

EXTRAORDINARY

GOVERNMENT



REGISTERED NO.III

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 5th NOVEMBER, 2013

PROVINCIAL ASSEMBLY SECRETARIAT KHYBER PAKHTUNKHWA.

NOTIFICATION

Dated Peshawar the 5th November, 2013.

No. PA/Khyber Pakhtunkhwa /Bills/2013/10496.-The Khyber Pakhtunkhwa Right to Information Bill, 2013 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 31st October, 2013 and assented to by the Governor of the Khyber Pakhtunkhwa on 4th November, 2013 is hereby published as an Act of the Provincial legislature of the Khyber Pakhtunkhwa:

THE KHYBER PAKHTUNKHWA RIGHT TO INFORMATION ACT, 2013

(KHYBER PAKHTUNKHWA ACT NO.XXVII OF 2013)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa (Extraordinary), dated the 5th November, 2013).

have the right to access any information or record held by a public body.

(2) Notwithstanding anything contained in any other law for the time being in force, and subject to the provisions of this Act, no requester shall be denied access to any information or record.

(3) This Act shall be interpreted so as,-

- (a) to advance the purposes of this Act; and
- (b) to facilitate and encourage, promptly and at the lowest reasonable cost, the disclosure of information.

4. Maintenance and indexing of records.

Subject to the provisions of this Act and in accordance with the rules as may be prescribed, each public body shall ensure that all of the records which it holds are properly maintained, including so as to enable it to comply with its obligations under this Act, and in accordance with any relevant rules or standards established by the Information Commission.

5. Publication and availability of records.

(1) The following categories of information shall be duly published by public bodies in an up-to-date fashion and in a manner which best ensures that they are accessible to those for whom they may be relevant, including over the Internet, subject to reasonable restrictions based on limited resources:

- (a) Acts and subordinate legislation such as rules, regulations, notifications, bye-laws, manuals and orders having the force of law in the Province, including being made available at a reasonable price at an adequate number of outlets to ensure reasonable access by the public;
- (b) information about the public body, including its organization, functions, duties, powers and any services it provides to the public;
- (c) a directory of its officers and employees, including a description of their powers and functions and their respective remunerations, perks and privileges;
- (d) norms and criteria set by the public body for the discharge of its functions, including any rules, manuals or policies used by its employees to this end;
- (e) a description of its decision making processes and any opportunities for the public to provide input into or be consulted about decisions;

- (f) relevant facts and background information relating to important policies and decisions which are being formulated or have been made and which affect the public;
 - (g) a detailed budget of the public body, including proposed and actual expenditures;
 - (h) details about any subsidy or benefit programmes operated by the public body, including details about the amount or benefits provided and the beneficiaries;
 - (i) particulars of the recipients of concessions, permits, licences or authorizations granted by the public body;
 - (j) the categories of information held by the public body;
 - (k) a description of the manner in which requests for information may be made to the public body, including the name, title and contact details of all [Public Information Officer]s; and
 - (l) such other information as may be prescribed.
- (2) Public body shall also publish an annual report on what they have done to implement their obligations under this Act, which shall include detailed information about the requests for information which they have received, and how they have processed these requests.
- (3) The annual report under sub-section (2) shall be formally forwarded to **Speaker Provincial Assembly of Khyber Pakhtunkhwa** and to the Information Commission, who shall take such action on the report as they may deem appropriate.

6. Designation of official.

- (1) On commencement of this Act, a public body shall within a period of one hundred and twenty (120) days, designate and notify an officer to act as [Public Information Officer] for the purposes of this Act, with whom request for information under this Act may be lodged.
- (2) In case no such official has been designated or in the event of the absence or non availability of the [Public Information Officer], the person in charge of the public body shall be the [Public Information Officer].
- (3) The designated officer shall be responsible for ensuring that requests for information are dealt in accordance with this Act and generally for promoting full compliance by the public body with its obligations under this Act.