



# Assessment of Right to Information Implementation

Civil Society Parallel Assessment of Compliance with Sustainable Development Goal Indicator 16.10.2



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Civil Society Parallel Assessment of Compliance with Sustainable  
Development Goal Indicator 16.10.2

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## About CPDI

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, media watch and legislative watch and development.

## About The Project

Centre for Peace and Development Initiatives (CPDI) has initiated a project in January 2020, titled “Civil Society for Independent Media and Expression” (CIME) along with two other implementing partners namely Media Matters for Democracy (MMfD) and Pakistan Press Foundation (PPF) funded by EU. The overall objective of this project is to protect and promote Freedom of expression (FoE) offline & online and to facilitate citizen’s right of Access to Information (ATI) as stipulated in articles 19 and 19-A of the constitution of Pakistan respectively. The target beneficiaries of this project include human rights defenders especially freedom of expression activists, media rights activists and digital rights activists, women’s rights activists and feminists working on issues of inclusion of women working journalists, editors and media managers, internet users who are individually engaged in digital journalism and advocacy, human rights lawyers , concerned legislators and parliamentary committee members and state institutions like National Commission on Human Rights (NCHR), National Commission on Status of Women (NCSW), Parliamentary Commission on Human Rights (PCHR) and Pakistan Institute of Parliamentary Studies (PIPS).

This initiative has been designed to respond to the EU’s priority of promoting freedom of expression (online and offline) and access to information. The project design includes activities geared to enable specific changes to advocacy for enactment of these policies at the national level while further paving the way for introduction of second generation RTI laws at the provincial level in Balochistan. The proposed action is a step forward towards ensuring transparency and accountability in governance via access to information, journalists’ safety by delivering holistic security training and ensuring FoE, legal support to journalists, and advocacy for an independent media regulation that will collectively lead to development, strengthening democratic institutions and citizens access to viable information.

## Table of Contents

<b><i>About CPDI</i></b> .....	<b><i>iv</i></b>
<b><i>About The Project</i></b> .....	<b><i>v</i></b>
<b>A. <i>Executive Summary</i></b> .....	<b><i>1</i></b>
<b>B. <i>Introduction</i></b> .....	<b><i>2</i></b>
<b>C. <i>Literature Review</i></b> .....	<b><i>3</i></b>
<b>D. <i>Background</i></b> .....	<b><i>9</i></b>
<b>E. <i>Implementation of RTI Methodology</i></b> .....	<b><i>9</i></b>
<b>E1. Assessment Area One: Proactive Disclosure:</b> .....	<b><i>9</i></b>
<b>E2. Assessment Area Two: Institutional Measures</b> .....	<b><i>34</i></b>
<b>E3. Assessment Area Three: Processing of Requests</b> .....	<b><i>38</i></b>
<b><i>Abbreviation</i></b> .....	<b><i>55</i></b>
<b><i>Annexure A</i></b> .....	<b><i>56</i></b>
<b>Measuring RTI Implementation</b> .....	<b><i>56</i></b>

## A. Executive Summary

This study identifies gaps regarding proactive disclosure of information, implementation of specific institutional measures, and responses to RTI requests. Monitoring the results of the implementation of the Right to Information legislation in Pakistan demonstrated that public bodies do not follow the requirements of the Access of Right to Information Act, 2017 (hereinafter called Law) in letter and spirit.

Public bodies lack a comprehensive understanding of their legal obligation to respond to RTI requests and, in most of the instances, ignore them altogether. Responding to RTI requests on time is also a significant problem. The public bodies have failed to acknowledge the receipt of information requests and haven't provided the information within the stipulated time of ten working days as given in the law.

This study found that the ministries and departments have failed to impart training to PIOs and sensitize them about the legal requirements of the Right to Information. None of the selected ministries or departments has developed any plan for RTI implementation. Only a couple of ministries have placed the guidelines prepared by the Information Commission on their websites. The Ministry of Housing and Works has also asked the requester to disclose their employer's name and produce an affidavit on stamp paper that the particulars of the requester are correct. The department is also charging PKR 100 as photocopying charges for providing information, thus disregarding the 'Schedule of Charges' notification by the Commission that the photocopy of the first fifty pages is free. These conditions are against the spirit of the law and will unnecessarily discourage and delay the flow of information to the citizens.

Most of the ministries selected for this study develop yearbooks. But no department has included the figures about the RTI requests in the yearbook or have published any separate report for RTI implementation in their ministry or department.

The proactive disclosure of institutional information was studied against eight indicators. The ministry of IPC performed the best by scoring 7.5 marks out of 8. The Health Ministry and Pakistan Railways were at the bottom of the list with 2.5 marks. One piece of information missing across the board was about the contract documents. Most public bodies published their tender documents (which is now a legal requirement under Procurement rules). Still, information about the successful bidder and a copy of the final contract was missing. The other significant omission from the institutional information is the current and development budget figures. Only three of the eight public bodies have given some information about their PSDP. Still, the information about the current budget and utilization of the budget was missing for all the public bodies. The eight institutional indicators for this FOIANet methodology represent the minimum of the information that a public body is supposed to disclose proactively. The proactive disclosure clause of the Law requires disclosure of further information, for example, information related to perks and privileges of the employees, description of its decision-making process, performance reports, evaluation reports, audit reports, and inquiry, or investigation reports. The overall

score for the proactive disclosure is 0.44 (out of 1), which is better than the previous year's score of 0.25 obtained through a similar study. This improvement in the score shows that public bodies have started disclosing the information to the citizens proactively.

The public bodies' response to the request for information (reactive disclosure) was poor. Each of the selected eight public bodies was sent two information requests. Only three public bodies, including the Ministry of IPC, MoHR, and MoF, responded to 1 information request. The overall result of proactive disclosure is 0.12, which is less than the previous year's score of 0.19. This downward trend should concern the public bodies, information commission, and civil society that things have worsened.

This study recommends a more frequent interaction between Information Commission and Public Bodies. The purpose of such interaction should be the training the PIOs and sensitizing them about the legal requirement of providing information to the citizens.

## B. Introduction

Right to Information is an important block of democracy. The culture of transparency and accountability that it nourishes, strengthens the democratic norms in the society and rests citizens' confidence in the political process. It has been very aptly called as oxygen to the democracy and its absence has the potential to stifle the society.

The term *Right to Information*, in its simplest form, means that all information in the custody of public bodies belongs to citizens and public officials are only the custodians of the information. As the citizens are the owner of this information, they can access the information whenever and wherever they want. The right to information is a constitutional right and was inserted into the constitution's fundamental rights chapter as Art 19-A through the 18<sup>th</sup> amendment in 2010. The federal government and all the provincial governments have legislated RTI laws to facilitate the public to access information from public authorities.

In Pakistan, the history of Right to Information can be traced back to 1994 when a private member bill on Freedom of Information was moved in Senate, but no legislation could be done on that bill. The interim government of 1997 implemented the Freedom of Information Ordinance, but that lapsed as the new government in office did not show any interest in either renewing it or taking it to the parliament. The first noticeable development in this regard came in 2002 when the Freedom of Information Ordinance 2002 (FOI 2002) was implemented at the federal level. Balochistan and Sindh followed suit and legislated the Freedom of Information **Acts** (emphasis added) in 2005 and 2006, respectively. These laws were, however, the mirror images of the FOI 2002. These three laws were restrictive in nature and opened very few avenues for citizens to get information from the public authorities. These laws are sometimes referred to as first-generation laws.

