Identity card with this form.
2. Send your application to designated information officer of government department. If information officer has not been designated, send it to head of government department.
3. Send it through registered post.
4. Keep copy of your application and the receipt of the registered post for your record and future reference.
5. Requested information should be provided to you within 10 working days. If government department finds it difficult to collect the information, it may take extra 10 days.
6. If information is about protecting life and property of an individual, it will be provided within 2 days.

Handout: **Specimen of Information Request**

Date:

Public Information Officer
District XXXXXX Department
District Peshawar.

Subject: **Information Requested Under Khyber Pakhtunkhwa Right to Information Act 2013**

Dear Sir/Madam,

I am submitting this information request under KP RTI Act 2013. Please provide me certified copy of the following information:

1. No. of XXXXXX Peshawar District
2. XXXXXXXXXXX
3. XXXXXXXXXXX

Sincerely,

X Y Z

CNIC: XXXXX-XXXXXXXX-X

Address: XXXX, XXXXXXXX, XXXXXXXXXXX, XXXXXXXXXXX

Contact #: XXXX-XXXXXXXX

If Requested information is not provided:

1. You can write complaint against the public department to Khyber Pakhtunkhwa Information Commission on a plain paper.
2. The complaint shall include copy of your information request, and proof (registry/email copy/courier slip)
3. The Khyber Pakhtunkhwa Information Commission will decide on your complaint within 60 days.
4. The information commission has the power to levy fine up to Rs 25,000 on designated information officers for denying/delaying information.

Handout: **Specimen of Complaint**

Date:

Chief Information Commissioner
Khyber Pakhtunkhwa Right to Information Commission Office
Peshawar.

Subject: Complaint under Khyber Pakhtunkhwa Right to Information Act 2013

Dear Sir,

I filed an information request on March 04, 2014, under Khyber Pakhtunkhwa Right to Information Act 2013 to seek following information from District XXXXX department. I could not receive the requested information from the officer concerned. Hence I am hereby submitting this complaint of non-provision of information under KP RTI Act 2013, clause 11 (sub section 1).

1. No. of XXXXX Peshawar District
2. XXXXXXXXXX
3. XXXXXXXXXX

Despite waiting for one month, I have not been provided the requested information. For your perusal, please find attached my correspondence with the department, and help me have access to the information which is my right as the citizen of Pakistan

Sincerely,

X Y Z

CNIC: XXXXX-XXXXXXX-X

Address: XXXX, XXXXXX, XXXXXXXXXX, XXXXXXXXXXXX

Contact #: XXXX-XXXXXXX

Handout: **Remember**

- I. Remember that only provisions of this Act are applicable and other laws are irrelevant.
- II. The applicant will not have to provide reasons for requesting the information.
- III. The applicant can file information request in person, by mail, fax or E-mail.
- IV. If an applicant is unable to describe sufficient details of information, Public Information Officer will help the applicant in locating the information.
- V. The Public Information Officer will write information request on behalf of illiterate person, sign and stamp it, put date on it and will provide copy of the application to the illiterate person.
- VI. The Public Information Officer will provide assistance to persons with disabilities in filing information requests.
- VII. In case the requested information is not available with the public body, Public Information Officer will forward the request for information to the relevant public body and will also inform the applicant.
- VIII. The Public Information Officer will return the information request to the applicant in case he or she does not know the relevant public body that holds the information.
- IX. If the requested information is available with public body, the Public Information Officer will notify the applicant that request for information has been accepted and will inform the applicant to deposit the fee to get the requested information.
- X. When providing the requested information, the Public Information Officer will also provide a certificate testifying that the information being provided is true. The Public Information Officer will sign this certificate and put date on it.
- XI. The Public Information Officer will provide reasons in writing for rejecting the request for information.
- XII. The Public Information Officer will 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.
- XIII. In case request for information is rejected on the ground that requested information belongs to categories of exempted information, the Public Information Officer will inform the applicant about the exact exception and also that the applicant has the right of appeal against this decision.

- XIV. The Public Information Officer will provide the requested information as soon as possible but within 10 working days.
- XV. The Public Information Officer can 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.
- XVI. The Public Information Officer will provide the requested information within 2 working days if it pertains to life or liberty of an individual.
- XVII. The Public Information Officer will facilitate a citizen in inspecting documents if it does not unreasonably interfere with the functions of the public body or harm the documents.
- XVIII. Do not pay any fee for filing the information request.
- XIX. Do not pay any fee for first 20 pages of information.
- XX. The Public Information Officer will only charge the actual fee for producing and sending the requested information according to the cost set by Khyber Pakhtunkhwa Information Commission.
- XXI. If you file an appeal against decision of a Public Information Officer, the Burdon of proof will not be on you but on the Public Information Officer to prove before Khyber Pakhtunkhwa Information Commission that the Public Information Officer acted in accordance with the provisions of this Act.

