

Right to Information (RTI)

A Tool to Ensure Transparency, Accountability, and Inclusivity



Compiled by

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An Overview:

The Right to Information (RTI) is a constitutional guarantee recognized by the government of Pakistan in 2010 through the introduction of the 18th Amendment to the Constitution of Pakistan, incorporating Article 19-A. This provision aims to set up a framework for ensuring transparency, accountability, and inclusivity by granting access to information, subject to reasonable restrictions imposed by law.

AWAM Pakistan is a human rights organization dedicated to human rights education, strengthening grassroots movements, informing local communities about social protection schemes and social security benefits, and facilitating access to service delivery mechanisms.

In line with its mandate, the organization focuses on equipping the general public—particularly community groups of AWAM Pakistan—with the tool of Freedom of Information (FoI) and imparting knowledge about the Punjab Transparency and Right to Information Act, the mandate, and criteria of the Punjab Information Commission.

To achieve this, with the financial cooperation of the Centre for Peace and Development Initiatives (CPDI), AWAM is extending its networking with academia, youth groups, trade unions, and community-based organizations [based in Faisalabad and Chiniot, urging them to advance their understanding of the right to information. The organization is mobilizing these groups to exercise their fundamental right to increase citizens' engagement in good governance, ensuring transparency and accountability.

From January 2023 to December 2024, AWAM Pakistan communicated 151 communications to various government institutions and authorities seeking information – particularly related to service delivery mechanisms, access to justice, implementation of quota for persons with disabilities, and religious minorities, and compliance with international laws.

Target ed Group	Public Bodies	Subject	No. of RTI Filled 2023/24
Women	<ul style="list-style-type: none"> • Ombudsperson • Education Department • Gender Crime Branch(Police) • Women Development Department • Treaty Implementation Cell (CEDAW) • Standing Committee on Women Development (Punjab Assembly) • Federal Investigation Agency – Cyber Crime Wing 	<ul style="list-style-type: none"> • Violence Against Women (VAW) related statistics, • CEDAW & ICERD Compliance, • Primary and Secondary Education-Girl's child enrollment data • Dropout ratio, • Harassment Committees 	66
Minority	<ul style="list-style-type: none"> • Human Rights Department Federal/Provincial • Minority Advisory Council • NADRA • Standing Committee on Minority Affairs (Punjab Assembly) • Treat Implementation Cell (ICERD) • Ministry of Interfaith Harmony and Religious Affairs • Planning and Development Division • Bureau of Statistics 	<ul style="list-style-type: none"> • Registered Voters, • 5 percent job Quota Implementation • Utilization of Minority Welfare Fund, • No. of Resolutions and Parliamentary questions submitted by Legislators • Developmental Budget allocated to Minority Members 	56

	<ul style="list-style-type: none"> • Solid Waste Management Company-MC Services 		
PWDs/Trans	<ul style="list-style-type: none"> • Directorate Social Welfare Bait-ul-Maal • Treaty Implementation Cell (CRPD) • Election Commission of Pakistan • Faisalabad Development Authority and Town Planning 	<ul style="list-style-type: none"> • Process to obtain Disability Certificate • Financial Assistance, • accessible infrastructure of public building • Total Registered Voters Compliance on CRPD • Rehabilitation Centers 	29

