

**GOVERNMENT OF PAKISTAN**  
**MINISTRY OF INFORMATION AND BROADCASTING**

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Islamabad, the 5<sup>th</sup> May, 2020

**NOTIFICATION**

S.R.O. (I)/2019. In exercise of the powers conferred by section 26 of Right of Access to Information Act, 2017 (XXXIV of 2017), the Federal Government is pleased to make the following rules, namely: —

1. **Short title and commencement.**— (1) These rules shall be called the Right of Access to Information Rules, 2019.

(2) They shall come into force at once.

2. **Definition.**— (1) In this Act unless the context otherwise require, Act means the Right of Access to Information Act, 2017 (XXXIV of 2017).

(2) All terms used but not defined herein shall have the same meaning as is assigned to it in the Act,

3. **Designated officer.**— (1) A designated officer of a public body may seek assistance of any officer in order to collect, collate or retrieve the information being sought by an applicant.

(2) If the delay is caused or any other complaint occurs as a result of non-cooperation, faulty or delayed response on the part of an officer whose assistance was sought by the designated officer, such other officer shall be deemed to be the designated officer after approval of the Secretary concerned for purpose of imposition of penalties under the Act.

4. **Application for information and its disposal.**— (1) Any citizen of Pakistan or any person who is acting for or on behalf of such person may apply on a plain paper or by using the sample of the application form, as may be prescribed by the Information Commission.

(2) The applicant shall not be required to furnish any information other than, —

(a) the description of information that the application needs;

(b) the form in which the applicant needs access to information, for such as photocopy, CD, video or audio clip; and

(c) contact details including home or office address, phone numbers or email address of the applicant.

5. **Procedure for the disposal of information requests.**— (1) The designated officer of a public body shall—

(a) not charge any cost for provision of information relating to life and liberty of any person; and

(b) inform the third party about the application for information relating to the third party. The designated officer shall provide an opportunity of hearing to both the applicant and the third party before recording decision on the application.

(2) If the requested information is denied or partially provided or is provided after the prescribed time, the designated officer shall explain in sufficient detail the reasons in writing to the applicant for total or partial denial or delay, and inform the applicant about remedy of complaint to the Commission along with the respective timeline.

(3) Each public body shall publish on its website, and if such facility is not available, on its notice board the procedure of filing application and obtaining information including the schedule of costs and filing of complaint as prescribed by the Commission.

6. **Transfer of application.**— (1) Any officer of a public body other than the designated officer who receives an application for access to information shall transfer the application to the designated officer under intimation to the applicant.

(2) The designated officer shall acknowledge receipt of a transferred application immediately after its receipt and process the same under the Act.

7. **Maintenance, indexation and computerization of records.**— (1) Each public body shall ensure that all information, record and material, irrespective of its forms or characteristics, which it has or is required to have in its custody in any of its administrative units, are efficiently maintained, indexed, catalogued and managed so that it is promptly available, as and when required by the designated officer for the provision of the same to an applicant.

(2) The Information Commission may issue deadlines or may set minimum standards about the form in which public bodies are required to carry out computerization, the design of online system or the categories of records which may be computerized or made available online on priority basis.

8. **Appeal to the Information Commission.**— (1) An appellant may file an appeal to the Information Commission against the decision of the designated officer on the following grounds, namely:-

- (a) failure by the concerned officer to comply with any provision of the Act including failure to communicate decision within the specified time;
- (b) provision of incomplete, misleading or false information; or
- (c) any other matter relating to access to information.

(2) The appellant may file an appeal on a plain paper or on a simplified sample format prescribed by the Information Commission and the applicant shall certify that the applicant had not already or concurrently filed any application, complaint or suit before any other forum or court.

(3) The Information Commission shall not charge any fee for filing or processing the appeal.

(4) The appellant shall not be required to furnish any information or document other than the alleged facts giving rise to such complaint, contact details, any evidence available with the applicant and a certificate under sub-rule (2).

(5) After the receipt of an appeal, the Information Commission—

- (a) shall seek comments from the concerned designated officer or from any other concerned officer by affording reasonable time and opportunity, in case of failure to decide the application within the time or extended time specified in the Act or failure to give cogent reasons for rejection or partly rejection of an application for access to information; and
- (b) may contact, if deems necessary, the complainant to seek further information or his comments on the response of the designated officer or any other concerned officer.

(6) The Information Commission may expedite the process of disposing of complaints through verbal or electronic communication with the complainant and the concerned officer and maintain record of such communication.

(7) The Information Commission shall, as soon as possible, establish a state-of-the-art online portal or facility to receive, process, manage and dispose of complaints in a most efficient and cost-effective manner.

9. **Meetings of the commission.**— (1) A meeting of the Information Commission shall be convened and chaired by the Chief Information Commissioner.

(2) In case the position of Chief Information Commissioner is vacant or if he is not available due to any reason, the Commissioner who is senior in terms of his date of joining the Commission shall serve as Chief Information Commissioner and may convene and chair a meeting of the Commission.

(3) Two Commissioners shall constitute quorum for a meeting of the Commission. In case of disagreement of the two Commissioners on an appeal, the decision of the Chief Information Commissioner shall prevail.

10. **Bi-annual report.**— (1) Each public body shall prepare and publish on its website or, in absence of any website, on its notice board, a bi-annual report with a focus on its efforts and performance in terms of implementation of the Act.

(2) The bi-annual report of a public body shall, amongst other things, include the following information;

- (a) status of proactive disclosure;
- (b) status of record management and the efforts made or underway online; to computerize records or make them available;
- (c) status of the use of technology or online portals for receiving, processing and providing information under the Act;
- (d) number of applications received and processed;
- (e) instances involving departmental action against officers for deviations or poor performance under the Act;
- (f) efforts made by the public body in terms of creating public awareness, training its officers, improving record management system in the light of the Act; and
- (g) any other information as may be prescribed by the Commission.

(3) The Commission may prescribe a format for the bi-annual report to be prepared and submitted by each public body.

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