

# State of Right to Information Legislation in Pakistan 2014-15

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Centre for Peace and  
Development Initiatives

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## Executive Summary

The State of Right to Information Legislation in Pakistan report, launched every year in the first week of July, is based on CPDI analysis of existing RTI laws on the yardstick of standards of effective right to information legislation, level of implementation of these laws based on empirically verifiable data, performance audit of appellate bodies, the use of RTI laws for investigative reporting and the role of federal and provincial governments and political parties in promoting and protecting citizens' right to information. Even in Khyber Pakhtunkhwa and Punjab where effective right to information laws are in place, public bodies fail to share information. Out of 159 information requests submitted to federal and provincial public bodies, only 26 public bodies provided the requested information. The Punjab Transparency and Right to Information Act 2013 scores highest marks on CPDI Score Sheet based on the analysis of right to information laws against internationally accepted standards of effective RTI legislation with 140 out of a total of 145 points followed by Khyber Pakhtunkhwa Right to Information Act 2013 with score of 125. Khyber Pakhtunkhwa Right to Information Act 2013 lost 9 points owing to the negative amendments introduced by Khyber Pakhtunkhwa Assembly when it exempted itself from the purview of the law and also lowered the status of Khyber Pakhtunkhwa Information Commission when district courts were declared forum for appeals against the decisions of Khyber Pakhtunkhwa Information Commission. The score of Freedom of Information Ordinance 2002 and its replicas in Balochistan and Sindh in the shapes of Balochistan Freedom of Information Act 2005 is 32 out of 145, reflecting ineffectiveness of these laws when juxtaposed against the standards of right to information legislation. The role of federal and provincial governments in protecting and promoting right of access to information held by public bodies leaves much to be desired. Without any debate and without seeking input from civil society groups, Khyber Pakhtunkhwa Assembly exempted itself from the purview of the law as well as lowered the status of Khyber Pakhtunkhwa Information Commission making district courts forum of appeal against the decisions of the Commission. Punjab government has done well so far as it has not introduced any amendments in the Punjab Transparency and Right to Information Act 2013 despite the 'organized resistance' to this law in the wake of some landmark judgments which have not gone well with the Punjab bureaucracy. Owing to the delaying tactics used by Punjab bureaucracy, funds for the Punjab Information Commission could only be released in October 2014; as a result, commissioners appointed in March 2014 had to work from home. Despite persistent demands of civil society groups, Pakistan People's Party failed to repeal Sindh Freedom of Information Act 2005. Similarly, Balochistan government does not seem to have any intention of repealing Balochistan Freedom of Information Act 2006. The federal government continued dragging its feet on the issue of repealing Freedom of Information Ordinance 2002 and tabling in the Parliament draft bill approved by Senate Sub-Committee on Information and Broadcasting on July 15, 2015. RTI laws have immense potential to be used for investigative reporting and journalists have used RTI laws in Pakistan to report on social issues and to investigate claims of austerity by politicians. A total of 26 excellent investigative stories were contributed by journalists based on data/information received through the use of right to information laws during one year. Federal government should table in the parliament the bill approved by Senate Committee on Information and Broadcasting without delay. Once this bill is tabled in the parliament, National Assembly Committee on Information and Broadcasting should seek comments from journalists, citizens and civil society groups prior to finalizing this bill.

Sindh and Balochistan governments should follow example of Khyber Pakhtunkhwa and Punjab and enact progressive and robust RTI laws on the lines of laws enacted by Khyber Pakhtunkhwa and Punjab.

Khyber Pakhtunkhwa government should revoke amendments in Khyber Pakhtunkhwa Right to Information Act without delay. CPDI urges Khyber Pakhtunkhwa government to bring Khyber Pakhtunkhwa Assembly and Peshawar High Court within the purview of Khyber Pakhtunkhwa Right to Information Act 2013 and ensure that appeals against the decisions of the commission can only be lodged with High Court. While Punjab Information Commission has given some landmark judgments on complaints filed by citizens, Khyber Pakhtunkhwa Information Commission failed to give even a single judgment on complaints filed by citizens. Not only this, Khyber Pakhtunkhwa Information Commission has developed a Complaint Form and requires a complainant to provide Photo along with CNIC while lodging complaint with the commission. Khyber Pakhtunkhwa Information Commission should discard its 'Complaint Form' and should not seek photo and CNIC from the complainant. The complainant should be treated with the assumption of innocence rather than that of guilt and the proof of identity should only be sought in specific cases.

## **Introduction:**

The State of Right to Information Legislation in Pakistan report, launched every year in the first week of July, is based on CPDI analysis of existing RTI laws on the yardstick of standards of effective right to information legislation, level of implementation of these laws based on empirically verifiable data, performance audit of appellate bodies, the use of RTI laws for investigative reporting and the role of federal and provincial governments and political parties in promoting and protecting citizens' right to information. Centre for Peace and Development Initiatives, (CPDI) has been seeking information from public bodies under the existing right to information laws and has been demanded the enactment of effective right to information laws in the country.

## **Objective:**

To promote research based advocacy initiatives for demanding the enactment of effective RTI laws and reforming/repealing existing RTI laws.

## **Chapter 1 Methodology:**

The research methodology consists of the following.

Analysis of the right to information requests submitted and followed-up by CPDI from July 01, 2014 to June 30, 2015.

Analysis of right to information laws carried out by juxtaposing them with the international standards of right to information legislation.

Performance audit of information commissions.

Scanning of newspapers to determine the level of the use of right to information legislation for investigative reporting.

Review of the role played by federal and provincial governments to promote right to information.

Review of the role of political parties in RTI legislative reforms.

### **Unit of Analysis:**

Freedom of Information Ordinance 2002

Balochistan Freedom of Information Act 2005

Sindh Freedom of Information Act 2006

Khyber Pakhtunkhwa Right to Information Act 2013

The Punjab Transparency and Right to Information Act 2013

Khyber Pakhtunkhwa Information Commission

Punjab Information Commission

Federal Ombudsman

Sindh Ombudsman

Balochistan Ombudsman

### **Methodology:**

While conducting this report, three indicators pertaining to right to information legislation i.e. effectiveness of law, provision of information on-demand and role of appellate bodies were studied.

