



Centre for Peace and  
Development Initiatives

December 31, 2015

## CPDI Right to Information Watch

Greetings from the Centre for Peace and Development Initiatives, (CPDI). Issued every month, CPDI Right to Information Watch takes stock of RTI legislative landscape in the country with focus on development pertaining to RTI legislation and implementation of these laws.

### RTI Legislative Landscape

#### **PMLN government fails to keep its promise; federal RTI bill could not be presented in 27th session of the parliament**

In a series of promises from politicians since 2008 to enact federal right to information law that were not honored, the latest one was made by [Barrister Zafar Ullah Khan](#) Federal Minister for Human Rights on November 18, 2015. He said that federal government would table federal right to information bill in the upcoming session of the parliament. The federal government failed to table right to information bill in 27th session of the parliament that ended on December 18th, 2015 and yet another promise could not be honored. This is despite the fact that there is political consensus on federal right to information bill as Senate Committee on Information and Broadcasting approved federal right to information bill on July 15, 2014.

It is heartening to see that journalists have started keeping track of the promises made by politicians. Umar Cheema filed an excellent [story](#), 'Year 2015 passes without passage of RTI law' on December 31, 2015, documenting the broken promises of PMLN government with regard to enactment of federal right to information law.

#### **Improvement on Sindh FOI Act 2006 but Sindh new draft information bill still not good enough**

Draft Sindh Freedom of Information Bill 2015 needs to be improved and CPDI shared specific [recommendations](#), available on our web site, with Sindh government on November 26, 2015 in order to make it effective. We have not received response from Sindh government yet.

### RTI in Action

#### **RTI for investigative reporting: Punjab CM's hallow sounding claims of transparency and frustration of Punjab Information Commission**

In an Op-Ed article published in the News on December 24, 2015, CM Punjab says: "I say this with all humility but with a sense of pride that my government has introduced a new culture of transparency and efficiency in conception and execution of our development projects". This is in

sharp contrast to the treatment meted out to Punjab Information Commission by Punjab government. In a story Punjab slow in RTI enforcement: Commission, filed by Umar Cheema on December 22, 2015, this is what Punjab Information Commission says in response to request for information: “ The commission has suffered from long delays in obtaining required approvals regarding supplementary budget, posting of staff, services rules, vehicles and other budget/account related matters.” This news report and the annual report of Punjab Information Commission is what make Punjab government claims of transparency sound hallow.

### **Monitory compensation for applicant: is it a good option?**

Khyber Pakhtunkhwa Information Commission has started compensating applicants out of the fine imposed on officials for denying or delaying access to information as reported in the story, “KP Police fined Rs50,000 for violating RTI’ published in the News on December 19, 2015. While commissions should impose fines where Public Information Officers fail to comply with the provisions of RTI laws, monitory compensation for applicants does not seem to be a good idea on the surface.

### **Retrogressive restriction of requiring CNIC copy from the complainant**

Khyber Pakhtunkhwa Information Commission requires copy of CNIC from citizens for lodging complaint against Public Information Officers. I understand what led to the putting in place this conditionality as some complaints are lodged wherein the complainant might not be interested in pursuing the case or, very rarely, someone else might have lodged complaint on the behalf of some other person. Such cases are bound to happen in a country where people are not familiar with the culture of asking questions as their right. Especially, such things are bound to happen soon after the enactment of right to information law because of the very novelty of the idea of seeking information and lodging complaints. This conditionality is harsh and CPDI requested Khyber Pakhtunkhwa Information Commission, to consider withdrawing this requirement on following grounds:

1. Khyber Pakhtunkhwa Information Commission should not make it compulsory for all citizens to provide CNIC just because some citizens lodged false complaints. This is tantamount to collective punishment and the principle of the presumption of innocence till proven guilty has been compromised.
2. This requirement is in conflict with the spirit of Khyber Pakhtunkhwa Right to Information Act 2013 as there is emphasis on providing an easy process for citizens to submit information requests and lodge complaints.
3. There is no such requirement by Punjab Information Commission for lodging complaints. It should be enough for citizens to share the name and the address when lodging complaints.

### **Information delayed is information denied**

Information commissions need to be on guard against the inordinate delays in providing citizens access to the requested information. Such stories as ‘In KP: Who needs a Right to Information Act if it prevents access to information?’ filed in Dawn on December 15, 2015 are likely to discourage

citizens and journalists to use RTI laws at a time the implementation of these laws is at the nascent stage.

**Transparency and Right to Information Program**

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Centre for Peace and Development Initiatives, Pakistan (CPDI-Pakistan)

Tel: +92 (0) 51-2375158-9; 4319430

URL: [www.cpdipakistan.org](http://www.cpdipakistan.org)