



Centre for Peace and  
Development Initiatives

February 2016

## 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

#### **Constitution of Special Committee to review draft Right to Information Bill-yet another excuse to delay enactment of federal RTI law**

Enactment of federal RTI law is nowhere on the priority list of the PMLN government. As we reported in the last edition, in a series of promises from politicians since 2008 to enact federal right to information law that were not honored, the latest one made by [Barrister Zafar Ullah Khan](#) Federal Minister for Human Rights on November 18, 2015 could not be honoured as well. Contrary to what he promised, federal government failed to table federal right to information bill in 27th session of the parliament that ended on December 18th, 2015.

PMLN government has come up with yet another excuse to delay the enactment of federal RTI law. '[Changing security situation](#)' is the excuse as reported in the national media on January 16, 2016.

CPDI has [raised voice](#) against this decision as we believe the proposed draft contains adequate safeguards to protect sensitive information from disclosure. We have also written to members of the Special Committee and informed them that any changes would dilute this law.

#### **Amendments in Khyber Pakhtunkhwa Right to Information Act 2013-a welcome step**

Civil society groups have been raising demands for amendments in Khyber Pakhtunkhwa Right to Information Act 2013 to get rid of some of the lacunas in this otherwise an excellent RTI law. Eventually, Khyber Pakhtunkhwa Information Commission has suggested [key amendments](#) in Khyber Pakhtunkhwa Right to Information Act 2013 which will further strengthen this law.

### RTI in Action

#### **Presidency no more refuge for public bodies against the decisions of Federal Ombudsman**

On January 30 2016, Lahore High Court gave a landmark decision which is going to have far reaching implications for RTI movement in the country as reported in the News in the story titled [LHC says president can't overturn Ombudsman's verdict](#). Ever since the promulgation of the Freedom of Information Ordinance 2002, federal public bodies would file representations

against the critical decisions with the President. Federal Ombudsman gave many decisions in favor of CPDI on our information request. However, federal public bodies would seek refuge in representations filed before the President. [One such decision](#) that was in favor of CPDI was on information requests pertaining to the fees paid to the lawyers by the Ministry of Law and Justice. With this excellent decision of LHC, federal public bodies will either have to share the requested information on the direction of Federal Ombudsman or file writ petition but would not be able to file representations.

### **Information cannot be shared because it will embarrass the government**

Public officials come up with all kinds of arguments to deny access to the requested information. Odd it may sound but the Ministry of Law and Justice has been putting forward the argument that if the requested information is shared, it will embarrass the government. CPDI is all too familiar with this argument as the ministry maintained that if information pertaining to the fees paid to the lawyers is shared it will open up Pandoras box and that it will 'embarrass' the government. The latest manifestation of this mindset can be seen in the story filed by Umar Cheema with the titled Making commissions' reports public to embarrass govt.

### **Landmark decision on CPDI request for information -NO immunity for institutions funded by Punjab government**

One of the requests for information filed by CPDI has led to the passing of a landmark order by the Punjab Information Commission that Punjab Bank is a public body and does not enjoy any immunity as reported in the story titled '[Institutions funded by Punjab govt claim immunity](#)' from RTI law -published on January 12, 2016.

This order passed on CPDI request elaborates on the provision in the Punjab Transparency and Right to Information Act 2013 that organizations 'substantially funded' by public money are also public bodies.

### **Transparency and Right to Information Program**

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