### **Effectiveness of Law:**

Following factors were studied in this report pertaining to effectiveness of right to information legislation.

1. Law is guided by the principle of maximum disclosure;

2. Exceptions are clearly and narrowly drawn;
3. Law provides cost effective access to information;
4. Law provides for speedy access to information;
5. In case the information is denied or delayed, there is an easy process of lodging complaints;
6. Law imposes penalty on the officer for wrongfully denying/delaying access to the requested information;
7. Law requires proactive disclosure;
8. Law does not require description of specific interest with information requested;
9. Law recognizes the willful destruction of records as a criminal offense;
10. Right to Information law takes precedence over all other laws contradicting its aim;
11. Law has provisions that allows Inspection of documents before getting access;
12. Law requires it as a duty of information officer to assist applicant;
13. Law makes head of public body responsible to act as Public Information Officer in the absence or unavailability of Public Information Officer.

### **Provision of Information on Demand:**

This report also studies the responsiveness of the government departments in fulfilling their required obligations of providing timely and accurate access to the requested information as per legal obligations. In this connection, following points were considered.

1. Requested information was provided by the information officer within time period mentioned in the law);
2. A valid reason for denial of information was provided in writing within time period mentioned in the law;

### **Role of Appellate Bodies:**

Following factors were taken into consideration while studying the effectiveness of appellate bodies at three tiers of the government.

1. The appellate body decided the complaint within reasonable time.
2. Information was provided on the intervention of the appellate body

## Chapter 2 Effectiveness of Legal Regime on Right to Information

The existing right to information laws at three tiers of government were studied against the variables developed in line with right to information principles by Article 19.

**The following laws were studied for the purpose of this study.**

- Freedom of Information Ordinance 2002
- Balochistan Freedom of Information Act 2005
- Sindh Freedom of Information Act 2006
- Khyber Pakhtunkhwa Right to Information Act 2013
- The Punjab Transparency and Right to Information Act 2013

Freedom of Information Ordinance 2002 (FOIO 2002) is applicable to the federal public bodies. As the following table shows, the Freedom of Information Ordinance 2002 fails on key questions pertaining to the effectiveness of right to information legislation.

The performance of the RTI laws of Sindh and Balochistan is exactly the same as Balochistan Freedom of Information Act 2005 and Sindh Freedom of Information Act 2006 are the exact replicas of FOIO 2002. As the following table shows, provinces of Khyber Pakhtunkhwa and Punjab introduced progressive and robust right to information laws in 2013 in the shape of Khyber Pakhtunkhwa Right to Information Act 2013 and Punjab Transparency and Right to Information Act 2013. Under all these provincial right to information laws, citizens can have access to information from district public bodies as well.

Each question is scored from a numerical range of 0 to 10, where 0 equates “doesn’t meet the provision”, and 10 equates “completely follows the provision”. The numerical scale is further divided in subsets of three: the first range 0 -3 represents “no or very low following of the provision; the second range 4- 7 shows “medium level of representation”; while the last 8 – 10 range shows a very good or maximum level of meeting the criteria taken from either the RTI Acts or used as an additional to further assess the website.

