



Centre for Peace and
Development Initiatives

February 2017

CPDI Right to Information Watch

Editorial:

Greetings from the Centre for Peace and Development Initiatives, (CPDI).

After stretching the delay on right to information legislation almost beyond the snapping point, federal government has finally started moving the needle on this important issue. Senate select committee constituted to reconcile federal government Right of Access to Information Bill 2016 and Right to Information Bill 2016, approved by Senate Committee on Information and Broadcasting has finalised its recommendations. As reported by the media, the power to hire and fire information commissioners has been vested with Prime Minister. This power should be vested with parliamentary committee to ensure independent and autonomous working of the proposed Pakistan Information Commission. Similarly, there is no point in including just one whistle blower clause in a right to information law. It is a sensitive issue and requires separate comprehensive legislation. This is precisely why we have been highlighting in these pages the need for inclusion of right to information experts, journalists and information commissioners of Khyber Pakhtunkhwa and Punjab in the legislative process. Federal government should make the draft of right to information law public and table it in parliament only after seeking and incorporating feedback from general public, right to information experts and journalists.

RTI Legislative Landscape

Needle on RTI Legislation Moves Forward?:

On January 31, 2017 select committee of the parliament [approved](#) the draft of federal right to information bill. It seems that during its deliberations, the committee members discussed at length issues surrounding national security and disclosure of information and [law-makers were quoted](#) as saying that institutions should not use security as a pretext. Centre for Peace and Development Initiatives, (CPDI) has [raised its concerns](#) about some of the recommendations and urged federal government to make the draft public and finalise it only after the input of right to information experts.

So far as legislation on right to information at sub-national level is concerned, Mr. Nisar Khoro shared in a TV program on Monday that the draft of right to information bill for Sindh had been

finalised and will be presented soon in the assembly.

Despite the lapse of 3 years, Khyber Pakhtunkhwa government has yet not notified rules for Khyber Pakhtunkhwa Right to Information Act 2013. As a result, Khyber Pakhtunkhwa Information Commission is [unable to collect](#) fines it imposes on Public Information Officers (PIOs) for unlawfully delaying or denying access to the requested information.

RTI in Action

RTI for investigative reporting:

RTI based investigative reporting leads to informed debate on Afghan refugees:

Journalists have continued using RTI laws for investigative reporting during the month of January. An interesting story was filed by Dawn reporter Mr. Ismaeel Khan [KP prosecution data gives lie to claims against Afghan refugees](#). This story became basis for two Editorials, in Dawn, [Hounding Refugees](#) and the News, [Displaced Humanity](#).

At the same time, journalists are finding it difficult to use right to information laws for investigative reporting because of the implementation challenges. Umar Cheema summed up frustration of journalists in a story titled [Inquiry needed into what happened to inquiry commissions](#). Fakhar Durrani had similar experiences with regard to Freedom of Information Ordinance 2002 and he filed a story titled [Rs711 bn spent on pension of retired security forces' personnel in last five years](#). Interestingly, the concerned ministry took the plea that disclosure of this information was a threat to national security. Fakhar Durrani filed yet another story titled [Right to information still a far cry for journalists in Pakistan](#) and documented how access to information is denied on one pretext or the other.

It seems Khyber Pakhtunkhwa Information Commission is getting its act together with regard to the implementation of Khyber Pakhtunkhwa Right to Information Act 2013 as reported by Riaz Khan Dawoodzai, it imposed fine on a public official for unlawfully denying access to information in a story titled [RTIC imposes Rs20,000 fine on Kohat TMA PIO for not furnishing information](#).

Information commissions and implementing the Punjab Transparency and Right to Information Act 2013 and Khyber Pakhtunkhwa Right to Information Act 2013:

Despite the fact that the Punjab Transparency and Right to Information Act 2013 overrides all other laws, public officials deny access to requested information citing various laws, rules, regulations and orders. That is why Punjab Information Commission has advised provincial government to bring all laws in harmony with the Punjab Transparency and Right to Information Act 2013 in light of Article 19-A of the constitution as reported in a story titled [Commission wants all laws congruent with info right](#).

Khyber Pakhtunkhwa Information Commission needs to look at web portal as reported by Manzoor Ali, in a story titled [Electronic RTI application system a failure](#), it seems there are some

serious issues with the system of filing online applications.

Transparency and Right to Information Program

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

Tel: +92 (0) 51-2304987, 2304989

URL: www.cpdipakistan.org