Since the implementation of these first-generation laws, civil society's popular demand was to repeal these laws and legislate more effective, progressive, and robust laws. Following multiple commitments in the 2000's by political leadership, one giant stride was

made in 2010, when Article 19-A was inserted in the Constitution of Pakistan, guaranteeing Right to Information to the citizens. The second installment of RTI laws was granted to citizens in 2013 when first KP and later Punjab legislated some perfect right to information laws in the same year. Later, in 2017, Sindh and the federal government repealed their old Freedom of Information laws and implemented new laws similar to Punjab and KP<sup>1</sup>. Hence, Second generation laws.

3 fundamental differences distinguish second generation laws from first-generation laws. A) The second-generation laws have a robust proactive disclosure clause that was missing in the first-generation laws; B) Second generation laws have a penalty clause, which precisely means that public officials can be penalized if citizens are willfully denied the right to information; and c) these laws also set up an independent appellate body to which citizens can go for redressal of their grievances in case the information is denied. In Pakistan, these bodies are called Information Commissions.

As more than four years have passed since the Right of Access to Information was implemented at the federal level, it is appropriate to reflect and see how the Right to Information regime has worked in Pakistan at the federal level.

An independent evaluation study will give a chance to policymakers and legislators to gauge the state of transparency and accountability in the country. It will also identify the necessary steps to be taken by public authorities to strengthen the RTI regime in the country further.

### C. Literature Review<sup>2</sup>

Compared to some other south Asian countries, the movement for the Right to Information in Pakistan could not get stronger. Consequently, there is a dearth of quality literature on the subject in Pakistan. Only during the last few years have some civil society organizations started mainstreaming the Right to Information in their program areas and produced some reports on the implementation of the right to information in Pakistan.

Consumer Rights Commission of Pakistan (CRCP) was one of the pioneer organizations in Pakistan on RTI. They started working on it in the early 2000s. They have produced periodic reports on the right to information, the latest being from 2014. The report titled *From FOI to RTI: Some Lessons and Insights* discusses the inherent flaws and deficiencies of FOI 2002 as revealed through “procedural activism.”<sup>3</sup> The paper expressed satisfaction with the journey from “Freedom of Information” to “Right to Information”<sup>4</sup> but at the same time

<sup>1</sup> Although the federal law falls short of civil society aspiration and still leaves many loopholes and restricts free flow of information to citizens.

<sup>2</sup> The literature review for this study is copied with minor editing from a similar study conducted in Dec 2020. Some new literature produced after Dec 2020 on RTI implementation has been included.

<sup>3</sup> <https://crpc.org.pk/from-foi-to-rti-some-lessons-and-insights/> last accessed on 07 Dec 20

<sup>4</sup> The first generation laws in Pakistan, as referred above

pointed out some flaws in RTI laws of KP and Punjab. The paper specifically pointed out Section 28 of KP RTI law that declared obtaining information for *malafide purposes* as a criminal offense resulting in a fine and imprisonment.

In 2013, CRCP reviewed the annual reports of 56 federal ministries and attached departments<sup>5</sup>. The report is a prelude to the much recent trend of measuring the Online Status of Proactive Disclosure, a trend in which CPDI has developed consistency and expertise amongst the national organizations. The report concluded that the non-availability of annual reports and material related to FOI/RTI on websites is against the international best practices and violation of the constitutional rights of the people of Pakistan.

Centre for Peace and Development Initiatives (CPDI) literature on Right to Information can be divided into four categories: 1) *Analysis and comments on (draft) laws, including comparative analysis of laws*; 2) *Awareness raising materials*; 3) *Implementation of Legal regime*, and 4) *Capacity building of public officials*.

CPDI has produced quality reports on proactive online disclosure of information by federal and provincial departments. The first report was issued in 2016 under the banner of CRTI. The study selected ten federal ministries, and ten departments each from Punjab and KP, and gauged their proactive disclosure of information. The most recent study was published in September 2020<sup>6</sup> on “International Right to Know Day”. The study measures the state of proactive disclosure against the proactive disclosure clause of relevant Right to Information laws, and points against each sub-section are awarded out of ten, with 0-3 for poor, 4-7 for moderate, and 8-10 for the maximum level of compliance.

The study awarded 92% points to KP Information Commission for its excellent compliance with the proactive disclosure clause of the KP RTI Act, 2013. The Elementary and Secondary Education Department performed abysmally low at 10%. Still worse are *Agriculture Department* at 18%, and *Mineral Development Department* at 22%. In federal ministries, the study assigns 6% marks to the ministry of Communication. The best performing ministries from the sample are the Ministry of Law and Justice (78%) and the Ministry of Planning and Development (75%). However, the study is limited in scope as it only considers the website of the public bodies and does not consider the other relevant literature produced by the departments. A similar study titled *The Interplay of Right to Information and Freedom of Expression in Digital Spaces: Issues and Challenges* also discussed the state of proactive disclosure<sup>7</sup>.

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<sup>5</sup> <https://crp.org.pk/a-review-of-annual-reports-exploring-transparency-in-pakistan/> last accessed on 07 Dec 20

<sup>6</sup> <https://www.cpd-pakistan.org/wp-content/uploads/2020/09/Status-of-RTI-in-Pakistan-2020.pdf> last accessed on 07 Dec 20

<sup>7</sup> <https://www.cpd-pakistan.org/wp-content/uploads/2017/10/The-Interplay-of-Right-to-Information-and-Freedom-of-Expression-in-Digital-Spaces-Issues-and-Challenges.pdf> last accessed on 07 Dec 20

Another pioneering work of CPDI is the comparative analysis of RTI laws by producing score sheets against different variables/criteria. The comparative analysis was made by comparing the laws of regional countries for their effectiveness and ease of getting information from public bodies. The first such study was completed in 2007<sup>8</sup>, which was then used frequently as an advocacy tool for improved legislation at the federal level. The most recent such study was produced in April 2019, in which all existing RTI laws of Pakistan were analyzed against 14 different indicators<sup>9</sup>. The score sheets declared Punjab Transparency and Right to Information Act, 2013 as the best RTI law in Pakistan, scoring 148/150 points and KP RTI law runner up at 132/150 points.

CPDI's recent report "The status of RTI in Pakistan" presents the state of RTI implementation in two dimensions, i.e. (a) proactive disclosure and (b) reactive disclosure of information<sup>10</sup>. A sample of 60 federal ministries/departments and 60 provincial departments was randomly selected from all over the country. For proactive disclosure, provincial and federal departments' websites were examined against the proactive disclosure clause of the relevant RTI Laws. Results show that KP departments have disclosed 35%<sup>11</sup> of the information online, provincial departments of Punjab have disclosed 51%<sup>12</sup> of the information as per section 4 of Punjab RTI law, and federal ministries and departments disclose only 38% of the information as per section 5 of Federal RTI Law and only 17%<sup>13</sup> of information is proactively disclosed by the Sindh departments. *Overall results show that the federal and provincial government departments proactively disclose only 31% of the information under RTI.* Balochistan province was not included in this assessment area because Balochistan Freedom of Information Act, 2005 does not have a proactive disclosure clause.<sup>14</sup>

In the assessment area of reactive disclosure information disclosure rate was 6.7%<sup>15</sup> only. During the study, 75 information requests were sent to public departments: 15 each to federal, Balochistan, KP, Punjab, and Sindh governments.