### Comparison of Federal and Provincial Right to Information laws

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation			Comments	Score under each standard of Right to Information Legislation		Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005	Sindh Freedom of Information Act 2006		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013		
Law is guided by the principle of maximum disclosure	0	0	0	Under principle of maximum disclosure, a narrowly and clearly drawn list contains types of information to be exempted from disclosure. The rest is declared public information. This is not the case in these laws. Furthermore, harm test is not included in these laws.	10	10	Both these laws contain a narrowly and clearly drawn list of exempted information and the rest of the information is declared public information. Furthermore, both these laws have harm test and specifically mention that even if the requested information belongs to categories of exempted information, it will be provided if the public interest outweighs the harm.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation			Comments	Score under each standard of Right to Information Legislation		Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005	Sindh Freedom of Information Act 2006		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013		
Exceptions are clearly and narrowly drawn	0	0	0	There is no definition of information. Instead of having one clearly defined short list of exempted information and declaring the rest as public information, these laws have separate lists; records that can be shared, records that cannot be shared and records that can be shared but certain types of information, if contained in these records, will not be shared.	7	8	Both these laws have defined information. The definition of information in Khyber Pakhtunkhwa Right to Information Act 2013 is precise and left to the interpretation of the public officials whereas in the Punjab Transparency and Right to Information Act 2013, the definition is comprehensive and in detail. The list of exempted information is narrowly and clearly drawn.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation			Comments	Score under each standard of Right to Information Legislation		Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005	Sindh Freedom of Information Act 2006		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013		
Law provides cost effective access to information	3	3	3	Under rules framed for FOI Ordinance 2002 and Balochistan FOI Act 2005 information requests can only be submitted after depositing Rs. 50 in National Bank of Pakistan which covers first 10 pages of information. Rs. 5 are charged for each extra page.	8	10	There is no fee for filing information and for the first 20 pages of the requested information. However, RS. 2 will be charged for every extra page and the applicant will have to bear the postal cost according to Schedule of Fees introduced by Khyber Pakhtunkhwa Information Commission. Whereas, RS. 2 will be charged for every extra copy and applicant will not have to bear postal cost according to Schedule of Costs introduced by Punjab Information Commission.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation			Comments	Score under each standard of Right to Information Legislation		Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005	Sindh Freedom of Information Act 2006		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013		
Law provides for speedy access to information	1	1	1	These laws allow 21 working days to public bodies for providing access to the requested information. There is no provision for expediting the process of providing the requested information if it pertains to life or liberty of a person.	10	9	In Khyber Pakhtunkhwa law, the requested information has to be provided within 10 working days whereas in the Punjab law the requested information has to be provided within 14 working days. However, both laws specifically mention that if the requested information pertains to the life or liberty of a person, it will be provided within 2 working days.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation			Comments	Score under each standard of Right to Information Legislation		Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005	Sindh Freedom of Information Act 2006		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013		
There is an effective complaint redressal mechanism available	3	3	3	Under Balochistan and Sindh laws, affidavit has to be submitted prior to lodging the complaint testifying that no complaint regarding this matter has already been submitted and that no law-suit is pending pertaining to the matter with any court. Federal Ombudsman requires a form to be filled after lodging the complaint testifying the same. No time-frame for the office of Ombudsman in Sindh and Balochistan.	7	10	No need to furnish any kind of affidavit while lodging complaints with the commission. Furthermore, the commissions are bound to take decisions on complaints within sixty days. However, Khyber-Pakhtunkhwa Right to Information (Amendment) Bill 2015 has lowered the status of Khyber Pakhtunkhwa Information Commission. Public Bodies can now appeal against decisions of the commission in a district court instead of lodging writ petition in Peshawar High Court.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation			Comments	Score under each standard of Right to Information Legislation		Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005	Sindh Freedom of Information Act 2006		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013		
Law imposes penalty on the officer for wrongfully denying/delaying access to the requested information	0	0	0	There is no such penalty.	9	10	A fine of Rs. 250 per each day of the delay can be imposed under Khyber Pakhtunkhwa law which can go up to Rs. 25000. Under the Punjab law, 2 days of salary can be deducted for each day of the delay or fine up to 50000 can be imposed.	10
Law requires proactive disclosure	0	0	0	There is no such provision.	10	10	Comprehensive list containing categories of information that has to be proactively disclosed is included in both laws.	10
Law does not require description of specific interest with information requested	0	0	0	The purpose for seeking the information has to be described.	10	10	There is no such provision.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation			Comments	Score under each standard of Right to Information Legislation		Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005	Sindh Freedom of Information Act 2006		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013		
Law recognizes the willful destruction of records as a criminal offense	7	7	7	It is criminal offence to destroy any record if an information request is submitted to have access to the record or complaint is lodged in this regard. The penalty for such an offence is imprisonment up to 2 years, with fine or both.	9	9	In both these laws, it is criminal offence to destroy any record if an information request is submitted to have access to the record or complaint is lodged in this regard. The penalty for such an offence is imprisonment up to 2 years or with fine up to 10000 or both.	10
Right to Information law takes precedence over all other laws contradicting its aim	0	0	0	These laws do not override other laws.	10	10	Both these laws override other laws.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation			Comments	Score under each standard of Right to Information Legislation		Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005	Sindh Freedom of Information Act 2006		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013		
Law has provisions that allows Inspection of documents before getting access	0	0	0	There is no such provision in these laws.	10	10	Right of access to information also includes right to inspect documents, samples and materials etc	10
Law requires it as a duty of information officer to assist applicant	5	5	5	The duty to assist the person is mentioned in these laws but not elaborated.	10	10	Public Information Officers are duty-bound to facilitate the disabled and the illiterate in filing information requests.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation			Comments	Score under each standard of Right to Information Legislation		Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005	Sindh Freedom of Information Act 2006		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013		
Law makes head of public body responsible to act as information officer in the absence or unavailability of Information officer	10	10	10	If an official has not been designated, the head of public body is made responsible for providing the requested information.	10	9	Head of public body is to serve as Public Information Officer in the Khyber Pakhtunkhwa law in the absence or unavailability of the PIO. Head of public body is to serve as Public Information Officer if PIO has not been designated under the Punjab Transparency and Right to Information Rules 2014.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation			Comments	Score under each standard of Right to Information Legislation		Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005	Sindh Freedom of Information Act 2006		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013		
Law has a comprehensive definition of Public Body	3	3	3	Organizations funded by government do not come within the purview of these laws.	5	10	Organizations substantially funded by public funds come within the purview of both the laws. The Khyber Pakhtunkhwa law specifically excludes Peshawar High Court from the definition of the public body. The scope of the law has further narrowed down by exempting Khyber Pakhtunkhwa Assembly from the purview of the law through Khyber-Pakhtunkhwa Right to Information (Amendment) Bill 2015.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation			Comments	Score under each standard of Right to Information Legislation		Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005	Sindh Freedom of Information Act 2006		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013		
Law does not prescribe penalties for applicant for alleged vexatious applications	0	0	0	Under these laws, if complaint is found to be 'frivolous, vexatious and malicious', Ombudsman can impose fine up to Rs. 10,000.	0	5	Under the Khyber Pakhtunkhwa law, it is criminal offence to use information 'malafiedly purposes with	5
<b>Total</b>	<b>32</b>	<b>32</b>	<b>32</b>		<b>125</b>	<b>140</b>		<b>145</b>

### Chapter 3 Right to Information Laws and Responsiveness of Public Bodies:

When it comes to the implementation of these laws, the study depicts an abysmal picture. Out of 159 information requests submitted at all tiers of government, only 26 public bodies provided the requested information. Of these, 3 information requests were submitted to federal public bodies under Freedom of Information Ordinance 2002 and information was not provided by the federal public bodies. Two information requests were submitted to Sindh public bodies under Sindh Freedom of Information Act 2006 and information was not provided by any of the public body. Similarly, two information requests were submitted to Balochistan public bodies under Balochistan Freedom of Information Act 2005 and information was not provided by any of the public body. In case of Khyber Pakhtunkhwa public bodies, a total of 38 information requests were submitted under Khyber Pakhtunkhwa Right to Information Act 2013 and information was provided in case of 14 information requests. In case of Punjab public bodies, a total of 114 information requests were submitted under Punjab Transparency and Right to Information Act 2013 and information was provided in case of 12 information requests.

<b>Law</b>	<b>Total number of Information Requests</b>	<b>Total number of Responses Received Directly</b>
Freedom of Information Ordinance 2002	3	0
Balochistan freedom of Information Act 2005	2	0
Sindh Freedom of Information Act 2006	2	0
Khyber Pakhtunkhwa Right to Information Act 2013	38	14
Punjab Transparency and Right to Information Act 2013	114	12
<b>Total</b>	<b>159</b>	<b>26</b>

## Chapter 4 Effectiveness of Appellate Bodies

There are two sets of appellate bodies in Pakistan with regard to the denial of requested information from public bodies. Under 1<sup>st</sup> generation RTI laws i.e. Freedom of Information Ordinance 2002, Balochistan Freedom of Information Act 2005 and Sindh Freedom of Information Act 2006 and 2<sup>nd</sup> generation RTI laws i.e. Khyber Pakhtunkhwa Right to Information Act 2013 and the Punjab Transparency and Right to Information Act 2013. Office of the Ombudsman is the appellate body under 1<sup>st</sup> generation RTI laws and independent and autonomous commissions have been established under 2<sup>nd</sup> generation RTI laws.