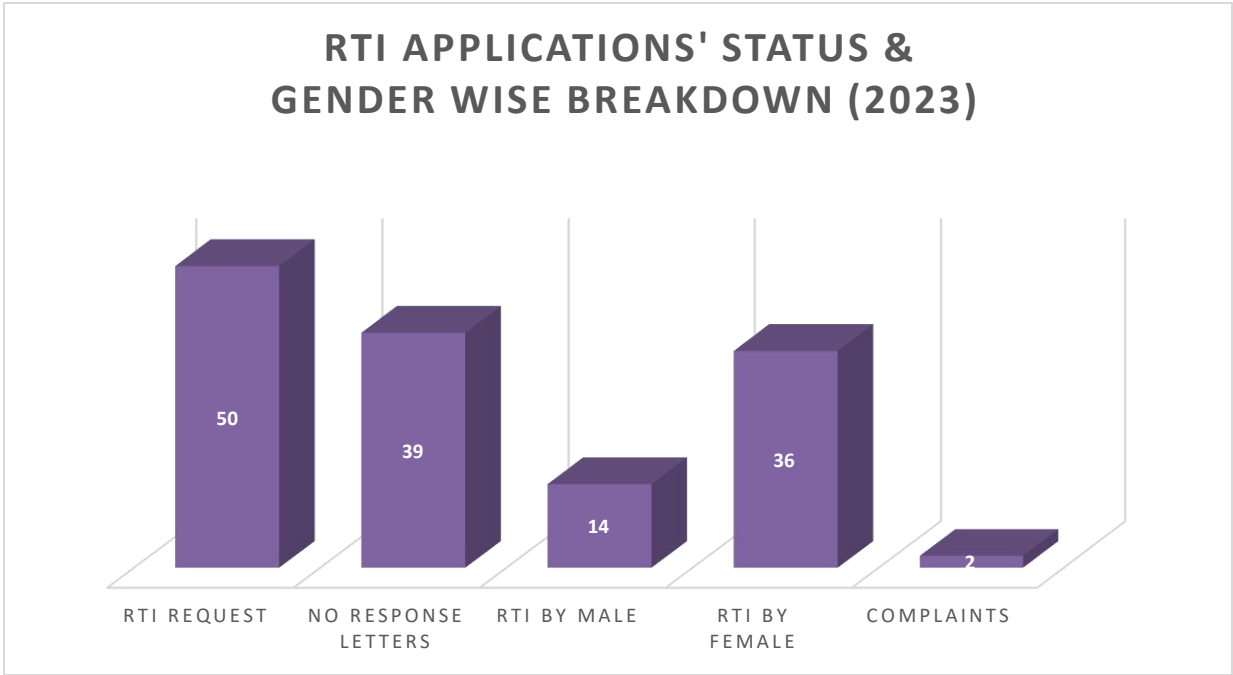
The table indicates the RTIs written by various individuals on different topics to government institutions

Right to Information Act and Accountability of Duty Bearers:

AWAM Pakistan is a human rights body dedicated to empowering local communities and strengthening grassroots movements. By channeling its resources effectively, AWAM Pakistan focuses on establishing local groups, building their capacity for advocacy initiatives, and mobilizing them to engage with state institutions and authorities.

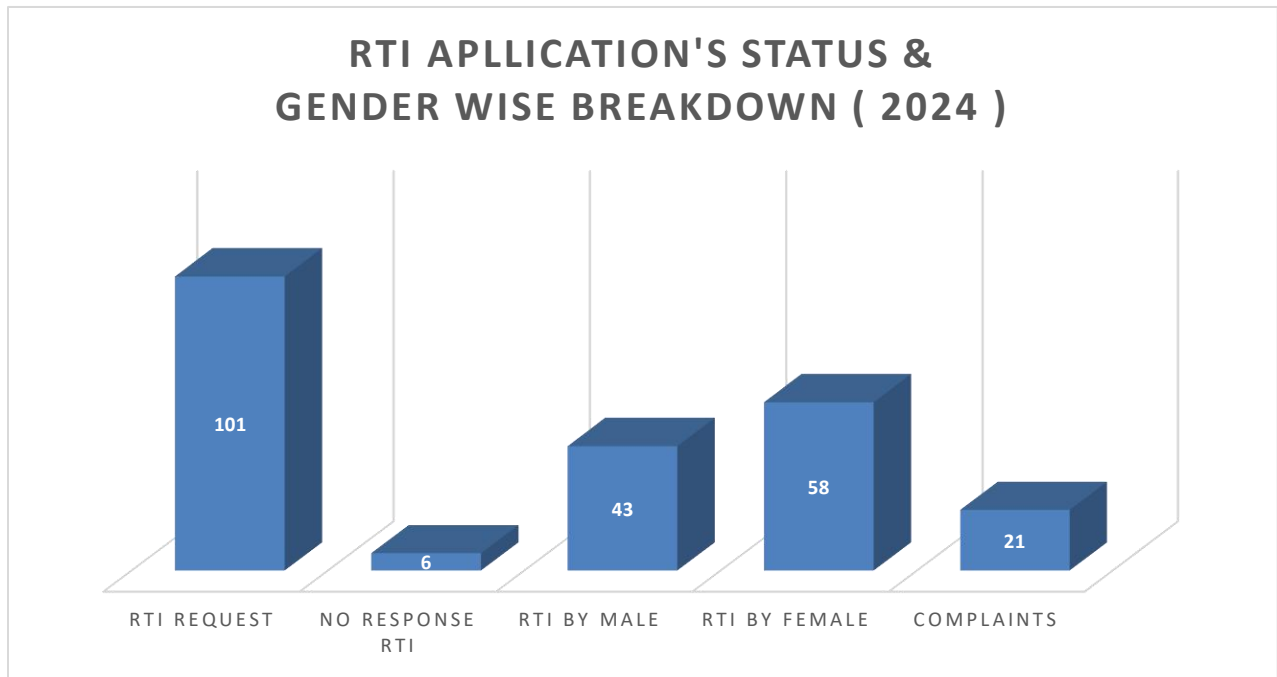
In line with its mandate, AWAM emphasizes collecting data [through the Punjab Transparency and Right to Information Act, 2013 and Right of Access to Information 2017] related to honor-related crimes, gender-based violence, and discrimination, and implementing legal frameworks for the protection of minority rights. The special emphasis is on assessing the effectiveness of service delivery mechanisms, access to justice for women and religious minorities, implementation of job quotas for minorities, compliance with international commitments in domestic laws, and women’s rights protection mechanisms.