In 2020, CPDI has also published its first-ever report on State of Budget Transparency in Pakistan<sup>16</sup>. The first part of this report is based on information requests sent to public

<sup>8</sup> <https://www.cpdipakistan.org/wp-content/uploads/2016/05/CPDI-Score-Sheet-of-Right-to-Information-Laws-in-Pakistan-2017.pdf> last accessed on 07 Dec 20

<sup>9</sup> <https://www.cpdipakistan.org/wp-content/uploads/2019/04/CPDI-Scoresheet-of-RTI-Laws-in-Pakistan-2019.pdf> last accessed on 07 Dec 20

<sup>10</sup> <https://www.cpdipakistan.org/wp-content/uploads/2019/09/Status-of-RTI-in-Pakistan-2019.pdf> last accessed on 07 Dec 20

<sup>11</sup> Against 52% in last year

<sup>12</sup> Against 38% in last year

<sup>13</sup> Against 12% in last year

<sup>14</sup> At the time of this study by CPDI in 2019, Balochistan was still having Freedom of Information Act, 2005 that did not have a proactive clause.

<sup>15</sup> Against 3.7% in last year

<sup>16</sup> State of Budget Transparency in Pakistan, <https://www.cpdipakistan.org/wp-content/uploads/2020/10/State-of-Budget-Transparency-in-Pakistan-2020-Complete-Report.pdf> last accessed on 07 Dec 20

bodies. The requested information was limited to budget-related activities and documents. A total of 150 RTI requests were sent to different federal and provincial public bodies. Thirty-six requests were sent to federal ministries, of which only 6 requests were responded to; 3 timely and three delayed. Provincial departments were tested with 114 information requests; only six responded, and all were delayed responses. The study also ranked the governments based on their responses. The federal government with 11.1 % points, tops the list, followed by Punjab (8.3%) and KP (2.3%). Balochistan and Sindh could not score any point. The study concluded that the weak RTI implementation regime has failed to provide timely information to the citizens.

In the following year, the study was repeated by sending 152 information requests to selected federal ministries and provincial departments. Unfortunately, not a single request was responded by the public bodies<sup>17</sup>.

The Centre for Governance and Public Accountability (CGPA) has published a Study on the State of Implementation of RTI laws in 2020<sup>18</sup>. The study's objective is to develop a scorecard on the state of implementation of both the federal and KP RTI laws by the public bodies. To gather data for the scorecard, CGPA filed information requests with ten federal, ten KP provincial, and ten district-level public bodies. Only one federal ministry, two provincial departments, and 2 district departments provided information within 10 days. The response rate is poorer than what was recorded in 2019 by a similar national-level study by C-GPA

C-GPA has also conducted a series of RTI Score Cards Reports, the latest being from the year 2019<sup>19</sup>. The reports tested the state of reactive disclosure by the federal government and the Provinces of Khyber Pakhtunkhwa, Punjab, and Sindh. The responses to the information requests by public bodies show that RTI law implementation is worse in the province of Sindh, followed by the federal government. The best response that C-GPA gained is from the province of KP, where 80 percent of their requests were responded to positively.

Pakistan Institute for Legislative Development and Transparency's (PILDAT) background paper on Right to Information (in Punjab)<sup>20</sup> focuses separately on women, minorities, media, and CSOs. It highlights the ways these groups can use RTI for their benefit. It concluded that the minorities, through the RTI Act, can know what their rights are and where they can exercise these rights. CSOs at the local level can promote collective action using the RTI Act to improve access to essential services like health, education, welfare,

<sup>17</sup> State of Budget Transparency in Pakistan, <https://www.cpd-pakistan.org/wp-content/uploads/2021/12/State-of-Budget-Transparency-in-Pakistan-English.pdf> last accessed on 29 May 22

<sup>18</sup> [http://www.c-gpa.org/images/publications/Study\\_on\\_State\\_of\\_Implementation\\_of\\_RTI\\_Laws\\_CGPA.pdf](http://www.c-gpa.org/images/publications/Study_on_State_of_Implementation_of_RTI_Laws_CGPA.pdf) last assessed on 23 Oct 20

<sup>19</sup> [http://www.c-gpa.org/images/publications/RTI\\_Scorecard\\_Report\\_Analysis.pdf](http://www.c-gpa.org/images/publications/RTI_Scorecard_Report_Analysis.pdf) last accessed on 07 Dec 20

<sup>20</sup> [https://pildat.org/publications/Publication/FOI/RTILawforWomenMinoritiesCSOsandMedia\\_Background\\_Paper.pdf?Submit=Download](https://pildat.org/publications/Publication/FOI/RTILawforWomenMinoritiesCSOsandMedia_Background_Paper.pdf?Submit=Download) last accessed on 07 Nov 20

etc. Women can make more effective decisions in relation to health care, land ownership, and education using their right to information. RTI regime enables media personnel for credible, evidence-based, and factual reporting on critical issues of public interest, the report concluded.

Sustainable Social Development Organization's (SSDO) study titled *The Efficiency and Implementation of Right to Information Law in Punjab, Pakistan*<sup>21</sup> tested the state of reactive disclosure in the province of Punjab. The study's objective was to identify gaps in the implementation of Right to Information in the province of Punjab. The information requested was about the budget of different district offices and copies of First Information Reports from the office of District Police Officers. The study revealed that "out of total 203 requests made, 69 requests received a response. Twenty responses have been received within 14 days after the initial requests. The remaining 49 responses were received after filing complaints to the PIC." The study concluded that "neither the requests filed under the RTI law nor the instructions by the PIC are taken seriously by the government departments in Punjab."

Institute of Research Advocacy and Development (IRADA) has also published a report titled *Right to Information Laws and Transparency: Progressive Legislation, Reluctant Governments*.<sup>22</sup> This study provides a **three-dimensional comparison**; i, inter-government (federal and provincial), ii, inter-body, and iii, inter-indicator of the implementation status of Proactive Disclosure Indicators (PDI). This three-dimensional comparison is an innovation in the rapidly increasing literature on right to information in Pakistan. In an inter-governmental comparison of PDI, the KP government secured the first position with an overall score of 67%, while the Punjab government got the second position with a 47% collective score. Sindh and federal governments secured third and fourth positions, respectively.

Another relevant publication of IRADA is *Right to Information Legislation in Pakistan: Challenges and Success stories*, published in 2017<sup>23</sup>. The study relies upon a score sheet developed by CPDI (referred to above). The study discusses the salient features of Pakistan's federal and provincial RTI laws. The study also examines the key challenges for operationalizing erstwhile very good laws in Punjab and Khyber Pakhtunkhwa. The study concluded low political will on the part of the government, non-availability of financial and human resources, non-implementation arising out of the arbitrary interpretation of the law, the inability of commissions to decide appeals timely, and delay in the appointment of PIOs as the significant challenges in the flourishing RTI culture in Pakistan.