### Performance of Information Commissions:

Unlike federal and provincial Ombudsman, information commissions established in KP and Punjab have been given powers not only to decide complaints pertaining to information requests, these commissions have the mandate to protect and promote right to information by creating awareness, training officials and preparing recommendations for the government to harmonize laws and procedures in line with the spirit of their respective laws. Performance of these commissions during the course of this year has been as under:

#### *Performance of Khyber Pakhtunkhwa Information Commission:*

Salient features with regard to the performance of Khyber Pakhtunkhwa Information Commission are as under:

- Khyber Pakhtunkhwa Information Commission requires a complainant to provide photo and CNIC in the complaint form which is highly deplorable. Seeking proof of identity and the photo from a citizen while lodging complaint is tantamount to treating a citizen with the assumption of guilt and creating unnecessary restrictions for citizens which has been the hallmark of public bodies.
- Khyber Pakhtunkhwa Information Commission has only been serving as post office, forwarding complaints of citizens to public bodies for necessary action but has failed to pass orders on complaints even when public bodies failed to provide information on its direction.
- Khyber Pakhtunkhwa Information Commission has violated provisions of its own law as it failed in the case of 8 complaints lodged by CPDI to pass order on these complaints even after 60 days, the maximum time available with the commission to decide on a complaint.
- Rules of Business for Khyber Pakhtunkhwa Right to Information Act 2013 have not been notified yet which reflects poorly both on the Khyber Pakhtunkhwa Information Commission as well as the Law Department.
- Khyber Pakhtunkhwa Information Commission notified Schedule of Fee for Hard Copies without seeking input from civil society groups. After criticism from civil society groups, the fee for every extra page after 20 pages was revised from Rs. 5 to Rs. 2 in its revised version notified on June 01, 2015. The Commission has yet to notify fee for soft copies and for the time to inspect documents.

### ***Performance of Punjab Information Commission:***

- Despite the fact that Punjab government released budget for Punjab Information Commission in October 2014 and that Punjab Information Commission got premises of its own only in May 2015, the Commission has done remarkable job with its members working from home and relying on secretarial support provided by CPDI.
- Punjab Information Commission has been able to draft rules of business which have been notified by the Punjab government.
- It was not specifically mentioned in the law that, in case Public Information Officer has not been designated by a public body, head of public body will be deemed as Public Information Officer. However, Punjab Information Commission has resolved this issue through rules of business.
- Punjab Information Commission has given landmark judgments in such cases as ‘Mr. Waseem Abbasi vs. Deputy Secretary Governor House, ‘Waseem Abbasi vs. Principal Secretary, Chief Minister Secretariat and Amer Ejaz vs. Secretary, Punjab Assembly.
- Punjab Information Commission has notified Schedule of Costs both for hard and soft copies as well as fee for the time consumed in inspecting documents.
- A total of 102 complaints were lodged by CPDI and information was provided in the case of 27 after the intervention of Punjab Information Commission.
- Punjab Information Commission has conducted extensive 2-day trainings of Public Information Officers and over 350 PIOs have been trained by the end of June 30, 2015.

### ***Performance of Ombudsman:***

It is interesting to note that the office of Ombudsman has failed to respond to any of the complaints lodged whereas information commissions have started playing their role in terms of providing access to information. Two complaints each were lodged with Sindh and Balochistan Ombudsman but remain unresolved. Federal Ombudsman gave verdict in the favour of CPDI in the case of providing access to attendance record of MNAs but National Assembly Secretariat filed representation against the decision of Federal Ombudsman which shows that it is a toothless body.

<b>Law</b>	<b>Total number of complaints</b>	<b>Total number of Information received on the intervention of appellate body</b>
Freedom of Information Ordinance 2002	3	2
Balochistan freedom of Information Act 2005	2	0
Sindh Freedom of Information Act 2006	2	0

<b>Law</b>	<b>Total number of complaints</b>	<b>Total number of Information received on the intervention of appellate body</b>
Khyber Pakhtunkhwa Right to Information Act 2013	24	14
Punjab Transparency and Right to Information Act 2013	102	27
<b>Total</b>	<b>133</b>	<b>43</b>

## **Chapter 4 Role of Federal and Provincial Governments in Protecting and Promoting Right to Information:**

Following is the brief description of the role played by federal and provincial governments in promoting and protecting citizens' right to information held by public bodies.

### ***Federal Government:***

The federal government continued dragging its feet on the issue of repealing Freedom of Information Ordinance 2002 and tabling in the Parliament draft bill approved by Senate Sub-Committee on Information and Broadcasting on July 15, 2015. This is despite the fact that PMLN committed in the Charter of Democracy signed on May 14, 2006 that it will repeal this law and introduce a new one when it came into power.

### ***Khyber Pakhtunkhwa Government:***

Khyber Pakhtunkhwa Government dealt a severe blow to Khyber Pakhtunkhwa Right to Information Act 2013 when it introduced two negative and highly deplorable amendments in Khyber Pakhtunkhwa Right to Information Act 2013 on June 23, 2015. Without any debate and without seeking input from civil society groups, Khyber Pakhtunkhwa Assembly exempted itself from the purview of the law as well as lowered the status of Khyber Pakhtunkhwa Information Commission making district courts forum of appeal against the decisions of the Commission. After strong protest from civil society groups, citizens and media, PTI Chairman, Imran Khan directed Speaker, Khyber Pakhtunkhwa Assembly to withdraw these amendments. It would be interesting to see whether Khyber Pakhtunkhwa Assembly revokes these amendments and whether or not it includes Peshawar High Court within the purview of the Khyber Pakhtunkhwa Right to Information Act 2013 as has been the demand of the civil society groups.

### ***Punjab Government:***

Punjab government has done well so far as it has not introduced any amendments in the Punjab Transparency and Right to Information Act 2013 despite the 'organized resistance' to this law in the wake of some landmark judgments which have not gone well with the Punjab bureaucracy. Owing to the delaying tactics used by Punjab bureaucracy, funds for the Punjab Information Commission could only be released in October 2014; as a result, commissioners appointed in March 2014 had to work from home.

