



Centre for Peace and  
Development Initiatives

# CPDI Score Sheet of Right to Information Laws in Pakistan

[www.cpd-pakistan.org](http://www.cpd-pakistan.org)

## CPDI Score Sheet of Right to Information Laws in Pakistan

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation		Comments	Score under each standard of Right to Information Legislation			Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013	Sindh Transparency and Right to Information Act 2016		
Law is guided by the principle of maximum disclosure	0	0	Under principle of maximum disclosure, a narrowly and clearly drawn list contains types of information to be exempted from disclosure. The rest is declared public information. This is not the case in these laws. Furthermore, harm test is not included in these laws.	10	10	10	These three laws contain a narrowly and clearly drawn list of exempted information and the rest of the information is declared public information. Furthermore, these laws have harm test and specifically mention that even if the requested information belongs to categories of exempted information, it will be provided if the public interest outweighs the harm.	10
Exceptions are clearly and narrowly drawn	0	0	There is no definition of information. Instead of having one clearly defined short list of exempted information and declaring the rest as public information, these laws have separate lists; records that can be shared, records that cannot be shared and records that can be shared but certain types of information, if contained in these records, will not be shared.	9	10	10	These three laws have defined information. The definition of information in Khyber Pakhtunkhwa Right to Information Act 2013 is precise and left to the interpretation of the public officials whereas in the Punjab Transparency and Right to Information Act 2013 and the Sindh Transparency and RTI Act 2016, the definition is comprehensive and in detail. The list of exempted information is narrowly and clearly drawn.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation		Comments	Score under each standard of Right to Information Legislation			Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013	Sindh Transparency and Right to Information Act 2016		
Law provides cost effective access to information	3	3	Under rules framed for FOI Ordinance 2002 and Balochistan FOI Act 2005 information requests can only be submitted after depositing Rs. 50 in National Bank of Pakistan which covers first 10 pages of information. Rs. 5 are charged for each extra page.	10	10	10	There is no fee for filing information and for the first 20 pages of the requested information. However, RS. 2 will be charged for every extra page and the applicant will have to bear the postal cost according to Schedule of Fees introduced by Khyber Pakhtunkhwa Information Commission. Whereas, RS. 2 will be charged for every extra copy and applicant will not have to bear postal cost according to Schedule of Costs introduced by Punjab Information Commission. Sindh Transparency and RTI Act 2016 say that PIO shall not charge any fee for making the request other than the cost of reproducing and sending the information in accordance with the schedule of cost stipulated by Sindh Information Commission.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation		Comments	Score under each standard of Right to Information Legislation			Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013	Sindh Transparency and Right to Information Act 2016		
Law provides for speedy and easy access to information	1	1	These laws allow 21 working days to public bodies for providing access to the requested information. There is no provision for expediting the process of providing the requested information if it pertains to life or liberty of a person.	10	10	10	In Khyber Pakhtunkhwa law, the requested information has to be provided within 10 working days, in the Punjab law the requested information has to be provided within 14 working days, whereas in Sindh Transparency & RTI Act 2016 requested information is to be provided within 15 working days. However, all these specifically mention that if the requested information pertains to the life or liberty of a person, it will be provided within 2 working days. All these laws adhere to the principle of providing requested information within reasonable time frame.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation		Comments	Score under each standard of Right to Information Legislation			Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013	Sindh Transparency and Right to Information Act 2016		
There is an effective complaint redressal mechanism available	3	3	Under Balochistan and Sindh laws, affidavit has to be submitted prior to lodging the complaint testifying that no complaint regarding this matter has already been submitted and that no law-suit is pending pertaining to the matter with any court. Federal Ombudsman requires a form to be filled after lodging the complaint testifying the same. No time-frame for the office of Ombudsman in Balochistan.	9	10	10	No need to furnish any kind of affidavit while lodging complaints with the commission. Furthermore, Punjab and KP Information commissions are bound to take decisions on complaints within sixty days. Whereas Sindh Information Commission is bound to take a decision on a complaint within 45 days. However, Khyber-Pakhtunkhwa Right to Information (Amendment) Bill 2015 has created confusion as Amendment in Section 23 does not specifically say that appeal against the decisions of the Commission will be made in Peshawar High Court.	10
Law imposes penalty on the officer for wrongfully denying/delaying access to the requested information	0	0	There is no such penalty.	9	10	10	A fine of Rs. 250 per each day of the delay can be imposed under Khyber Pakhtunkhwa law which can go up to Rs. 25000. Under the Punjab law, 2 days of salary can be deducted for each day of the delay or fine up to 50000 can be imposed. Under Sindh Transparency and RTI Act 2016 the commission can impose a fine of 10 % of the basic salary of PIO.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation		Comments	Score under each standard of Right to Information Legislation			Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013	Sindh Transparency and Right to Information Act 2016		
Law requires proactive disclosure	0	0	There is no such provision.	10	10	10	Comprehensive list containing categories of information that has to be proactively disclosed is included in these laws.	10
Law does not require description of specific interest with information requested	0	0	The purpose for seeking the information has to be described.	10	10	10	There is no such provision.	10
Law recognizes the willful destruction of records as a criminal offense	7	7	It is criminal offence to destroy any record if an information request is submitted to have access to the record or complaint is lodged in this regard. The penalty for such an offence is imprisonment up to 2 years, with fine or both.	10	10	10	In Punjab and KP RTI laws, it is criminal offence to destroy any record if an information request is submitted to have access to the record or complaint is lodged in this regard. The penalty for such an offence is imprisonment up to 2 years or with fine up to 10000 or both. Under Sindh RTI Law, it is also a criminal offence and it is punishable with imprisonment for a term which may extend to 2 years and six month or fine which will not be less than 10,000 or 10 % of the basic pay or with both.	10

Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation		Comments	Score under each standard of Right to Information Legislation			Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013	Sindh Transparency and Right to Information Act 2016		
Right to Information law takes precedence over all other laws contradicting its aim	0	0	These laws do not override other laws.	10	10	10	All these laws override other laws.	10
Law has provisions that allows Inspection of documents before getting access	0	0	There is no such provision in these laws.	10	10	10	Right of access to information also includes right to inspect documents, samples and materials etc	10
Law requires it as a duty of information officer to assist applicant	3	3	The duty to assist the person is mentioned in these laws but not elaborated.	5	5	0	Public Information Officers are duty-bound to facilitate the disabled and the illiterate in filing information requests. Whereas there is no such provision in Sindh RTI Law.	5
Law makes head of public body responsible to act as information officer in the absence or unavailability of Information officer	10	10	If an official has not been designated, the head of public body is made responsible for providing the requested information.	10	9	10	Head of public body is to serve as Public Information Officer in the Khyber Pakhtunkhwa law and the Sindh RTI Law in the absence or unavailability of the PIO. Head of public body is to serve as Public Information Officer if PIO has not been designated under the Punjab Transparency and Right to Information Rules 2014.	10



Standards of Right to Information Legislation	Score under each standard of Right to Information Legislation		Comments	Score under each standard of Right to Information Legislation			Comments	Weight-age
	Freedom of Information Ordinance 2002	Balochistan Freedom of Information Act 2005		Khyber Pakhtunkhwa Right to Information Act 2013	Punjab Transparency and Right to Information Act 2013	Sindh Transparency and Right to Information Act 2016		
Law has a comprehensive definition of Public Body	3	3	Organizations funded by government do not come within the purview of these laws.	7	10	10	Organizations substantially funded by public funds come within the purview of these laws. The Khyber Pakhtunkhwa law specifically excludes Peshawar High Court from the definition of the Public body.	10
Law does not prescribe penalties for applicant for alleged vexatious applications	0	0	Under these laws, if complaint is found to be 'frivolous, vexatious and malicious', Ombudsman can impose fine up to Rs. 10,000.	0	5	0	Under the Khyber Pakhtunkhwa and Sindh RTI laws, it is criminal offence to use information 'malafiedly purposes with.	5
<b>Total</b>	<b>30</b>	<b>30</b>		<b>129</b>	<b>139</b>	<b>130</b>		<b>140</b>



Centre for Peace and Development Initiatives, (CPDI) is an independent, non-partisan and a not-for-profit civil society organization working on issues of peace and development in Pakistan. It is registered Under Section 42 of the Companies Ordinance, 1984 (XLVII of 1984). It was established in September 2003 by a group of concerned citizens who realized that there was a need to approach the issue of peace and development in an integrated manner. CPDI is a first initiative of its kind in Pakistan. It seeks to inform and influence public policies and civil society initiatives through research-based advocacy and capacity building in order to promote citizenship, build peace and achieve inclusive and sustainable development. Areas of special sectoral focus include promotion of peace and tolerance, rule of law, transparency and access to information, budget watch, legislative watch and development.



Centre for Peace and  
Development Initiatives

📍 104-Multi Arcade | Street 1 | Sector E-11/1 | Islamabad | Pakistan

☎ +92 51 230 49 87, 230 49 89

📠 +92 51 844 36 33

✉ info@cpdi-pakistan.org

📘 /cpdi.pakistan

📱 /cpdi\_pakistan

A Company setup under Section 42 of the Companies Ordinance, 1984

[www.cpdi-pakistan.org](http://www.cpdi-pakistan.org)

