

CPDI Recommendation to Improve Draft Sindh Freedom of Information Bill 2015

1. The draft Sindh Freedom of Information Bill 2015 should contain one clearly and narrowly drawn list of exempted information and rest of the information should be declared public. At present, the draft bill has separate lists; records that can be shared under Section 7, records that cannot be shared under Section 8 and records that can be shared but certain types of information, if contained in these records, will not be shared under Sections 15, 16, 17 and 18.
2. There should be time-frame for Sindh Information Commission to decide on complaints as in the case of Punjab and KP commissions that are time bound to decide on complaints within maximum of 60 days.
3. Section 5 of draft Sindh FOI Bill 2015 pertaining to proactive disclosure of information is limited in scope and more categories of information need to be brought in its scope to bring it at par with Section 4 and 5 of the Punjab Transparency and Right to Information Act 2013 and Khyber Pakhtunkhwa Right to Information Act 2013.
4. There should be a provision stating that provisions of Sindh FOI law will take precedence over other laws.
5. The draft bill should have provision pertaining to the inspection of documents as is the case in Khyber Pakhtunkhwa Right to Information Act 2013 and the Punjab Transparency and Right to Information Act 2013.
6. Secretariat of Governor and Sindh Assembly should also be included in the definition of public body in Section 2 (l).
7. Under Section 23 (1) (e) draft Sindh FOI Bill 2015, it is a criminal offence for an applicant 'to use the information obtained for malafide purposes with ulterior motives with facile, frivolous design'. There is no need for including this provision in a right to information law and such matters should be dealt with in defamation laws.
8. Whistle Blower Protection clause should also be included in the law.