### ***Sindh Government:***

Despite persistent demands of civil society groups, Pakistan People's Party has not yet repealed Sindh Freedom of Information Act 2005. Again, like PMLN, it also committed in the Charter of Democracy that it would repeal Freedom of Information Ordinance 2002 when it came into power. Neither it repealed FOIO 2002 during its tenure from 2008 to 2013 nor has it taken any steps to repeal Sindh Freedom of Information Act 2005, the replica of FOIO 2002. In CPDI conference held on June 08, 2015, Sharmila Farooqi shared with the participants that PPP government will table new RTI law in Sindh Assembly and repealed Sindh Freedom of Information Act 2005.

***Balochistan Government:***

Balochistan Freedom of Information Act 2006 is also a replica of FOIO 2002 and needs to be replaced. However, it is highly unlikely that this law will be repealed in the near future given lack of political will and the security situation of the province.

## Chapter 5 Use of RTI Laws for Investigative Reporting:

It would not be wrong to conclude that 2014 has been an RTI for investigative reporting year in Pakistan. Journalists have used RTI laws in Pakistan in 2014 to report on social issues and to investigate claims of austerity by politicians. At the same time, they have also reported on the implementation status and the quality of RTI laws.

### ***RTI for Investigative reporting in Health Sector:***

It is often alleged that health is an area of least concern for the governments in Pakistan. Politicians have generally shown interest in mega projects pertaining to infrastructure development that are more tangible at the expense of investing in long-term projects pertaining to health and education. Mr. Waseem Abbasi, ‘The News International’, through the strategic use of RTI, established negligence of government in the health sector. He submitted information request to all Executive District Officers, Health Department of all districts of Khyber Pakhtunkhwa and Punjab seeking certified information about the total number of Basic Health Units in the District, total number of sanctioned posts of doctors for all Basic Health Unit of the districts and total number of vacant posts of doctors and lastly, certified information about total number of sanctioned posts of doctors for each Basic Health Units and total number of vacant posts of doctors in each Basic Health Unit of the district. He established with certified information received through information requests submitted under the Punjab Transparency and Right to Information Act 2013 that [out of 732 Basic Health Units in 10 districts of Punjab, 310 Basic Health Units were functioning without doctors.](#)

Based on information received through Khyber Pakhtunkhwa Right to Information Act 2013, he filed another story sharing that [there were no doctors in 70% of Basic Health Units in just 3 districts](#) of Khyber Pakhtunkhwa.

Similarly education is also not a priority area for provincial governments and it was proven through certified information received through RTI laws of Khyber Pakhtunkhwa and Punjab. Umar Cheema contributed an excellent investigative story headlined **News Link: [Education not top priority of Punjab, KP govts.](#)** He revealed that approximately 42,000 positions of teachers were lying vacant in the Punjab and 4,550 in Khyber Pakhtunkhwa.

### ***Using RTI for Investigative Reporting to Determine Implementation Status of Khyber Pakhtunkhwa and Punjab RTI Laws:***

Despite the appointment of Information Commissioners in April, 2014, Punjab government continued dragging its feet on the issue of releasing funds for the establishment of Punjab Information Commission for a long time. As a result, Information Commissioners were forced to work from homes without any secretarial support. Umar Cheema came up with a brilliant idea of using RTI laws for investigating the progress on the implementation of Punjab Transparency and Right to Information Act 2013. He submitted information requests under RTI laws of Khyber Pakhtunkhwa and Punjab to both commissions and Information Departments of KPK and Punjab asking about 17 questions pertaining to the establishment, funds and working of information commission. Punjab bureaucracy did not provide him complete

information unlike Khyber Pakhtunkhwa Information. He filed an excellent investigative story headlined: [Punjab conceals facts while KP provides requested details.](#)

### ***Using RTI for Investigative Reporting to Prove Ineffectiveness of Freedom of Information Ordinance 2002:***

Interestingly, it was also established through RTI requests filed by journalists under Freedom of Information Ordinance 2002 that it is a hopelessly ineffective law. In the case of RTI filed by Umar Cheema, it emerged that it is not the law but the persons asking the access to information determines whether the official will provide the requested information or not. The Federal Public Service Commission (FPSC) chose not to provide requested information to Umar Cheema but the same request was entertained when a Member of National Assembly sought access to the same information. Mr. Cheema filed a story headlined: [FPSC also has double standards in giving information.](#) the second case, Sohaib Jamali filed information request to Securities and Exchange Commission of Pakistan, asking about the list of companies registered with SECP. Instead of charging him for the fee for providing the requested information, SECP demanded him to deposit fee for the maintenance and production of the information. In his article, he shared not only how he was asked to deposit fee of [Rs. 0.2 million in bank to get requested information](#) but also highlighted the need for new robust RTI Law at Federal level. In the meanwhile, Mr. Jamali has lodged complaint with Federal Ombudsman and is awaiting decision. Azaz Syed also found Freedom of Information Ordinance 2002 useless and contributed a story based on his experience of using this law with headline [Does access to information law not apply to Presidency?](#)

### ***Using RTI for Investigative Reporting on Utilization of Public Funds:***

Journalists have also started using RTI laws for keeping track of the way public funds are being utilized. Riaz Khan Daudzai filed an investigative story based on the information received through the use of Khyber Pakhtunkhwa RTI law in which he shared that [The Khyber Pakhtunkhwa government has spent Rs21.9 million on POL charges for planes, helicopters, other protocol,](#) ministers and advisors to the chief minister during the first six months of the current financial year. Waseem Abbasi filed an information request to Khyber Pakhtunkhwa government seeking certified information about the number of flights taken by the official helicopter of the chief minister of KPK from July 01 2013 to October 1, 2014, expenses incurred on fuel of the official helicopter of CM during the period from July 1, 2013 to October 1, 2014 and the list of passengers who travelled on CM's official helicopter during the above mentioned period along with their portfolio's and designations. Through this RTI request, he was able to [confirm that Pakistan Tehreek-e-Insaf \(PTI\) chief Imran Khan has used a government helicopter fueled by the taxpayers money.](#) Apart from this one, he also filed another investigative story on the use of helicopters based on information retrieved through the use of Khyber Pakhtunkhwa right to information law headlined **News Link: [KP govt using helicopters in violation of rules.](#)** He filed yet another investigative story headlined [KP CM spends Rs2.6m on entertainment, bakery items.](#)

