



Centre for Peace and
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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.

Editorial:

What is causing delay in the enactment of federal right to information law? Is this delay being caused by certain quarters in national security sector? Or, is it because PMLN has not accorded due significance to desperately needed governance reforms? Senator Farhat Ullah Babar has publicly said many a time that PMLN is reluctant to legislate on right to information because of the pressure from certain quarters in national security sector. What government needs is to educate all concerned about the need for an effective right to information law to promote culture of transparency in the country. Even if it is true and certain quarters view right to information law from the narrow prism of security, it is the duty of the government to develop consensus on this issue. After all, the draft right to information bill takes into account legitimate security needs of the state. Furthermore, legislation on right to information should be seen in the context of rule of law in the country. Legislation is prerogative of elected representatives. While federal ministries can give their recommendations about certain legislation, it is job of elected representatives to carry out legislation in line with the constitution. Protecting sensitive information and facilitating citizens' right of access to information in matters of public importance are not mutually exclusive. Therefore, PMLN government should legislate on right to information without further delay and ensure that citizens' right to information is not held hostage to misplaced fears about sensitive information being compromised because of right to information law.

RTI Legislative Landscape

Right to information law at the last stage

The out-going Federal Information Secretary shared in a reception hosted in his honour by CPNE in Karachi on [July 24, 2016](#) that the federal right to information law is at the last stage. He also said that the law will be tabled in Parliament after the approval of federal cabinet. This latest pronouncement about legislation on right to information comes in the wake of the statement of Federal Minister for Information and Broadcasting on [June 26, 2016](#) in which he shared the same

information. It would be interesting to see if the right to information bill makes it to the federal cabinet when its next meeting is held. It would also be interesting to see the shape of the bill and whether or not the quality of the bill has been compromised as the government has been saying that the bill needs to be reviewed in view of changing security situation.

Right to information legislation in Sindh: will the new CM repeal Sindh Freedom of Information Act 2006?

Qaim Ali Shah, after having been at the helm of affairs in Sindh for 8 years has paved the way for Syed Murad Ali Shah. Other than preparing a draft right to information bill with lots of loopholes to repeal Sindh Freedom of Information Act 2006, Mr. Shah has not taken any proactive steps to promote transparency in the province. CPDI analysed the draft and found it wanting in many respects. CPDI will engage the new CM as well on the issue of enacting an effective right to information law for the province and share its exhaustive comments on the draft bill so that it could be improved.

RTI in Action

RTI based investigative story: abysmal state of affairs in Basic Health Units of Punjab

CPDI has always maintained that RTI is an effective tool for investigative reporting. If ever a proof was needed in this regard, here is one in the shape of this investigative story published in the News on July 13, 2016: [No doctor in 284 Basic Health Units of 13 Punjab districts](#)

Punjab University, Punjab Information Commission and provision of CNIC for access to information:

So far as the exercise of right to information is concerned, there are three very important things that emerge from the story titled [LHC dismisses PU petition against Information Commission order](#). One, that a citizen files a request for information to seek information from Punjab University about the hiring of visiting faculty teachers. Two, Punjab Information Commission rejects the argument put forward by PU that information could not be provided because the applicant did not furnish copy of CNIC. PIC put forward cogent arguments and said: "requirement of the CNIC copy is not mandatory for the provision of information under the RTI law. "Some people still do not have CNICs, especially in rural areas, and some others can't afford photocopying," the commission said in its ruling.

The spirit of RTI law is to facilitate people in getting access to information. "The procedure should be simplified to facilitate people". Third, Lahore High Court dismissed the petition filed by Punjab University saying "The impugned order is based upon rational and reasonable grounds and has dealt with the objection of the petitioner university in a cogent and lawful manner and there is no cause for interference in the impugned order of this court in its constitutional jurisdiction".

It is encouraging to note that citizens are filing information requests and Punjab Information

Commission is developing a body of knowledge challenging culture of secrecy.

Enforcing implementation of RTI laws: punishment or persuasion?

Punjab Information Commission has imposed only one penalty on a Public Information Officer whereas Khyber Pakhtunkhwa Information Commission has fined eight PIOs so far according to this news item: [RTIC fines Rescue 1122 official for not providing information](#). This clearly shows that Punjab and Khyber Pakhtunkhwa information commissions have adopted different approaches with regard to ensuring the implementation of their respective laws.

Transparency and Right to Information Program

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