Exemption to Exempted Information:

- I. The Public Information Officer cannot apply secrecy provision of other laws.
- II. If part of requested information belongs to the exempted information, and it can be separated without damaging the record, the Public Information Officer will keep that part and provide the rest of the information to the applicant.
- III. The Public Information Officer will provide even the exempted information if 20 years have passed since its initiation or will seek consent of Khyber Pakhtunkhwa Information Commission to exempt it from disclosure for further 15 years.
- IV. The Public Information Officer will provide the requested information if public interest necessitates the disclosure of information even if it belongs to categories of exempted information.
- V. The Public Information Officer will provide the requested information if information commission determines that the disclosure will expose corruption, criminal wrong-doing, serious breaches of law, human rights abuses or if the Public Information Officer thinks that non-disclosure may cause serious harm to public safety or to the environment.
- VI. The Public Information Officer cannot not apply The privacy clause in the following cases:

- a. More than 20 years of the death of an individual;
 - b. The individual has consented the disclosure of information;
 - c. The applicant is guardian of the individual, next of kin, or the executor of the will of a deceased individual; or
 - d. The individual is or has been a public official and the information pertains to functions performed as public official.
- VII. The Public Information Officer will provide the requested information if the individual has waived his right of protecting legally privileged information.
- VIII. The Public Information Officer may seek opinion of the third party about the information provided in confidence but will decide on objective consideration whether the information belongs to the categories of exempted information or not.

Crime and Punishment:

It is important that civil society activists should also know about the penalties and punishments under this Act for obstructing the exercise of rights granted to citizens in this law.

Criminal Offenses:

Section 28 states criminal offenses and punishment under this Act. The offenses are as under:

- Obstructing access to any record with intention to prevent the exercise of the right under this Act which is the right to have access to information;
- Obstructing performance of any public body to discharge its duties mentioned in the Act;
- Interfering in the work of Khyber Pakhtunkhwa Information Commission;
- Destroying any record without lawful authority.

Punishments for Criminal Offences:

Section 28 (2) mentions punishment for these offenses which can be imposed by Khyber Pakhtunkhwa Information Commission. The punishment can be imposition of fine up to Rs. 50,000 or imprisonment up to 2 years.

Penalty for Unlawfully Delaying or Denying Access to Information:

Under Section 26 (3b), Khyber Pakhtunkhwa Information Commission can impose penalty of Rs. 250 on the designated official for each day of delay or unlawfully denying access to requested information and this fine can go up to Rs. 25,000.

Penalty for the use of information with ulterior motives:

Section 28 (e) has been unnecessarily included in this law. When this section is read with section 28 (2), it says that a fine up to 50,000 or prison term of 2 years can be imposed if a person who uses the information obtained through this law with ulterior motives and bad design.

There is no such clause in good right to information laws. It is unfortunate that this clause has been included in the law which is about right to information and not how information is used for ulterior motives for which there are other laws.

Protection for Whistle Blowers:

Public officials have been given protection against departmental actions for exposing corruption and wrong-doing. In this regard, key features of Section 30 are as under:

- Legal, administrative or employment related sanctions will not be imposed if;
- An official releases information in good faith exposing wrong-doing or share information about threat to public safety or environment;
- Wrong-doing means criminal offence, failure to comply with legal obligations, miscarriage of justice, corruption, dishonesty and maladministration in a public body.

The Burden of Proof:

Section 23 (4) declares that in an appeal against the decision of Khyber Pakhtunkhwa Information Commission, the Burden of proof will be on the public body to establish that it acted in line with the spirit of this law.