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<sup>21</sup> <https://www.ssdo.org.pk/storage/app/uploads/public/5d8/f32/405/5d8f324057462945153361.pdf> last accessed on 07 Nov 20

<sup>22</sup> <https://irada.org.pk/wp-content/uploads/2020/09/Annual-Proactive-Disclosure-Report-2020.pdf> last accessed on 23 Oct 20

<sup>23</sup> <https://irada.org.pk/wp-content/uploads/2019/10/Right-to-Information-Legislation-in-Pakistan.pdf> last accessed on 07 Dec 20

The country report of Article 19<sup>24</sup> discusses the RTI regime in Pakistan. While referring to the civil society actors in Pakistan, the report states that legislation is “ineffective and toothless.” The report counts the following features of the RTI regime in Pakistan:

1. There are no systematic training programs for the Public Information Officers. Resultantly, most of the public officials are unaware of the legislation.
2. No public funds were allocated to implement the Ordinance<sup>25</sup>, and there is a lack of resources and capacity for proper implementation.
3. Most public authorities do not have proper mechanisms to respond to information requests.
4. Poor record management is one of the major impediments to providing information to the public.

The report was published in 2015, although the ground realities in Pakistan remain the same. Despite some good RTI legislations during the last decade, Pakistan still experiences restrictions on RTI implementation.

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<sup>24</sup> <https://www.article19.org/data/files/medialibrary/38121/FINAL-Asia-Disclosed-full.pdf>

<sup>25</sup> Referring to Freedom of Information Ordinance, 2002

## D. Background

In 2015, the world community agreed on a 'blueprint' to achieve a better and more sustainable future. This blueprint or commitment addresses humanity's global challenges, including poverty, access to justice, environment, health, education, and gender equality. These commitments are popularly known as Sustainable Development Goals (SDGs). These SDGs are more inclusive than their predecessor, Millennium Development Goals (MDGs). There are 17 goals in total; each has multiple targets or indicators to measure success. Goal 16 deals explicitly with Promoting Justice, Peace, and Inclusive Societies. Target 16.10 ensures "public access to information and protect fundamental freedoms, under national legislation and international agreements."

Fortunately, Pakistan has a complete set of Right to Information laws. Most of these laws are progressive and ranked high on the effectiveness scale. But mere legislation is not enough. The aim at the time of drafting the goal and target was to provide an effective right to information regime that can be helpful for the citizens to access information from the public bodies. How far have Pakistani laws successfully opened the public bodies to the citizens and provided a free flow of information? The Freedom of Information Advocates Network has prepared a methodology to conduct a parallel assessment of the extent to which states have met SDG 16.10.2

## E. Implementation of RTI Methodology

This methodology was developed by Freedom of Information Advocates Network (FOIANet) for gauging the implementation of Right to Information in a country.

The FOIANet is an international information-sharing network of organizations and individuals working to promote the right of access to information.

The methodology consists of three main assessment areas:<sup>26</sup>

1. Proactive disclosure of Information
2. The institutional measures put in place by the government to assist with the implementation
3. Reactive disclosure of Information

In the following pages, we will discuss the implementation of this methodology to the selected public bodies of the federal government.

### E1. Assessment Area One: Proactive Disclosure:

The term proactive disclosure in Right to Information literature refers to the disclosure of information by public authorities voluntarily without receiving any request for information from citizens. All good right to information laws have a robust proactive disclosure clause, making public bodies legally binding to disclose a set of information. All second-generation laws in Pakistan referred to above have a proactive disclosure clause.

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<sup>26</sup> A copy of the methodology is placed as Annex A

### Proactive Disclosure Methodology

There are a total of 12 proactive disclosure indicators which are divided into 2 parts. Part 1 with 8 indicators measures the availability of institutional information. Part 2 with 4 indicators gauges the availability of information about the right to information.

Part 1: Institutional Information		Part 2: Right to Information
1. Institutional	5. Activities and Service Delivery	9. RTI information
2. Organizational	6. Budget	10. How to make an RTI request
3. Operational	7. Public Procurement and Contracts	11. Costs for publications
4. Legislation	8. Participation	12. List of information requested

### Scoring for Proactive Disclosure

Authorities are to be given the following ‘marks’ for each result area:

Full disclosure	Full to Partial	Partial	Partial to None	None
100%	75%	50%	25%	0%

Individual authorities are awarded a global mark by averaging their scores for each result area (i.e., adding their scores for each result area and dividing by 12, the number of result areas or indicators). Individual authority's global marks should then be averaged to obtain an overall score (i.e., the global mark for each authority should be added and then divided by the number of authorities assessed, 8 in our case).

Finally, a colour grade should be assessed based on the overall score as follows:

<b>Red</b>	<b>Yellow</b>	<b>Green</b>
0-33	34-66	67-100

The following two tables are produced based on the proactive disclosure methodology. The first column shows the indicators of proactive disclosures to be gauged. In the adjacent columns, each public body is scored according to the proactive disclosure made by the public body.

**Availability of institutional information**  
**National Health Services, Regulations and Coordination (NHSRC)**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>Institutional</b>	Are functions of the authority and its powers published?	0%	Not available	<a href="https://nhsrc.gov.pk/index">https://nhsrc.gov.pk/index</a>
<b>Organizational</b>	Is information about the organizational structure of the authority, including the names and contacts of key officials, published?	75%	Name and phone number of key contacts is given. Organogram is missing	<a href="https://bit.ly/3sSf1YP">https://bit.ly/3sSf1YP</a>
<b>Operational</b>	Are any authority strategies, plans or policies published?	0%	Link is not working	
<b>Legislation</b>	Are the laws governing the authority's operations published?	0%		
<b>Activities and Service Delivery</b>	Are descriptions of the main activities undertaken and services offered by the authority, including, for the latter, any forms required to be filled out and deadlines for application, published?	50%	Activities not properly arranged on website. Some links not working.	
<b>Budget</b>	Is information about the projected budget, actual income and expenditure, and/or audit reports published?	0%	Budget information not available.	

