



Centre for Peace and  
Development Initiatives

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## CPDI Right to Information Watch

### Editorial:

Accountability of high profile personalities and leaders of ruling party-PMLN has set new precedents of accountability and transparency in Pakistan and all the credit goes to the screening of [Panama Papers](#) in 2016. Is it the actual essence of accountability or the institutional and [political revenge](#) prevailing in the politics of Pakistan? What determines the mindset of common people and verdicts of highest judicial institute? Where Supreme Court disqualifies a PM and common people choose the better half of that disqualified PM in [NA-120](#) elections in September 2017? In October 2017, amid chaos in political arena, majority in NA assembly successfully secured (disqualified) Nawaz Sharif as the leader of its political party- PMLN by passing the [election bill 2017](#). Not only this, National Assembly of Pakistan also passed the much awaited and faulty 'Right of Access to Information Bill 2017 on the same day; Oct 2. It must not be ignored that despite several requests and official calls, government drafted and passed the RAI Bill without considering the suggestions from CSOs, RTI experts and journalists. Right of Access to Information Act 2017 has gathered a mix of responses from CSOs, journalists and politicians. The experts think that RAI Act 2017 [does not provide fullest possible access to information](#) but in some cases it is better than Freedom of Information Ordinance 2002, however one stepped better legislation at federal level on RTI, in the shape of RAI Act, is a small ray of hope for openness. On the other hand, Pakistan being a member of Open Government Partnership was supposed to, [launch mandatory NAP for Open Government Partnership soon](#) but sadly both the [deadlines to submit National Action Plan](#) has passed.

### RTI Legislative Landscape

#### Punjab Information Commission Gets its New Chief

With the delay of 5 months, the Government of Punjab has appointed Chief Information Commissioner in [Punjab Information Commission](#). The information commission is an independent enforcement body set up under the Punjab Transparency and Right to Information Act, 2013. Its job is to set the required mechanisms for right to information in Punjab, raise public awareness of the law, help public bodies comply with the law, train public information officers, monitor their performance, decide complaints and take action against those failing to comply. The commission was working without the chief and information commissioners since

May, which badly affected the complaint redressal mechanism. The appointment of [Chief Information Commissioner](#) is seen by many as a political appointment because the political profile of Mr. Naseer Ahmad Bhutta is massively inclined towards the ruling party PMLN. However, future will unfold that either new chief holds either strong or loose commitment to access to information (RTI) held by Public Bodies.

CPDI ran a letter writing campaign for the appointment last month and congratulated the Punjab Information Commission on finally getting its new Chief.

### **Sindh Transparency and Right to Information Act 2016 may die in the womb without implementation**

The provincial government of Sindh had successfully enacted the Sindh Transparency and Right to Information Act 2016 but [Sindh govt fails to establish information commission within prescribed time](#). The provincial government was supposed to establish commission within 100 days but outstandingly it has been more than 6 months that the government has not taken any measures to implement the law. Chief Minister of Sindh claims its commitment to exercise the law but still not certain that when the law will see light of implementation.

CPDI is running a letter writing campaign for the operationalization of Sindh Transparency and Right to Information Act 2016.

### **Government passed the RAI Bill 2017**

Right of Access to Information Bill 2017 was presented for 5 times in the National Assembly of Pakistan but [due to lack of quorum](#), the bill was neither discussed nor rejected. The NA passed the RAI Act 2017 on 2nd October and was signed by President on October 10th. The newly passed RAI Act, 2017 is 2nd generation law, which shows that it is better than FOI 2002 but it still has some deep loopholes which make this law nothing but a zero-sum game. CPDI raised its concerns over the [faults in the RAI Bill](#) and highlighted the issues on various platforms i.e. 3 different lists of exempted information and the power granted to Minister in charge rather than information Commission. In the month of October, CPDI wrote a letter to [President of Pakistan](#) asking for the revision of the bill, before signing it but it was later signed by the President later. The federal government is now equipped with a better RTI law but some provisions of the law (power to minister in charge), if pondered upon, will make it ineffective.

## **RTI in Action**

### **Punjab Government not protecting citizen's Right of Access to Baqir Najafi Report: Model Town Incident**

*PAT and PTI Keen to use RTI*

Pakistani Awami Tehreek (PAT) along with the families of victims of Model Town Incident had sought inquiry report of the Model Town incident from Lahore High Court under RTI law i.e Article 19(A), the Full bench Lahore high court ordered and declared Baqir Najafi report as a

public. However Punjab government resorted to [challenge verdict over Najafi report](#) and has taken stay order to disclose the report. Ironically, the tribunal bench that made the baqir najafi report was established by the same Punjab government. The Punjab government says that report has [no legal value](#) and making it public can fan the [sectarian violence](#). These are the pretexts used by the Punjab government for not providing access to the report. Paradoxically, the PML-N is in power at federal level that has passed the 'Right of Access to Information Bill 2017' but not willing to disclose the Baqir Najafi report at provincial level. The opposition parties like [PTI is sure](#) that the provincial government of Punjab will soon be caught over Model Town incident. On the other hand, [PTI Karachi president has also sought three reports under Sindh T&RTI Act 2016](#), the reports of Baldia factory fire, notorious Lyari gang-war head Uzair Baloch and Nisar Morai's involvement in murder of former Pakistan Steel Mills (PSM) chairperson Sajjad Hussains are sought by PTI President Ali Zaidi, seems like the politicians are now keen to use RTI.

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

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