Session 7: Case Studies, Using RTI as a Tool for Investigative Journalism

Time: 120 Minutes



Using RTI as a Tool for Investigative Reporting

Some Case Studies

Journalists are using RTI as a tool to investigate stories in different parts of the world. Centre for Peace and Development Initiatives, (CPDI) has been a leading civil society organization in the country in terms of submitting information requests at all tiers of the government. This chapter includes some of CPDI information request case studies as well as those wherein RTI was employed as a tool for investigative reporting. Some of the selected case studies are as under:

Case Study 1

This case study pertains to the expenses incurred on the foreign trips undertaken by the then Prime Minister Mr. Yousaf Raza Gillani, during his tenure as Prime Minister. The detail of PM trips was shared by the Ministry of Foreign Affairs with CPDI when it filed information request under Freedom of Information Act 2002. The ministry provided this information on the intervention of Federal Ombudsman. Ex PM remained almost nine months abroad from March 2008 to 2012, with over 50 visits to his credit. Each of his foreign visit cost the national exchequer at least 10 million rupees. Only five reciprocated as their heads of government/state visited Pakistan. He travelled 442,115.42-kilometers whereas the circumference of the Earth is 40,075.16 kilometres. In other words, he made 11 trips around the globe. The distance from the Earth to the moon is 385,400 kilometers, meaning thereby he could have chosen to become the first prime minister of any country visiting the moon.

The Information sought by CPDI from the Ministry of foreign Affairs was so ‘interesting’ that the media took it up, rephrased and produced, as above, in a very viewer/reader-friendly manner for public consumption. It said: **‘Gillani flew almost to the moon as PM’**

Case Study 2

CPDI submitted an information request to the Ministry of Law and Justice on June 05, 2008, asking them the following questions.

1. Certified copy of the list containing the names and addresses of lawyers hired by Ministry of Law, Justice and Human Rights to represent Federal Government/ Federation in Supreme Court of Pakistan from October 01, 2002 to March 20, 2008.
2. Certified information about the total amount paid by Ministry of Law, Justice and Human Rights as fee or in other heads to the lawyers who represented Federal Government/ Federation in Supreme Court of Pakistan during the same tenure.
3. Certified information about the fee paid by Ministry of Law, Justice and Human Rights to each lawyer from October 01, 2002 to March 20, 2008, to represent the Federal Government/ Federation in Supreme Court of Pakistan.

In responding to our request, ministry in its letter dated May 22, 2008, also referred to Section 7 for turning the request. Interestingly, this section is about providing the requested information. On May 05, 2008, we lodged complaint with Federal Ombudsman. It took Federal Ombudsman almost a year to decide on this information request. However, instead of providing information to CPDI, as directed by Federal Ombudsman in its findings and conveyed to the Ministry of Law and Justice on May 04, 2009, the ministry chose to file representation to the President of Pakistan on June 06, 2009. This representation contains some very interesting remarks. For example, in its appeal to President to reverse Federal Ombudsman decision, it says: "If the required information was provided to the requester, then (sic) create unnecessary problems, embarrassing situation, and open Pandora box, further, it be would direct interference in the internal working of this Division, accordingly, the request was turned down". This issue is still pending with the President despite the lapse of considerable time and no decision has been taken by the office of the President.

In this case study, what is interesting is the excuses and pretensions adopted by the ministry to deny access to information. Ministry denied the information request, saying it would open a 'Pandora box'. CPDI remained undeterred and persisted to open this 'Pandora box'. CPDI shared all the details with Ansar Abbasi, reporter 'The News International' and there was a front page story in 'Jang' and 'The News' on Monday, July 14, 2008 titled 'Law ministry protecting Musharraf's legal extravagance. CPDI's endeavours in terms of taking initiative of submitting information request and launching media campaign on this issue paid off as MNA Begum Nuzhat Siddiqi asked the minister for law, justice and human rights the same question CPDI-Pakistan had been raising. The Minister provided the partial information CPDI had been asking and details of scandalous amounts paid to the lawyers were divulged, injudicious use of public funds was exposed.

Case Study 3

In India, the Jharkhand Assembly has a well-furnished Guest House with 30 air-conditioned rooms at the assembly campus. Its rooms are being booked for VIPs and eminent persons as well as for politicians, social workers, journalists etc. Rent for EX-MLAs, MPs etc is Rs. 100.00 per day and for others, it is Rs. 300.00. The whole amount received from the guesthouse has to be deposited in the Govt treasury according to the rule. But information collected through RTI reveals that only a very small amount has been deposited in the treasury during last five years. Nobody knows where the rest has gone. A young journalist, Shakhty Pandey, working with Prabhat Khabar Institute of Media Studies applied for the details of the amount deposited in the assembly. People were surprised to know that only Rs. 30000 were deposited in the year 2004 and only Rs 32800 in the year 2005 (up to 7th December). On the basis of common calculation, this amount may be 20 Lacs or more.