From 1st January 2023 to 31st December 2024, AWAM Pakistan submitted 151 communications for collecting data under the Punjab Transparency and Right to Information Act, 2013, to different government departments. The primary motive of collecting data is to design advocacy campaigns, set advocacy messages, and evolve the charter of demands for calling upon the authorities to take corrective (affirmative) measures to protect and promote the rights of marginalized sections of society.



This Graph represents the data for 2023, showing the distribution of RTI Requests, RTI Requests by Male and Female applicants, Responses of RTI, and Complaints.

The graph indicates the status of RTI applications categorized by gender for the year 2023, showcasing outcomes such as the total number of letters filed, responses received, letters written by males and females, and complaints filed. From January to December 2023, The AWAM Pakistan has been actively educating local communities about the Right to Information, leading to the submission of 50 RTI applications. This significant achievement indicates that people have learned about this fundamental freedom and have begun to exercise it. Out of the total 50 letters filed, 11 received responses, reflecting a low level of response by the authorities. The gender breakdown reveals a promising trend, with 36 letters written by female applicants and 14 by male applicants, showcasing the effectiveness of awareness efforts targeted at women. However, the presence of 2 complaints indicates areas of dissatisfaction, possibly due to delays or incomplete information.



This Graph represents the data for 2024, showing the distribution of RTI Requests, RTI Requests by Male and Female applicants, No Responses, and Complaints.

The graph highlights the status of RTI applications categorized by gender, showcasing various outcomes such as letters issued, no responses, male and female applicants, and complaints. Over the past seven months [1st January 2024 to 31st December 2024], AWAM Pakistan has been actively educating local communities about the Right to Information, leading to the submission of 101 RTI applications. This data reveals a noticeable achievement, indicating that people have learned about this fundamental freedom and have begun to exercise it. However, there is a noticeable gender disparity, with 43 (forty-three) applications from male applicants and 58 (fifty-eight) from female applicants.

Challenges:

During the exercise of Freedom of Information, the AWAM has identified several bottlenecks that hinder the process. These include:

