



Centre for Peace and
Development Initiatives

December 2017

CPDI Right to Information Watch

Editorial:

Pakistan is seeing the unprecedented cases of rule and law and accountability but the question arise that weather it is the real change or institutional vengeance that Pakistan is facing? Accountability of high profile personalities and leaders of political parties has set new exemplar of accountability and transparency in Pakistan and all the credit goes to the screening of [Panama Papers](#) in 2016. While the accountability of political and economic giants being talk of the town, president of Pakistan enacted the Right of Access to Information Act 2017 in October but nothing has been done on the implementation side. According to the said act, Pakistan commission of Access to Information, the independent appellate body under the RAI ACT 207, was supposed to be established within 6 months; however 2 months have already passed without any development. The RAI Act has many flaws and like plethora of other acts, this act also serves the interest of the mighty. Unfortunately the legitimate link of accountability and weak public access to information does not go hand in hand in Pakistan. 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

Ship of Punjab Information goes again without the captain

With the delay of 5 months, the Government of Punjab had finally appointed Chief Information Commissioner in [Punjab Information Commission](#) in October but the Commissioner resigned within 10 days. Appointment of pro-PMLN commissioner was challenged in Lahore high court which leads to the [resignation of chief](#) in early November

During the proceeding of Model Town inquiry case, the Lahore high court bench had sought the reply from Punjab Government over the [absence of information commissioners](#) but the government paid no attention. Dysfunctional commission has badly affected the complaint redressal mechanism in Punjab and umpteen numbers of complaints are in office without any development. Now the future will unfold that either new chief will be appointed or not. Ironically the Punjab government is violating its own law.

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.

Public Access to Information, still not ensured in federal

The federal government enacted the Right of Access to Information Bill 2017 which is comparatively better than the FOI 2002 but the extra powers given to Minister in Charge and ambiguous lists of information has put the RAI Act 2017 in question. Currently there is no Appellate body at federal level, in response of few FOI complaints filed in federal ombudsman officer, the ombudsman officer replied that the office is no more dealing with FOI cases and the cases has been closed, applicants must file the new RTI under new RTI law. The Appellate body under new law is also not established yet. The information seekers are waiting for the implementation and establishment of Pakistan Commission on Access to Information.

RTI in Action

Number of RTI filed in Pakistan is not even close to RTIs in India, yet the small number is not addressed properly in Pakistan. The weak RTI law in Balochistan, dysfunctional Punjab Information Commission, and Lacunas in KP right to information act, non implementation of Sindh Transparency and Right to Information act and right of access to information act 2017 has made public access to information a dream in Pakistan. After long judicial proceeding, Punjab government finally released the [Model Town inquiry report](#). The report was sought under Article 19A of the constitution of Pakistan, It took almost 3 months for the report to be released. The case of Model Town inquiry report shows that the public access to information, the rightful access to information not easy.

Transparency and Right to Information Program

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

Tel: +92 (0) 51-8312794, 8312795

URL: www.cpdi-pakistan.org