Apart from using right to information laws for certified information for their investigative stories, journalists also filed stories on the implementation status of RTI laws and on the information received by CPDI through the use of RTI laws. Some such stories were headlined as [Most DCOs continue to jealously guard 'information', Punjab commission for review of laws against right to information, Rs2.6 million spent on moon sighting in one year, KPK govt better than Punjab in access to information,](#)

**No CT scan machines in 16 districts of Punjab, seven of KPK Right to Information Act and Article 19-A — freedom of information ‘on paper, not in practice’.** In this connection, an outstanding story was filed by Umar Cheema headlined Freedom of Information law being violated; NA, Presidency reject any violation; Election Commission stands out by placing information on web.

### Details of Investigative Stories Published in Newspapers using RTI Laws

S. No.	Date of filing Information Request	Information Requested	RTI Law	Date of story published	Story Headline	Newspaper	Link
1	02-01-2014	1. Certified copy of the log-book of each vehicle under the use of the District Coordination Officer from January 1, 2013 to December 31, 2013?	The Punjab Transparency and Right to Information Act 2013	20-11-2014	Most DCOs continue to jealously guard 'information'	Dawn	<a href="#">Most DCOs continue to jealously guard 'information'</a>
2	25-03-2014	1. How many candidates appeared in CSS examination from 2003 to 2013. 2. How many candidates appeared each year 2003-2013? 3. District wise breakup of candidates appeared in CSS examination from 2003 to 2013. 4. What was the ratio of successful candidates during the said period? 5. What was their qualification (Specify their highest degree e.g. MA English etc.)? 6. District wise breakup of successful candidates along with their names?	Freedom of Information Ordinance 2002	16-11-2014	FPSC also has double standards in giving information	The News	<a href="#">FPSC also has double standards in giving information</a>
3	21-10-2014	1. Certified information about the total number of basic health units in the District. 2. Certified information about the total number of sanctioned posts of doctors for all basic health units of the districts and total number of vacant posts of doctors. 3. Certified information about total number of sanctioned posts of doctors in each basic health unit of district.	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013	16-11-2014	310 out of 732 Punjab BHUs working sans doctors	The News	<a href="#">310 out of 732 Punjab BHUs working sans doctors</a>

S. No.	Date of filing Information Request	Information Requested	RTI Law	Date of story published	Story Headline	Newspaper	Link
4	21-10-2014	<ol style="list-style-type: none"> <li>1. Certified information about the total number of basic health units in the District.</li> <li>2. Certified information about the total number of sanctioned posts of doctors for all basic health units of the districts and total number of vacant posts of doctors.</li> <li>3. Certified information about total number of sanctioned posts of doctors in each basic health unit of district.</li> </ol>	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013	28-11-2014	No doctor for 70pc BHUs in three KP districts	The News	<a href="#">No doctor for 70pc BHUs in three KP districts</a>
5	28-10-2014	<ol style="list-style-type: none"> <li>1. Certified information about the number of flights taken by the official helicopter of the chief minister of KPK from 1 July 2013 to 1 October 2014.</li> <li>2. The expenses incurred on fuel of the official helicopter of CM during the period from July 2013 to October 1, 2014.</li> <li>3. List of passengers who travelled on CM's official helicopter during the above mentioned period along with their portfolio's and designations?</li> </ol>	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013	29-11-2014	Imran used govt helicopter four times: KP govt	The News	<a href="#">Imran used govt helicopter four times: KP govt</a>
6	02-09-2014	<ol style="list-style-type: none"> <li>1. Certified information about total number of applications submitted against illegal clinics and medical stores in district from January 1, 2013 to September 1, 2014.</li> <li>2. Total number of raids made against illegal clinics and medical stores in the district from January 1, 2013 to September 1, 2014.</li> <li>3. Total number of drug inspectors appointed in district.</li> </ol>	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013	22-11-2014	Punjab commission for review of laws against right to information	The News	<a href="#">Punjab commission for review of laws against right to information</a>

S. No.	Date of filing Information Request	Information Requested	RTI Law	Date of story published	Story Headline	Newspaper	Link
7	18-09-2014	<p>1. Certified information about month wise expenditure of Chief Minister House from August 1, 2013 to August 31, 2014?</p> <p>2. Certified information about month wise expenditure of bakery items procured for Chief Minister House from August 1, 2013 to August 31, 2014 (different bakery items and expenditure incurred)?</p> <p>3. Certified information about gifts/presents given by Chief Minister to people from August 1, 2013 to August 31, 2014 (Name/Description of the gifts/presents, price and name of the individual each present was given to by the Chief Minister)?</p>	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013	18-10-2014	KP CM spends Rs2.6m on entertainment, bakery items	The News	<a href="#">KP CM spends Rs2.6m on entertainment, bakery items</a>
8	08-07-2014	<p>1. Total number of Royat e Halal committee meeting held in Islamabad from January 1, 2013 to June 30, 2014?</p> <p>2. Detail of expenditure incurred on each meeting held in Islamabad from January 1, 2013 to June 30, 2014?</p>	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013/ Freedom of Information Ordinance 2002	30-09-2014	Rs2.6 million spent on moon sighting in one year	The News	<a href="#">Rs2.6 million spent on moon sighting in one year</a>
9	02-09-2014	<p>1. Certified information about total number of applications submitted against illegal clinics and medical stores in district from January 1, 2013 to September 1, 2014.</p> <p>2. Total number of raids made against illegal clinics and medical stores in the district from January 1, 2013 to September 1, 2014.</p> <p>3. Total number of drug inspectors appointed in district.</p>	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013	18-09-2014	KPK govt better than Punjab in access to information	TheNews	<a href="#">KPK govt better than Punjab in access to information</a>