1. **Low Level of Interest Among General Masses:** The public's reluctance to exercise their fundamental right to information contradicts Section 3 of the RTI Act 2013, which explicitly states that every citizen shall have the right to access information in all matters of public importance. This hesitation is particularly concerning given Section 11(2), which provides protection against legal proceedings for information disclosed in good faith. The historical context of military governance has created a psychological barrier, despite Section 4 mandating proactive disclosure by public bodies to promote maximum public access to their records.
2. **Non-Availability of Public Information Officers (PIOs):** Section 9 of the RTI Act 2013 explicitly requires each public body to designate and notify as many officers as Public Information Officers (PIOs) as necessary. The absence of these officers directly violates this statutory requirement. Furthermore, Section 9(2) specifies that these officers should be easily accessible to the public, making their absence a direct contradiction of the law's provisions.
3. **Outdated Websites and Digital Presence:** Section 5 of the Act mandates that all public bodies must ensure that their records are properly maintained and computerized. Additionally, Section 7 requires the publication and availability of records through various means, including websites. The failure to maintain updated websites violates these provisions, particularly Section 5(1)(b) which requires the computerization of records "within a reasonable time and subject to availability of resources."
4. **Official Reluctance and Bureaucratic Resistance:** The hesitation of officials to provide information directly contradicts Section 13(1) of the Act, which imposes penalties for willfully delaying or denying information. Officials can face fines of up to Rs. 50,000 for such violations. Moreover, Section 14 explicitly states that the Act overrides other laws, meaning officials cannot use other regulations as an excuse to withhold information.
5. **Bureaucratic Setup and Timeline Violations:** The 14-day response requirement is clearly outlined in Section 10(1) of the Act, which states that requested information must be provided within 14 working days of receipt of the request. Section 10(2) allows for a maximum 10-day extension in exceptional circumstances, but only with written justification. The current widespread failure to meet these deadlines, particularly in service delivery departments, constitutes a direct violation of these statutory provisions.

The implementation challenges are further complicated by Section 8, which outlines various exemptions from disclosure. While these exemptions are meant to protect sensitive information, they are often misused by officials to deny legitimate requests. This is despite Section 17(2), which emphasizes that the Act shall be interpreted to advance its purposes and to facilitate and encourage the disclosure of information.

The situation in service delivery departments is particularly concerning given Section 6, which

requires maintenance and indexing of records. The failure to provide timely responses not only violates the 14-day requirement under Section 10 but also indicates potential non-compliance with Section 6's record-keeping requirements. This systematic failure suggests a need for stronger enforcement of Section 13's penalty provisions and better implementation of Section 19's provisions for annual reporting on RTI compliance.

LESSON LEARNED:

- **Systemic Improvements Through Public Engagement**

The implementation of Pakistan's Right to Information Act 2013 has yielded valuable insights into effective governance and citizen engagement. Persistent public pressure through RTI applications has proven instrumental in compelling authorities to enhance their information management systems. This improvement is particularly evident in the digitization of records and the establishment of more efficient response mechanisms, as mandated by Sections 5 and 7 of the Act. Public bodies have gradually adapted their processes to meet the 14-day response requirement under Section 10, though challenges remain in consistent compliance.

- **Community Capacity Building and Rights Awareness**

A significant lesson has emerged from community capacity-building initiatives. By educating citizens about their rights under Section 3 of the Act and the protections offered by Section 11(2), communities have become more confident in exercising their right to information. This increased awareness has led to more effective utilization of the Act's provisions, including the complaint mechanisms outlined in Section 12. The fear of potential litigation, once a major deterrent, has diminished as communities better understand their legal protections.

- **Inclusive Participation and Governance**

The engagement of marginalized groups, including women, minorities, and persons with disabilities, has proven crucial in realizing the Act's full potential. Their participation has led to the development of more accessible information request processes and highlighted the importance of inclusive governance. This aligns with the Act's fundamental principle of universal citizen access to information, as emphasized in Section 3. The experience has shown that when diverse groups are empowered to participate, the transparency and accountability of local governance improve significantly.

- **Institutional Learning and Development**

Institutional learning has been another key outcome. Public bodies have improved their record maintenance systems as required by Section 6 and developed better tracking

mechanisms for information requests. The implementation of digital systems, though still in progress, has enhanced the ability to meet Section 19's annual reporting requirements. These improvements demonstrate how sustained citizen engagement can drive positive institutional change.

- **Future Recommendations and Way Forward**

Looking forward, the focus should be on expanding awareness programs, particularly for marginalized groups, while continuing to simplify application processes and improve response rates. Regular monitoring of compliance with Section 13's penalty provisions remains crucial for maintaining accountability. The experience has shown that successful implementation of the RTI Act requires a balanced approach that combines legal compliance, institutional capacity building, and inclusive community engagement. Through these continued efforts, the Act can better serve its intended purpose of promoting transparency and accountability in governance for all citizens.