Case Study 4


Australia

In June 2006 the Construction, Forestry, Mining and Energy Union put out a press release saying that 3 foreign workers on temporary 457 work visas had died in the last 4 weeks.

Matthew Moore, a journalist with the Sydney Herald thought that this was a very high figure, and he suspected that foreign workers were being exposed to dangerous and unlawful work practices. He asked the Union for more information and it was refused on the grounds that it was a private matter between the individual and the company. Moore submitted an FOI request to the Dept. of Immigration, asking for details of all the deaths of foreign workers on 457 visas. Information released showed that of the three workers killed, a slab of granite had crushed one, one had fallen from a work vehicle and one had died as a result of a logging accident. In addition, a further 17 foreign workers had died over the past 5 years. No further details were given. A second request was submitted asking for details of the deceased, including ethnicity, and details of all the deaths. The Department of Immigration stated that it was “snowed under” with FOI requests and would take some months to respond. It has not yet responded.

Matthew Moore continues to write issues connected to migrant workers.

1	 Citizen	<ul style="list-style-type: none"> • Who is the “citizen”? • Are all citizens’ equally equipped to express their voice? • As a CSO, what are some considerations to keep in mind when working with citizens? 	
2	 State/Public Institutions	<ul style="list-style-type: none"> • What are the State/Public Institutions? What level of institution does the citizen have direct access to? • What is the mandate of State/Public institutions vis-à-vis citizens? • As a CSO, how can we work with State/Public institutions? 	
3	 Institutional framework	<ul style="list-style-type: none"> • What is the relationship between State/Public institutes and the institutional framework? • How does the institutional framework affect the Enabling Environment? • As a CSO, how can we influence the institutional framework? 	
4	 Channels	<ul style="list-style-type: none"> • What is the role played by the channel vis-à-vis Voice and Accountability? • What are some channels through which a citizen can express their voice or demand accountability? • As a CSO, how can we be effective channels for Citizen’s Voice? 	
5		<ul style="list-style-type: none"> • What constitutes an “Enabling Environment” for citizen’s voice? 	

	 <p>Enabling environment</p>	<ul style="list-style-type: none">• Who are the key stakeholders responsible for creating an Enabling Environment?• As a CSO, what are some ways we can work to improve the enabling environment?	
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<https://asiafoundation.org/resources/pdfs/CitizensAccessToInformationinSouthAsia.pdf>
<http://english.rib-rtibangladesh.org/success-story-on-rti-003/>

Session 8: Process of Filing Information Request under Federal RTI Law Time: 120 Minute

3.1. 1.1 Guidelines for Information Requesters

Who is eligible to make a request for information under the Federal Right of Access to Information Act, 2017?

Under the Federal Right of Access to Information Act, 2017, a citizen of Pakistan can make a request for information to any of the above mentioned public bodies for all information, held by above-mentioned public bodies, other than the information explicitly exempted from disclosure under the Act.

Where and How to make an information request?

An applicant can make an application for information in writing to the designated official of the public body.

Designated Official

Under the law, each public body has the obligation to designate and notify an officer or any appropriate number of the officers to act and serve as a designated officer(s) not below the grade of BPS-19 or equivalent. The designated official is responsible to receive and process information requests submitted by the citizens.

In case of absence of the designated official, the principal officer of the public body shall be the Designated Official.

Duty of Designated Official to Assist the Requester

The designated official is under obligation to assist applicants who are having problems due to any disability in describing the information sought in sufficient detail to enable the public body to locate that information.

How to make an application for information?

The application can be made on a plain paper by describing the requested information and providing her/his contact details.

The information request must identify the information or record sought in sufficient detail to enable the public body to locate it.

The request must also contain complete address and contact details of the applicant for delivery of the information or record.

The public body / designated official shall not ask the applicant to provide reasons for his requesting the information.

The information request can be:

- Submitted to the designated official by hand
- Sent to the designated official by mail / postal service
- Sent to the designated official by fax
- Sent to the designated official through email
- Submitted online, if there is any online information request facility available with any public body

Duties of the Designated Official

Once the application is submitted, the designated official shall provide a receipt acknowledging the request, including the date and name of the official responsible for processing it. The applicant is required to provide adequate description of the information and the details necessary to provide the requisite information in the application.

Procedure for acceptance and refusal of requests

Upon receipt of the application / request, the designated official shall provide a written acknowledgement in response to a request.