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>Public Procurement and Contracts</b>	Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published?	25%	Only tender documents are published. Information about process, successful bidder and copy of the contracts is not available	<a href="https://nhsrc.gov.pk/index">https://nhsrc.gov.pk/index</a>
<b>Participation</b>	Is information about the mechanisms and procedures for consultation and public participation published?	100%	A 'get in touch' form is placed on contact us page.	<a href="https://bit.ly/3sSf1YP">https://bit.ly/3sSf1YP</a>

**Availability of information about the right to information (NHSRC)**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Data Source (website or location of information)
<b>RTI information</b>	Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond?	0%	Annual reports are not downloadable.
<b>How to make an RTI request</b>	Is information on how to make an RTI request published, including contact details?	0%	
<b>Costs for publications</b>	Is information about the costs/fees for paying for photocopies of information published?	0%	
<b>List of information requested</b>	Is information related to RTI requests which were granted published?	0%	

**Availability of institutional information****Ministry of Inter-Provincial Coordination (IPC)**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>Institutional</b>	Are functions of the authority and its powers published?	100%	Distribution of work, mandate/ Rules of business	<a href="https://bit.ly/3wQHwr4">https://bit.ly/3wQHwr4</a> <a href="https://bit.ly/3LJYs8b">https://bit.ly/3LJYs8b</a>
<b>Organizational</b>	Is information about the organizational structure of the authority, including the names and contacts of key officials, published?	100%	Organogram/ Structure is missing	<a href="https://bit.ly/3NxnkRZ">https://bit.ly/3NxnkRZ</a> <a href="https://bit.ly/3IObMOB">https://bit.ly/3IObMOB</a>
<b>Operational</b>	Are any authority strategies, plans or policies published?	100%	Report of the implementation Commission, National Support Policy	<a href="https://bit.ly/3sX7eJj">https://bit.ly/3sX7eJj</a> <a href="https://bit.ly/3sZ1HCi">https://bit.ly/3sZ1HCi</a>
<b>Legislation</b>	Are the laws governing the authority's operations published?	100%		<a href="https://bit.ly/3wIUv4y">https://bit.ly/3wIUv4y</a>
<b>Activities and Service Delivery</b>	Are descriptions of the main activities undertaken and services offered by the authority, including, for the latter, any forms required to be filled out and deadlines for application, published?	100%	Year book, picture and video gallery, feedback form	<a href="https://bit.ly/39QuYZ1">https://bit.ly/39QuYZ1</a>

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>Budget</b>	Is information about the projected budget, actual income and expenditure, and/or audit reports published?	50%	Only current and development budget figures are available. No expenditure or audit reports available	<a href="https://bit.ly/3NwOCry">https://bit.ly/3NwOCry</a>
<b>Public Procurement and Contracts</b>	Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published?	75%	Tender documents, tender evaluation reports, Annual procurement plan available. Contracts not available	<a href="https://bit.ly/3yZazLP">https://bit.ly/3yZazLP</a>
<b>Participation</b>	Is information about the mechanisms and procedures for consultation and public participation published?	100%	Only 'get in touch' form is placed at home page.	<a href="http://www.ipc.gov.pk/index">http://www.ipc.gov.pk/index</a>

**Availability of information about the right to information (IPC)**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Data Source (website or location of information)
RTI information	Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond?	0%	
How to make an RTI request	Is information on how to make an RTI request published, including contact details?	75%	<a href="https://bit.ly/3PGVFQe">https://bit.ly/3PGVFQe</a> PIO's name is not mentioned on the ministry's website.
Costs for publications	Is information about the costs/fees for paying for photocopies of information published?	100%	<a href="https://bit.ly/3abB4mS">https://bit.ly/3abB4mS</a>
List of information requested	Is information related to RTI requests which were granted published?	0%	

**Availability of institutional information****Ministry of Finance (MoF)**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
Institutional	Are functions of the authority and its powers published?	100%	Mandate, Functions, Responsibilities, key objectives given	<a href="https://finance.gov.pk">https://finance.gov.pk</a> <a href="https://bit.ly/39NQf5D">https://bit.ly/39NQf5D</a>
Organizational	Is information about the organizational structure of the authority, including the names and contacts of key officials, published?	100%		<a href="https://bit.ly/3IHQ92b">https://bit.ly/3IHQ92b</a> <a href="https://bit.ly/3sRKESz">https://bit.ly/3sRKESz</a>

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>Operational</b>	Are any authority strategies, plans or policies published?	100%	Budget strategy paper available. Plan for making budget (BCC) is available.	<a href="https://bit.ly/3GmBjHN">https://bit.ly/3GmBjHN</a> <a href="https://bit.ly/3GibZCC">https://bit.ly/3GibZCC</a>
<b>Legislation</b>	Are the laws governing the authority's operations published?	100%	Regulations are published, constitutional provisions for NFC award are given	<a href="https://bit.ly/3IG7xnW">https://bit.ly/3IG7xnW</a> <a href="https://bit.ly/3LGd7RX">https://bit.ly/3LGd7RX</a>
<b>Activities and Service Delivery</b>	Are descriptions of the main activities undertaken and services offered by the authority, including, for the latter, any forms required to be filled out and deadlines for application, published?	100%	Link of Pakistan Citizens, Portal, WM Complaint Cell	<a href="https://www.finance.gov.pk">https://www.finance.gov.pk</a>
<b>Budget</b>	Is information about the projected budget, actual income and expenditure, and/or audit reports published?	50%	Finance Ministry formulates budget. Budget documents are available. Separate budget for ministry not given. Actual expenditure and audit reports not available.	<a href="https://bit.ly/3PloFaf">https://bit.ly/3PloFaf</a>

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>Public Procurement and Contracts</b>	Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published?	75%	Copy of the contracts not available	<a href="https://bit.ly/3GliUuQ">https://bit.ly/3GliUuQ</a>
<b>Participation</b>	Is information about the mechanisms and procedures for consultation and public participation published?	0%	Unlike some other ministries, no 'get in touch' form is available on website	

*Availability of information about the right to information (MoF)*

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>RTI information</b>	Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond?	0%	Yearbook 2020-21 is available. No mention of RTI	
<b>How to make an RTI request</b>	Is information on how to make an RTI request published, including contact details?	0%		
<b>Costs for publications</b>	Is information about the costs/fees for paying for photocopies of information published?	0%		
<b>List of information requested</b>	Is information related to RTI requests which were granted published?	0%		

**Availability of institutional information**  
**Ministry of Human Rights**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
Institutional	Are functions of the authority and its powers published?	50%	Functions and powers not given under separate head. One can guess the functions from the different pages of the website.	<a href="http://www.mohr.gov.pk">http://www.mohr.gov.pk</a>
Organizational	Is information about the organizational structure of the authority, including the names and contacts of key officials, published?	50%	Contact detail is available. Structure/ Organogram mission,	<a href="https://bit.ly/38Nsvyp">https://bit.ly/38Nsvyp</a>

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
Operational	Are any authority strategies, plans or policies published?	100%	National policy on Violence against Women, National Policy Framework on Human Rights etc available. Action plan for HR is available	<a href="https://bit.ly/3MMyIPe">https://bit.ly/3MMyIPe</a> <a href="https://bit.ly/3GqVlvp">https://bit.ly/3GqVlvp</a>
Legislation	Are the laws governing the authority's operations published?	100%	Constitution and Acts relating to HR available	<a href="http://www.mohr.gov.pk">http://www.mohr.gov.pk</a>
Activities and Service Delivery	Are descriptions of the main activities undertaken and services offered by the authority, including, for the latter, any forms required to be filled out and deadlines for application, published?	100%	Yearbook 2020-21	<a href="https://bit.ly/3wlzVfw">https://bit.ly/3wlzVfw</a>

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>Budget</b>	Is information about the projected budget, actual income and expenditure, and/or audit reports published?	0%	Outdated information on Development Budget is available at PSDP link. Updated information is available under Projects. No current budget.	<a href="http://www.mohr.gov.pk/Projects">http://www.mohr.gov.pk/Projects</a> <a href="https://bit.ly/3wSi7xe">https://bit.ly/3wSi7xe</a>
<b>Public Procurement and Contracts</b>	Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published?	0%		
<b>Participation</b>	Is information about the mechanisms and procedures for consultation and public participation published?	100%	Complaint cell. 'Get in touch form'	<a href="https://bit.ly/3sVPJsW">https://bit.ly/3sVPJsW</a>