S. No.	Date of filing Information Request	Information Requested	RTI Law	Date of story published	Story Headline	Newspaper	Link
10	16-10-2014	<ol style="list-style-type: none"> <li>1. Please tell the date when Punjab's Information Commission was set up?</li> <li>2. Postal/email address of the Commission and their official contact numbers</li> <li>3. Address of the website</li> <li>4. Number of staff of the Commission along with their names, designation and duties</li> <li>5. Salaries of each staff member</li> <li>6. Mode of transport if being offered to the staff</li> <li>7. If Public Information Officers have been appointed?</li> <li>8. If yes, the name of PIOs and departments they represent</li> <li>9. Name of the departments who's PIOs have not been appointed yet</li> <li>10. If PIOs have been imparted any training about their job?</li> <li>11. Date when training given and its duration?</li> <li>12. Name of the trainers of PIOs?</li> <li>13. How many complaints have been received to the Commission?</li> <li>14. Any public awareness advertisement for letting public know about the establishment of commission along with postal/email address and phone numbers for contact?</li> <li>15. How many complaints have been disposed off by the Commission?</li> <li>16. If any officer has ever been penalized for denying information?</li> <li>17. If yes, the number of cases and names of penalized officers?</li> </ol>	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013	06-11-2014	Punjab conceals facts while KP provides requested details	The News	<a href="#">Punjab conceals facts while KP provides requested details</a>

S. No.	Date of filing Information Request	Information Requested	RTI Law	Date of story published	Story Headline	Newspaper	Link
11	02-09-2014	1. Certified information about the total number of shopkeepers in the district fine was imposed upon for violation of price list from January 1, 2013 to September 1, 2014. 2. Certified information about total amount of fine collected from shopkeepers in the district for violation of price list from January 1, 2013 to September 1, 2014.	The Punjab Transparency and Right to Information Act 2013	29-09-2014	KPK and Punjab bureaucracy reluctant to provide information	Dunya News	<a href="#">KPK and Punjab bureaucracy reluctant to provide information</a>
12	02-04-2014	1. Total number of helicopters available with Punjab Government. 2. Total number of flights of each helicopter from July 1, 2013 to April 2, 2014. 3. Names of passengers of each flight of each helicopter of Punjab government from July 1, 2013 to April 2, 2014.	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013	16-11-2014	KP govt using helicopters in violation of rules	The News	<a href="#">KP govt using helicopters in violation of rules</a>
13	20-10-2014	1. Certified Information about names of all the registered companies from June 2013 to date and the sector they belong to?	Freedom of Information Ordinance 2002	20-11-2014	A right step towards Right to Information	Business recorder	<a href="#">A right step towards Right to Information</a>
14	15-04-2014	1. Information about Total, Functional and Non-Functional Oxygen Cylinders, Ultra Sound Machines, ECG Machines, CT Scans Machines and X-Ray Machines.	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013	04-12-2014	No CT scan machines in 16 districts of Punjab, seven of KPK	The News	<a href="#">No CT scan machines in 16 districts of Punjab, seven of KPK</a>

S. No.	Date of filing Information Request	Information Requested	RTI Law	Date of story published	Story Headline	Newspaper	Link
15	24-06-2014	1. Information about total number of sanctioned posts of teachers for all primary/middle/ high schools in district 2. Information about total number of posts of teachers lying vacant for all primary/ middle/high schools in district	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013	10-12-2014	Education not top priority of Punjab, KP govts	The News	<a href="#">Education not top priority of Punjab, KP govts</a>
16	15-10-2014	1. Certified copy of the executive order under which post of the Military Secretary to the President was created? 2. Certified information about the perks and privileges of the Military Secretary to the President. 3. Certified information about the process pertaining to the appointment of Military Secretary to the President. 4. Total number of subordinates of the Military Secretary to the President. 5. List containing names and designation of military secretaries since the creation of the post of Military Secretary.	Freedom of Information Ordinance 2002	28-12-2014	Does access to information law not apply to Presidency?	The News	<a href="#">Does access to information law not apply to Presidency?</a>
17	N/A	Based on CPDI Information Requests filed during the project cycle	N/A	02-11-2014	Article 19-A — freedom of information ‘on paper, not in practice’	Dawn	<a href="#">Article 19-A — freedom of information ‘on paper, not in practice’</a>

S. No.	Date of filing Information Request	Information Requested	RTI Law	Date of story published	Story Headline	Newspaper	Link
18	02-09-2014	<p>1. Certified information about total number of applications submitted against illegal clinics and medical stores in district from January 1, 2013 to September 1, 2014.</p> <p>2. Total number of raids made against illegal clinics and medical stores in the district from January 1, 2013 to September 1, 2014.</p> <p>3. Total number of drug inspectors appointed in district.</p>	The Punjab Transparency and RTI Act 2013	12-12-2014	Right to Information Act	The News	<a href="#">Right to Information Act</a>
19	4-9-2014	<p>1. Certified information about total number of CNIC holders in each province?</p> <p>2. Certified information about total number of disability CNIC holders in each province?</p> <p>3. Certified information about total number of CNIC holders in each district of Sindh, Khyber Pakhtunkhwa, Punjab and Balochistan?</p> <p>4. Certified information about total number of disability CNIC holders in each district of Sindh, Khyber Pakhtunkhwa, Punjab and Balochistan?</p>	Freedom of Information Ordinance 2002	16-01-2015	No law in place to address issues of disabled persons	The News	<a href="#">No law in place to address issues of disabled persons</a>
20	24-11-2014	<p>1. Certified information about total number of newborn babies from November 1,2014 to November 24,2014.</p> <p>2. Certified information about total number of deaths of newborn babies from November 1,2014 to November 24,2014</p>	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013	30-01-2015	30pc newborns die in DI Khan, Mianwali hospitals	The News	<a href="#">30pc newborns die in DI Khan, Mianwali hospitals</a>