After receipt of the request and its due acknowledgement, the designated official shall process the request and shall inform the requester / applicant by notice in writing that whether the request is accepted or rejected.

Acceptance of the Request

If the designated official accepts the request, s/he shall inform the requester that s/he is entitled to receive the information or record.

The requester shall be entitled to receive the information upon payment of the prescribed fee, if any.

Where the requester is entitled to the requested information or a record, s/he shall received the information / record accompanied by a certificate which may be affixed to the information or record at the foot thereof to the effect that the information is correct or the copy is a true copy of the original record and such certificate shall be dated and signed by the designated official.

Rejection of the Request

The designated official can reject the request:

- (i) on the basis that it does not comply with the provisions of this Act and the rules made thereunder. In this case, the designated official must provide required assistance to the requester in filing the request.
- (ii) on the basis that the information is already available in a generally accessible form in which case the notice shall indicate to the applicant the place from where the information may be found;
- (iii) on the basis that it is incorrect, because it relates to information which is substantially the same information that has already been provided to the same applicant during last six months; or
- (iv) in whole or in part, on the basis that the information is exempt. In this case, the designated official shall give notice to the requester specifying the exact exception relied upon and specifying details regarding the right of the applicant to appeal against this decision.

Where the designated official refuses a request, s/he shall, before informing the applicant of such refusal, obtain written approval of the principal officer of the public body.

Where the public body addressed in the request does not hold the information?

Where a public body, which receives the information request, does not hold information or record, the public body receiving the application, shall inform the applicant in this regard within ten working days of the receipt of the request.

Timeline for the Disposal of Applications

Upon receipt of the request, the designated official shall respond to the application within ten (10) working days. In case, the required information is not readily available, the Designated Official shall intimate the Applicant and take another ten (10) working days for responding to the application.

The designated official is under obligation to provide access to information, which is needed to protect the life and liberty of any individual, within three working days.

Fees for information request

According to the law, there is no fee for lodging / submitting information request. However, fee can be charged for the actual costs of reproducing information and sending it to the requester, in accordance with any schedule of fees, which may be adopted by the Information Commission.

Complaints to the Pakistan Information Commission

An applicant who is not satisfied by decision of the designated official or where no decision has been communicated to him within the time fixed for such decision, s/he may, within a period not exceeding

thirty days after either receiving a decision or after the time-limit for such a decision has passed, prefer an appeal to the information Commission.

An appeal under sub-section (1) shall be free of charge on following address:

Pakistan Information Commission

Information Services Academy, Zaro Point G-7/1

Islamabad.

(this is temporary address and the information commission has not yet given its permanent office)

The information Commission shall decide an appeal within a period of sixty days.

In case of complaint to the Commission by the applicant, the public body shall bear the burden of proof of showing that it acted in accordance with the provisions of this of this Act.

Guidelines for Heads of Federal Public Bodies and PIOs

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.

3.2. 1.3 Guidelines for Submitting Information Request under the Right of Access to Information Act 2017

You can submit information request by filling in the below form or by providing this information on a plain paper.

RTI Request Form under Right of Access to Information Act 2017	
Name of Applicant	
Phone Number and Address	
Name of Public Body from Which Information is to be obtained	
Subject matter of the information requested	
Information Request (specific questions)	
Date	
Signature	

- Send your application to designated Public Information Officer of the federal public body. If the federal public body has not designated Public Information Officer, send your information request to the head of the public body.
- Send your information request through registered post.
- Keep copy of your request for information and the receipt of the registered post for your record and future reference.
- Requested information should be provided to you within 10 working days.
- If the federal public body finds it difficult to collect the information, it may take extra 10 working days.
- If the requested information pertains to protecting life and liberty of an individual, it should be provided within three working days.

You can lodge appeal with the Pakistan Information Commission on a plain paper if requested information is delayed or denied, or you are not satisfied with the response of the Public Information Officer or if you think false information has been furnished

- (Attach copy of your application, copy of the letter from Public Information Officer, (if any), and the receipt of the registered post with your complaint)

- The Pakistan Information Commission will decide on your complaint within 60 days.

Annex I: List of Public Bodies.

The list is not exhaustive and there might be many public bodies not mentioned in the list.