**Availability of information about the right to information (MoHR)**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Data Source (website or location of information)
RTI information	Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond?	0%	The ministry has created a link for RTI under 'Projects' which is not working.
How to make an RTI request	Is information on how to make an RTI request published, including contact details?	0%	
Costs for publications	Is information about the costs/fees for paying for photocopies of information published?	0%	
List of information requested	Is information related to RTI requests which were granted published?	0%	

**Availability of institutional information  
Ministry of Housing and Works**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
Institutional	Are functions of the authority and its powers published?	100%		<a href="https://bit.ly/3wJsXH3">https://bit.ly/3wJsXH3</a>
Organizational	Is information about the organizational structure of the authority, including the names and contacts of key officials, published?	100%	Organogram and contact list is available	<a href="https://bit.ly/3PLHTMc">https://bit.ly/3PLHTMc</a> <a href="https://bit.ly/3NCDOIt">https://bit.ly/3NCDOIt</a>
Operational	Are any authority strategies, plans or policies published?	100%	Accommodation Allocation Rules and Hostel rules available	<a href="https://bit.ly/3MWtATy">https://bit.ly/3MWtATy</a>

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>Legislation</b>	Are the laws governing the authority's operations published?	0%	NA	
<b>Activities and Service Delivery</b>	Are descriptions of the main activities undertaken and services offered by the authority, including, for the latter, any forms required to be filled out and deadlines for application, published?	100%	Activities detail is given in the yearbook 2020-21	<a href="https://bit.ly/3NDdo9C">https://bit.ly/3NDdo9C</a>
<b>Budget</b>	Is information about the projected budget, actual income and expenditure, and/or audit reports published?	50%	Copy of the PSDP is uploaded. Current budget and actual expenditure not available	<a href="https://bit.ly/3t1ILTh">https://bit.ly/3t1ILTh</a>
<b>Public Procurement and Contracts</b>	Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published?	25%	Copy of one prequalification tender is uploaded on Public Notices/Tender page. Procurement link at home page not working	<a href="https://bit.ly/3Gile4Z">https://bit.ly/3Gile4Z</a>
<b>Participation</b>	Is information about the mechanisms and procedures for consultation and public participation published?	100%	'Get in touch' form placed at home page	

**Availability of information about the right to information (MoHW)**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)		Data Source (website or location of information)
RTI information	Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond?	0%		
How to make an RTI request	Is information on how to make an RTI request published, including contact details?	100%	Information is published but some of the information that department requires about requester are against the spirit of the law.	<a href="https://bit.ly/3PLpi20">https://bit.ly/3PLpi20</a>
Costs for publications	Is information about the costs/fees for paying for photocopies of information published?	100%		<a href="https://bit.ly/3NFuCmS">https://bit.ly/3NFuCmS</a>
List of information requested	Is information related to RTI requests which were granted published?	0%		

**Availability of institutional information**  
**Pakistan Railways**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>Institutional</b>	Are functions of the authority and its powers published?	0%		
<b>Organizational</b>	Is information about the organizational structure of the authority, including the names and contacts of key officials, published?	50%	Only contact numbers against designation are published, names not given. Organizational structure not given on the website. It can be found in the Yearbook for 2019-20 uploaded on Yearbook page.	<a href="https://bit.ly/3wRz100">https://bit.ly/3wRz100</a>
<b>Operational</b>	Are any authority strategies, plans or policies published?	100%	Ongoing project and future	<a href="https://bit.ly/3MTRw9T">https://bit.ly/3MTRw9T</a>
<b>Legislation</b>	Are the laws governing the authority's operations published?	0%	Railway Act 1890 not given	
<b>Activities and Service Delivery</b>	Are descriptions of the main activities undertaken and services offered by the authority, including, for the latter, any forms required to be filled out and deadlines for application, published?	100%		

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>Budget</b>	Is information about the projected budget, actual income and expenditure, and/or audit reports published?	0%		
<b>Public Procurement and Contracts</b>	Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published?	0%	Tender documents are only available after providing certain information. Not available publicly. Evaluation sheet and copy of the contracts are not available.	<a href="https://bit.ly/38NeHUK">https://bit.ly/38NeHUK</a>
<b>Participation</b>	Is information about the mechanisms and procedures for consultation and public participation published?	0%	Suggestion and complaints section not working <sup>27</sup>	<a href="https://bit.ly/39X8Agu">https://bit.ly/39X8Agu</a>

<sup>27</sup> Accessed on 26 May 22; 27 May 22

**Availability of information about the right to information (Pakistan Railways)**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>RTI information</b>	Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond?	0%	Latest Yearbook available for 2019-20; no RTI data	
<b>How to make an RTI request</b>	Is information on how to make an RTI request published, including contact details?	0%		
<b>Costs for publications</b>	Is information about the costs/fees for paying for photocopies of information published?	0%		
<b>List of information requested</b>	Is information related to RTI requests which were granted published?	0%		

**Availability of institutional information  
Utility Stores**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>Institutional</b>	Are functions of the authority and its powers published?	75%	Facilitation of doing business partially serve the purpose. Operational manual not downloadable <sup>28</sup> .	<a href="https://bit.ly/38Sy7Yf">https://bit.ly/38Sy7Yf</a> <a href="https://bit.ly/38SYnI5">https://bit.ly/38SYnI5</a>
<b>Organizational</b>	Is information about the organizational structure of the authority, including the names and contacts of key officials, published?	100%	Organizational chart available. Contact detail with name and designation available	<a href="https://bit.ly/3MNbWRU">https://bit.ly/3MNbWRU</a>
<b>Operational</b>	Are any authority strategies, plans or policies published?	100%	Annual Procurement Plans available	<a href="https://bit.ly/3z0VzNr">https://bit.ly/3z0VzNr</a>
<b>Legislation</b>	Are the laws governing the authority's operations published?	0%		
<b>Activities and Service Delivery</b>	Are descriptions of the main activities undertaken and services offered by the authority, including, for the latter, any forms required to be filled out and deadlines for application, published?	100%		
<b>Budget</b>	Is information about the projected budget, actual income and expenditure, and/or audit reports published?	0%		

<sup>28</sup> Accessed on 26 May 22

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>Public Procurement and Contracts</b>	Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published?	25%	Only tender documents available. No information about evaluation process, successful bidder and contract document.	<a href="https://bit.ly/3wRJurh">https://bit.ly/3wRJurh</a>
<b>Participation</b>	Is information about the mechanisms and procedures for consultation and public participation published?	0%	Online complaint/suggestion facility available on website but link not working <sup>29</sup>	<a href="https://bit.ly/3ar9suf">https://bit.ly/3ar9suf</a>

<sup>29</sup> Accessed on 26 May 22; 27 May 22

**Availability of information about the right to information (Utility Store)**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Data Source (website or location of information)
RTI information	Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond?	0%	
How to make an RTI request	Is information on how to make an RTI request published, including contact details?	0%	
Costs for publications	Is information about the costs/fees for paying for photocopies of information published?	0%	
List of information requested	Is information related to RTI requests which were granted published?	0%	