S. No.	Date of filing Information Request	Information Requested	RTI Law	Date of story published	Story Headline	Newspaper	Link
21	18-09-2014	<p>1. Certified information about month wise expenditure of Chief Minister House from August 1, 2013 to August 31, 2014?</p> <p>2. Certified information about month wise expenditure of bakery items procured for Chief Minister House from August 1, 2013 to August 31, 2014 (different bakery items and expenditure incurred)?</p> <p>3. Certified information about gifts/presents given by Chief Minister to people from August 1, 2013 to August 31, 2014 (Name/Description of the gifts/presents, price and name of the individual each present was given to by the Chief Minister)?</p>	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013	4-2-2015	KP's Governor House spends more than CM House	The News	<a href="#">KP's Governor House spends more than CM House</a>
22	18-09-2014	<p>1. Certified information about month wise expenditure of Chief Minister House from August 1, 2013 to August 31, 2014?</p> <p>2. Certified information about month wise expenditure of bakery items procured for Chief Minister House from August 1, 2013 to August 31, 2014 (different bakery items and expenditure incurred)?</p> <p>3. Certified information about gifts/presents given by Chief Minister to people from August 1, 2013 to August 31, 2014 (Name/Description of the gifts/presents, price and name of the individual each present was given to by the Chief Minister)?</p>	The Punjab Transparency and Right to Information Act 2013/ Khyber Pakhtunkhwa Right to Information Act 2013	3-3-2015	Punjab top offices defying orders of Information Commission	The News	<a href="#">Punjab top offices defying orders of Information Commission</a>

S. No.	Date of filing Information Request	Information Requested	RTI Law	Date of story published	Story Headline	Newspaper	Link
23	15-10-2014	1) What is the strength of Police force? 2) How many of them are deputed at Security/Protocol Duty? 3) Number of policemen escorts VIPs/VVIPs/Other Distinguished Individuals for security/protocol? 4) Name of the VIPs/VVIPs/Other Distinguished Individuals? 5) Number of policemen deputed with each of them? 6) What is the criterion for availing this facility? 7) Are the beneficiaries charged for this facility?	Freedom of Information Ordinance 2002	27-2-2015	40pc police deployed for VIPs in capital	The News	<a href="#">40pc police deployed for VIPs in capital</a>
24	17-02-2014	1. List of advertisement issued by the division to print media from July 01,2013 to December 31, 2013. 2. Total funds released for advertisement to print media by the division from July 01 ,2013 to December 31, 2013. 3. Criteria of advertisement to print media by the division.	Freedom of Information Ordinance 2002	10-3-2015	Govt is open in rhetoric and secret in reality	The News	<a href="#">Govt is open in rhetoric and secret in reality</a>
25	28-10-2014	1- Certified information about the number of flights taken by the official helicopter of the chief minister of Punjab from 1 July 2013 to 1 October 2014. 2- The expenses incurred on fuel of the official helicopter of CM during the period from July 2013 to October 1,2014. 3- List of passengers who traveled on CM's official helicopter during the above mentioned period along with their portfolio's and designations	The Punjab Transparency and RTI Act 2013	8-04-2015	Punjab CM's copter makes 627 flights costing Rs37 million	The News	<a href="#">Punjab CM's copter makes 627 flights costing Rs37 million</a>

S. No.	Date of filing Information Request	Information Requested	RTI Law	Date of story published	Story Headline	Newspaper	Link
26	28-10-2014	<p>1- Certified information about the number of flights taken by the official helicopter of the chief minister of Punjab from 1 July 2013 to 1 October 2014.</p> <p>2- The expenses incurred on fuel of the official helicopter of CM during the period from July 2013 to October 1,2014.</p> <p>3- List of passengers who traveled on CM's official helicopter during the above mentioned period along with their portfolio's and designations</p>	The Punjab Transparency and RTI Act 2013	9-04-2014	Punjab govt clarifies use of helicopter	The News	<a href="#">Punjab govt clarifies use of helicopter</a>

## Chapter 6 Recommendations:

Centre for Peace and Development Initiatives makes following recommendations to protect and promote right of access to information held by public bodies in the country.

- Federal government should table in the parliament the bill approved by Senate Committee on Information and Broadcasting without delay. Once this bill is tabled in the parliament, National Assembly Committee on Information and Broadcasting should seek comments from journalists, citizens and civil society groups prior to finalizing this bill.
- Sindh and Balochistan governments should follow example of Khyber Pakhtunkhwa and Punjab and enact progressive and robust RTI laws on the lines of laws enacted by Khyber Pakhtunkhwa and Punjab.
- Khyber Pakhtunkhwa government should revoke amendments in Khyber Pakhtunkhwa Right to Information Act without delay. In this connection, CPDI urges Khyber Pakhtunkhwa government to
  1. bring Khyber Pakhtunkhwa Assembly and Peshawar High Court within the ambit of Khyber Pakhtunkhwa Right to Information Act 2013;
  2. make Peshawar High Court the forum for appeal against the decisions of Khyber Pakhtunkhwa Information Commission ; and
  3. Ensure that Khyber Pakhtunkhwa Information Commission consists of Chief Information Commissioner and 2 Information Commissioners taken from bureaucracy, Judiciary and Civil Society.
- Khyber Pakhtunkhwa Information Commission should discard its ‘Complaint Form’ and should not seek photo and CNIC from the complainant. The complainant should be treated with the assumption of innocence rather than that of guilt and the proof of identity should only be sought in specific cases.
- Khyber Pakhtunkhwa Information Commission and Khyber Pakhtunkhwa governments should notify rules of business.
- Khyber Pakhtunkhwa Information Commission should notify fee for soft copies of information and the fee for the time consumed to inspect documents.
- Federal and Khyber Pakhtunkhwa governments should take steps to extend right of information to citizens living in Provincially Administered Tribal Areas and Federally Administered Tribal Areas.

Centre for Peace and Development Initiatives, (CPDI) is an independent, non-partisan and a not-for-profit civil society organization working on issues of peace and development in Pakistan. It is registered Under Section 42 of the Companies Ordinance, 1984 (XLVII of 1984). It was established in September 2003 by a group of concerned citizens who realized that there was a need to approach the issue of peace and development in a an integrated manner. CPDI is a first initiative of its kind in Pakistan. It seeks to inform and influence public policies and civil society initiatives through research-based advocacy and capacity building in order to promote citizenship, build peace and achieve inclusive and sustainable development. Areas of special sectoral focus include promotion of peace and tolerance, rule of law, transparency and access to information, budget watch, legislative watch and development.



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