Federal Public Bodies

Name of Organization	Postal Address	Contact Information
Cabinet Secretariat	Red Zone, Islamabad,	9213562
Ministry of Climate Change	G-5/2 G-5, Islamabad,	051-9245710
Ministry of Commerce and Textile	Red Zone, Islamabad,	9201252, 9220190
Ministry of Communications	Red Zone, Islamabad,	9204918, 9204917
Ministry of Defence	House no 477 main double road, police foundation, E11-3.	2375058 secretary@modp.gov.pk
Ministry of Energy	2nd Floor, Block-A, Pak Secretariat, Islamabad	9209624,
Ministry of Defence Production	Nouman Khan Adamjee Rd, Saddar, Rawalpindi,	9270930,
Ministry of Federal Education and Professional Training		051-9213933
Ministry of Finance, Revenue and Economic Affairs	Red Zone, Islamabad,	9202373 9203424
Ministry of Foreign Affairs	Foreign Office Building, Constitution Avenue, G-5, Islamabad	051-9210335
Ministry of Housing and Works	Floor, 8th & 9th, Shaheed e Milat Secretariat, Blue Area Islamabad	+92 51 9217422 info@estate-office.gov.pk
Ministry of Human Rights	9th floor, new pak secretariat (kohsar block).sector f-5 islamabad	9216620 secretary@mohr.gov.pk
Ministry of Industries and Production	Room No. 102, 1st Floor, A Block Pak Secretariat, Islamabad, Pakistan	(92-51) 9211709, + (92-51) 9210192 secretary@moip.gov.pk
Ministry of Information, Broadcasting, National History and Literary Heritage	4th Floor, Cabinet Block, Pak. Secretariat, Islamabad, Pakistan.	9212009 9204368 info@moib.gov.pk
Ministry of Information Technology and Telecommunication	7th Floor, Kohsar Block, Pak Secretariat, Islamabad	-9219930 info@moitt.gov.pk
Ministry of Interior	Room # 409 4th Floor R-Block Pak Secretariat ‘Constitution Ave, Red Zone, Islamabad,	051-9205639 DS.Admn.Moi@gmail.com
Ministry of Inter Provincial Coordination	Jinnah Ave, F 6/1 Blue Area, Islamabad,	9103503

Ministry of Kashmir Affairs and Gilgit-Baltistan	Red Zone, Islamabad	9205414
Ministry of Law and Justice	blocks s&r pakistan secretariat	9202712
Ministry of Narcotics Control Ministry of National Food Security and Research	Ministry of Narcotics Control, 6th Floor, Kohsar Block, Pak Secretariat, Islamabad Red Zone, Islamabad,	info@narcon.gov.pk 9210351 web.nfsr@yahoo.com
Ministry of National Health Services, Regulations and Coordination	3rd Floor Kohsar Block, Islamabad	-9245940 contact@nhsr.gov.pk
Ministry of Overseas Pakistanis and Human Resource Development	Red Zone, Islamabad	secretary@ophrd.gov.pk 9103984
Ministry of Parliamentary Affairs	Pakistan Secretariat, Red Zone, Islamabad,	9103861 contact@mopa.gov.pk
Ministry of Planning, Development and Reform	"P" block Pakistan Secretariat, Islamabad.	051-9209442 webmanager@pc.gov.pk
Ministry of Maritime Affairs	Block D, Pakistan Secetariat, F-5, Islamabad.	9215336
Ministry of Postal Services	Director General Pakistan Post Office, G-8/4 Islamabad.	111-111-117 customercare@pakpost.gov.pk
Ministry of Privatization		
Ministry of Railways	4th floor,Block D, Pak Secretariat, Islamabad	(92-51) 9218515 secretary@railways.gov.pk
Ministry of Religious Affairs and Inter-faith Harmony	Civic Centre, 20 Shaheed-e-Millat Rd, G-6 Markaz G 6 Markaz G-6, Islamabad,	9201909 pak.hajj@gmail.com
Ministry of Science and Technology	1-Constitution Avenue, G-5/2 Islamabad.	92-51-9202790, secretary@most.gov.pk
Ministry of States and Frontier Regions	Red Zone, Islamabad, Islamabad Capital	9211405
Ministry of Statistics	Plot # 21, Mauve Area, G-9/1, Islamabad, Pakistan	
Ministry of Water Resources	6 Ataturk Avenue, G-5/1, Islamabad.	+92-51-9244572 Info@mowr.gov.pk, complain@mowr.gov.pk
Ministry of Textile	F-5/1 F-5, Islamabad,	9203346 & 49
Cabinet Division	Cabinet Division, Cabinet Block-Secretariat, Islamabad	9213562
Capital Administration & Development Division	Room # 202, D-Block, Pak Secretariat Islamabad.	9201401 9208880 info@cadd.gov.pk
Establishment Division	Shaheed-e-Millat Secretariat, F 6/1 Blue Area, Islamabad, Islamabad Capital Territory	9212118