**Availability of institutional information  
Wafaqi Mohtasib (Federal Ombudsperson)**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
Institutional	Are functions of the authority and its powers published?	100%		<a href="https://bit.ly/3t0NN2h">https://bit.ly/3t0NN2h</a>
Organizational	Is information about the organizational structure of the authority, including the names and contacts of key officials, published?	100%		<a href="https://bit.ly/3wSFdUv">https://bit.ly/3wSFdUv</a> <a href="https://bit.ly/3PLx2Sz">https://bit.ly/3PLx2Sz</a>
Operational	Are any authority strategies, plans or policies published?	100%	Special initiatives	
Legislation	Are the laws governing the authority's operations published?	100%		<a href="https://bit.ly/3PK2joY">https://bit.ly/3PK2joY</a>

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Remarks	Data Source (website or location of information)
<b>Activities and Service Delivery</b>	Are descriptions of the main activities undertaken and services offered by the authority, including, for the latter, any forms required to be filled out and deadlines for application, published?	100%	How to make a complaint Online complaint	<a href="https://bit.ly/3GIXttT">https://bit.ly/3GIXttT</a> <a href="https://bit.ly/3NHCEv9">https://bit.ly/3NHCEv9</a>
<b>Budget</b>	Is information about the projected budget, actual income and expenditure, and/or audit reports published?	0%		
<b>Public Procurement and Contracts</b>	Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published?	50%	Only tender documents are available. No information about evaluation sheet, successful bidder or contract document is available.	<a href="https://bit.ly/3MSNZZn">https://bit.ly/3MSNZZn</a>
<b>Participation</b>	Is information about the mechanisms and procedures for consultation and public participation published?	100%	Get in touch form at home page	

**Availability of information about the right to information (Wafaqi Mohtasib)**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None/None)	Data Source (website or location of information)
RTI information	Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond?	0%	
How to make an RTI request	Is information on how to make an RTI request published, including contact details?	0%	
Costs for publications	Is information about the costs/fees for paying for photocopies of information published?	0%	
List of information requested	Is information related to RTI requests which were granted published?	0%	

Table 1A: Proactive Disclosure of Institutional Information

Availability of Institutional Information <sup>30</sup>	Health	IPC	Finance	MoHR	MoHW	PR	Utility	WM
Institutional	0%	100%	100%	50%	100%	0%	75%	100%
Organizational	75%	100%	100%	50%	100%	50%	100%	100%
Operational	0%	100%	100%	100%	100%	100%	100%	100%
Legislation	0%	100%	100%	100%	0%	0%	0%	100%
Activities and Service Delivery	50%	100%	100%	100%	100%	100%	100%	100%
Budget	0%	50%	50%	0%	50%	0%	0%	0%
Public Procurement and Contracts	25%	75%	75%	0%	25%	0%	25%	50%
Participation	100%	100%	0%	100%	100%	0%	0%	100%
Total for Institutional Information	250%	725%	625%	500%	575%	250%	400%	650%

Source: Developed on the basis of proactive disclosure of information by public bodies on their websites

<sup>30</sup> The detailed set of indicators are available in methodology part placed as Annex A or at in data sheet

Table 1B: Proactive disclosure of information about Right to Information

Information about RTI	Health	IPC	Finance	MoHR	MoHW	PR	Utility	WM
RTI information (Annual report on status of RTI)	0%	0%	0%	0%	0%	0%	0%	0%
How to make an RTI request	0%	75%	0%	0%	100%	0%	0%	0%
Costs for publications	0%	100%	0%	0%	100%	0%	0%	0%
List of information requested	0%	0%	0%	0%	0%	0%	0%	0%
Total for Information about RTI	0%	175%	0%	0%	200%	0%	0%	0%
Total (Institutional +RTI)	250%	900%	625%	500%	775%	250%	400%	650%
Global mark by Authority [Total/12]	21%	75%	52%	42%	65%	21%	33%	54%
Overall score	45%							
Colour Grade	Yellow							

Source: Based on proactive disclosure of information by public bodies on their website

## E2. Assessment Area Two: Institutional Measures

This assessment area looks at the institutional measures that have been put in place to support implementation of RTI laws. It is divided into two sections. The first focuses on the overall framework for implementation (i.e., it assesses central government actions). The second focuses on measures by individual authorities (and is applied separately to each authority being assessed). The two tables below reflect the substance of what is being assessed in each area.

1. For both tables below, the first column lists actions which should be taken to ensure that an RTI law is being implemented properly. The second column shows whether the listed action has been taken while the remarks column allows researchers to comment on how it has been done.
2. Both tables are considered to represent minimum requirements for the effective implementation of an RTI law. Therefore, the presence or absence of these actions are assessed regardless of whether the law calls for them.

Table 2A: Overall Framework for Implementation

Question/ Issue	Yes/No/Partially	Mark	Remarks
1. Has government established an RTI nodal agency? (If yes, comment on its roles and functionality)	Yes	75%	<p>The Nodal Agency, in the case of the federal government, is the Ministry of Information and Broadcasting. Their role since the inception of PIC has been indifferent at the most. It took almost one year to establish the Commission, although the law clearly states that the Commission should be functional within six months of the commencement of the act. The MOIB has given no policy guidelines to the Commission or public bodies to implement RTI. Many procedural delays have been seen, one being the release of the first salary to the commissioners after eight months in office. Commission, since its establishment, is staff-starved, and no proactive steps have been taken by the ministry to bail out Commission.</p> <p>The MoIB was also one of the selected ministries for a similar exercise done in Oct-Dec 2020. The ministry's performance was average. Against the eight indicators for Availability of Institutional Information, it scored only 2.50 (out of eight). For indicators against Right to Information, it could not score any point. The ministry did not reply to any of the two information requests. Since then, the ministry has progressed in proactive disclosure of information. It has developed a separate page for Right to Information.</p>

Question/ Issue	Yes/No/Partially	Mark	Remarks
<p>2. Has government established an independent RTI oversight mechanism, such as an information commission? (If yes, comment on its work and how effective it has been)</p>	<p><b>Yes</b></p>	<p><b>75%</b></p>	<p>The Right of Access to Information Act, 2017 established the Pakistan Information Commission consisting of one chief information commissioner and two commissioners. The Commission was established one year after the implementation of the law. It was housed in one room office of a state building for a year with no support staff. Despite all these handicaps, the Commission has gathered momentum, and we can see some proactive steps taken by the Commission in recent times.</p> <p>The Commission has launched its new-look website providing valuable information to the citizens and public authorities. All the orders passed by the Commission are present on the Commission's website and are easily searchable. The Commission has also worked on its proactive disclosures. The information provided on the Commission's site complies with the proactive disclosure clause of the Right of Access to Information Law, 2017.</p> <p>The Commission has taken a significant step towards benefitting from technology by providing appeals registering facility against the Public Body. Some Provincial Information Commissions that predate the federal Commission still haven't offered this facility on their website.</p> <p>As suggested in the previous report, the Commission should work on the public bodies' proactive and reactive disclosure of information. Unfortunately, the ministries have not given full attention to the requirements of the proactive disclosure of information. Although things have moved towards betterment since CPDI last undertook this assignment, the speed has been slow.</p>