National Security Division		9214374 secretary@nsd.gov.pk info@nsd.gov.pk
Petroleum Division	Room No.302, 3rd Floor, A block Pak Secretariat	(92-51) 9211220 secretary@mpnr.gov.pk
PEMRA	PEMRA Headquarters, Mauve Area G-8/1, Islamabad.	9107151-3 secretary@pemra.gov.pk
PTA	PTA Headquarters, Sector F-5/1, Islamabad, Pakistan.	0800-55055 complaint@pta.gov.pk
OGRA	54-B, Fazal-e-Haq Road, Blue Area, Islamabad	9244090-98, miltaf@ogra.org.pk
NEPRA	NEPRA Tower, Attaturk Avenue (East), G-5/1, Islamabad, Pakistan	51 2013200 info@nepra.org.pk
FBR	3rd Floor FBR House, constitution avenue, G-5, Islamabad	051 111 772 772 helpline@fbr.gov.pk
NAB	National Accountability Bureau (NAB), Shahrah-e-Jamhuriat, G-5/1, Islamabad	111-622-622 chairman@nab.gov.pk
IESCO	IESCO Head Office St,40 G-7/4, Islamabad	051-9252937,9252938,9252939
Press Council Pakistan	Block 7, 2nd Floor, Main Civic Centre G-6 Markaz, Islamabad	(051) 9216491 secretariat@presscouncil.org.pk
SNGPL	Gas House, 21-Kashmir Road, P.O Box No. 56 Lahore 54000, Pakistan.	92 42 99082000-06, customerservices@sngpl.com.pk
PTCL	PTCL F-8 Exchange Nazim-Ud-Din Road F-8/1, Islamabad	111 20 20 20 care@ptcl.net.pk
Indus Motor Company	Plot No. N.W.Z/P-1, Port Qasim Authority, Karachi, Pakistan.	92-21-34721100
CDA	Khayaban-e-Suharwardi, Sector G-7/4,	9253001 chairman@cda.gov.pk
Banking Ombudsman	Office of the Banking Mohtasib Pakistan c/o SBP, Banking Services Corporation The Mall,	051- 9273252
Tax Ombudsman	Federal Tax Ombudsman Secretariat 5-A, Constitution Avenue Islamabad.	051-9211382 ombudsman@fto.gov.pk
General Ombudsman	WAFaqI MOHTASIB (OMBUDSMAN)'S SECRETARIAT , Constitution Avenue, G-5, Islamabad	
Pakistan Commission for Information	64 - Nursery Lane, Lawrence Road, Near China Chowk, Lahore	(042) 99205774
Supreme Court	Constitution Avenue, G-5/2 Islamabad, Pakistan	5192 20 581-600 mail@supremecourt.gov.pk

Islamabad High Court		051-9108038 info@ihc.gov.pk
Federal Service Tribunal	Building 47 G-5, Islamabad, Islamabad Capital Territory	+92 51 9216214
SBP	State Bank of Pakistan I.I. Chundrigar Road Karachi, Pakistan	111-727-111 info@sbp.org.pk
National Assembly	Parliament House, Constitution Ave, D-Chowk Red Zone, Islamabad, Islamabad Capital Territory	assembly@na.gov.pk
Senate		-9021981 info@senate.gov.pk
PM Office		0300 5856273 info@pmo.gov.pk
President House		dg_coord2@president.gov.pk
DC Office	ICT Administration Complex, Maue Area, G-11/4, Islamabad.	051-9108108
Islamabad Capital Territory Administration Labor Department Islamabad	F-8 Markaz F 8 Markaz F-8, Islamabad, 2nd Floor, ICT Agriculture Complex, Maue Area, G-11/4, Islamabad.	051-9108312-13 051 9108194
Islamabad Traffic Office		9261992-3
HEC	Head Office, H-9, Islamabad	0334 - 111-9432 sup_careers@hec.gov.pk
Islamabad Bar Council	3rd Floor, Federal Judicial Complex Maue Area, Sector G-11/1 Islamabad,	051-9320272. admin@ibc.org.pk
Pakistan Medical Dental Council		051-9106151
Pakistan Engineering Council	Ataturk Avenue (East), G-5/2 Islamabad	(+92-51) 111-111-732
Election Commission of Pakistan	Election Commission Of Pakistan Secretariat, Election House, Constitution Avenue, G- 5/2, Islamabad	(+92)(51) (9205611)

Public Bodies in Khyber Pakhtunkhwa

Name of Organization	Postal Address	Contact Information
Administration	Peshawar High Court, Peshawar,	
Auqaf	SDU Building, Attached Department's Complex Khyber Road, Peshawar -	091-9212620 Auqaf@kp.gov.pk
Secondary School Education	Civil Secretariat, Peshawar, Khyber Pakhtunkhwa, Pakistan	091-9210480 esekpk.gov.pk@gmail.com
Forestry Environment and WildLife	Khyber Road, Near Pearl Continental (PC) Hotel	091-9211144 kpenvforest@gmail.com
Excise and Taxation	Civil Secretariat	(091) 9210074 info@finance.gkp.pk
Health		92-91-9210570-1 healthkpgovt@gmail.com
Housing	Wahidabad Rahat Abad, Peshawar, Khyber Pakhtunkhwa	(091) 9224298
Local Government & Rural Development Department	Building No.33 Street 13, 8, Phase VII Sector E Hayatabad, Peshawar, Khyber Pakhtunkhwa	(091) 9219015
Population Welfare	Phase 7 Hayatabad, Peshawar, Khyber Pakhtunkhwa	(091) 9211535
Social Welfare	Shahi Bagh, Peshawar, Khyber Pakhtunkhwa	(091) 9331700
Culture, Sports, Tourism Archiology & Youth Affairs		091-9214211 info.culture@kp.gov.pk
Agriculture	Directorate of agriculture, Opposite Islamia College, Jamrud Road Peshawar, Gate 1	091-9224239 , 03481117070 info@zarat.kp.gov.pk
Energy and Power	House Number 43 Street no. 2, Finance Department, Civil Secretariat, Peshawar	(091) 9223631
Information and Public Relations		(091) 9223607
Finance	Police Lines Rd, Finance Department, Civil Secretariat, Peshawar, Khyber Pakhtunkhwa	(091) 9210074
Industries	Department of Industries, Commerce, and Technical Education, Civil Secretariat, Peshawar, Pakistan	92 (0) 91 9210418 secyind@yahoo.com
Higher Education		091-9210337 secyhed@yahoo.com
Inter Provincial Coordination	Civil Secretariat, Mian Rashid Hussain Shaheed Memorial Block,	091-9212325
Mineral Development	Civil Secretariat, pposite pc hotel, Khyber Rd, PTCL Colony Peshawar.	(091) 9210275
Public Health	Mohallah Ferozpura Mohalla Ferozpura, Haripur,	(0995) 611816
Tourism	13-A, Khyber Road, Peshawar.	+92 91 9211091 info@kptourism.com
Communication &		-9210752

Work		info@cwd.gkp.pk
Law	Finance Department, Civil Secretariat, Peshawar,	
Science and Technology &IT	2nd Floor, SDU Building, Khyber Road Peshawar	091-9212400
Establishment		
Food	haji camp bus stop, Sikander Town Sikandar Town, Peshawar, Khyber Pakhtunkhwa	(091) 9225378 info@kpfsa.gov.pk
Irrigation	Sher Ali Town Peshawar, Khyber Pakhtunkhwa	(091) 9222731
Home & Tribal Affairs	Police Lines Rd, Finance Department, Civil Secretariat, Peshawar, Khyber Pakhtunkhwa	(091) 9223420
Zakat & Ushar	Auqaf Department SDU Building, Attached Department's complex, Khyber Road, Peshawar. -	091-9212497 auqaf@kp.gov.pk
Planning and Development		9210516 http://www.pndkp.gov.pk/
Revenue	Civil Secretariat Peshawar Government of Khyber Pakhtunkhwa -	
Transport	Civil secretariat Peshawar	
District Court KpK	Peshawar High Court, Khyber Road, Peshawar, KPK	+92-91-9210149-58 info@peshawarhighcourt.gov.pk
Water and Sanitation Service Peshawar	House # 42-C, Zaryab Colony, Dalazak Road Peshawar	091-2245161 asif.shah@wsspeshawar.org.pk
City Traffic Police Peshawar		091-9225361 cdlpeshawar@gmail.com
Abbotabad Development Authority		091-9211450