Overall Score from table 2A

75%+75%=150%

**Table 2B: Implementation by Individual Public Authorities**

Question/ Issue	MHRSC	IPC	Finance	MoHR	MoHW	PR	US	WB
Has the authority appointed an Information Officer who is responsible for RTI implementation?	100%	100%	0%	100%	0%	0%	100%	0%
Does the authority have an RTI implementation plan?	0%	0%	0%	0%	0%	0%	0%	0%
Has the authority developed/ issued guidelines for receiving and responding to information requests?	0%	100%	0%	0%	100%	0%	0%	0%
Does the authority make available relevant information for making requests, such as a form for this (online and in paper form) and contact details for the Information Officers?	0%	100%	0%	0%	100% <sup>31</sup>	0%	0%	0%
Has the authority provided RTI training to its information officers?	0%	0%	0%	0%	0%	0%	0%	0%

Average Score from table 2A	150%/2=75%
Average Score from table 2B	800%/40=20%
Average Score from table 2A and 2B	75%+20%/2=48%

Color Grade (Red, Yellow, Green)	
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<sup>31</sup> Although, it is against the spirit of the law.

### **E3. Assessment Area Three: Processing of Requests**

The basic methodology in this section involves making two requests for information to each of the eight focus public authorities.

The result of the information requests has been disappointing and only three information requests were responded positively.

For this exercise, initially eight public bodies were selected. These include:

1. Ministry of National Health Services, Regulation and Coordination
2. Ministry of Inter-Provincial Coordination
3. Ministry of Finance
4. Ministry of Human Rights
5. Ministry of Housing and Works
6. Pakistan Railways
7. Utility Stores Corporation of Pakistan
8. *Wafqi Mohtasib* (Federal Ombudsperson)

Table 3 below shows the result of reactive disclosure of information. A more detailed data can be found in attached excel sheet. For more detail about the scoring mechanism of this section, please refer to the Annexure A, methodology and the excel sheet.

Table 3: Processing of Information Requests

Question/Information Request	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
Authority 1, (MNHSRC) Question 1  1. Number of doses of each kind of vaccine for COVID-19 along with the total price for procurement of each type from Jan 2020 to March 2022  2. Number of COVID-19 doses administered till 31 <sup>st</sup> of March 2022 and number of doses in stock on 31 <sup>st</sup> of March 2022	12Apr 22; repeated on 25 May 22	Written/post	---	Y	-	Mute refusal	N/A	N/A	First request to D.D. Coordination sent on 12 Apr 22. No response from the public body. Same request was repeated on 25 May 22

Question/Information Request	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
Authority 1, (NHSRC) Question 2 <ul style="list-style-type: none"> <li>• List of BHUs in the geographic limit of Islamabad Capital Territory</li> <li>• Total Sanctioned Strength of Medical Officers (Doctors) against each BHU</li> <li>• Total Number of Vacant posts of Medical Officers (Doctors) against each BHUs</li> </ul>	28 Apr 22	Written/post	---	Y	-	Mute refusal	N/A	N/A	

Question/Information Request	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
Authority 2(IPC) Question 1 1. Criteria for selection of Pakistan Cricket Board (PCB) Chairperson 2. Term of the PCB Chairperson and rules about reappointment 3. Perks and Privileges of PCB Chairperson 4. When will the term of the current chairperson end?	12 Apr 22	Written/post	--	Y	19 May 22	Delayed Response	Written through Special Messenger	N/A	Acceptable, information was held by an attached department

Question/Information Request	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
Authority 2, (IPC) Question 2 <ul style="list-style-type: none"> <li>• list of hotels and restaurants operating in ICT under the license of DTS</li> <li>• Action taken against unauthorized/unlicensed hotels and restaurants by DTS since January 01, 2022?</li> </ul>	18 Apr 22	Written/post	---	Y	-	Mute refusal	N/A	N/A	

<p>Authority 3, (MoF) Question 1</p> <ol style="list-style-type: none"> <li>1. Agency/country-wise detail of budgeted External Debt Inflow from bilateral agencies for the year 2021-22 and actual receipt till the 31st of March 2022</li> <li>2. Agency/country-wise detail of budgeted External Debt Inflow from multilateral agencies for the year 2021-22 and actual receipt till the 31st of March 2022</li> <li>3. Agency/country-wise detail of budgeted External Debt Inflow from Loans from</li> </ol>	<p>12 Apr 22</p>	<p>Written/post</p>	<p>---</p>	<p>Y</p>	<p>23 Apr 22</p>	<p>Information provided</p>	<p>Written, post</p>	<p>N/A</p>	
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Question/Information Request	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
Foreign Commercial Banks for the year 2021-22 and actual receipt till the 31st of March 2022 4. Agency/country-wise detail of budgeted External Debt Inflow from Euro/Sukuk Global Bonds for the year 2021-22 and actual receipt till the 31st of March 2022									
Authority 3(MoF) Question 2 Copy of the Budget Strategy Paper for the year 2022-23	28 Apr 22	Written/post	—	Y	-	Mute refusal	Written/Post	No	N/A

Question/Information Request	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
Authority 4, (MoHR) Question 1 Gender-wise and category-wise data of calls received on Helpline 1099 for Legal Advice on Human Rights Violations from Jan 2022 to March 2022.	12 Apr 22	Written/post	---	Yes	16 Apr 22	Information Provided	Written, post	No	

<p>Authority 4 (MoHR) Question 2</p> <ul style="list-style-type: none"> <li>• How many meetings of the Special Committee on Disabled Persons have been held since its formation on September 14, 2021?</li> <li>• How many laws for the promotion of rights of persons with disabilities have been reviewed by the committee since September 14, 2021? Please provide a copy of the reviews.</li> <li>• Since September 14, 2021, how many times has the committee noticed the</li> </ul>	28 Apr 22	Written/post	---	Y	-	Mute refusal	N/A	No	
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Question/Information Request	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
abuse of rights of persons with disabilities, and what remedial measures were suggested against each notice?									
<p>Authority 5, (MoHW) Question 1 Please provide me with a certified copy of the PC1 of the following ongoing scheme (G.Sl. No. 393) included in Annual Development Plan for 2021-22.</p> <ul style="list-style-type: none"> <li>20 No.s Schemes of metaled roads, tuff pavers, CC roads, and open drains in Taluka Talhar, Tando Bago, Matli etc., District Badin</li> </ul>		Written/post	---	Y	-	Mute refusal	N/A	N/A	

Question/Information Request	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
Authority 5 (MoHW) Question 2 <ul style="list-style-type: none"> <li>• Total Development Budget for the Ministry of Housing for the year 2021-22</li> <li>• Revised Budget for the Ministry of Housing for the year 2021-22</li> <li>• Total Expenditure incurred on Development Budget 2021-22 till 31<sup>st</sup> of March 2022</li> </ul>		Written/post	--	Y	-	Mute refusal	N/A	No	

Question/Information Request	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
Authority 6 (PR) Question 1 <ul style="list-style-type: none"> <li>• Total number of Sanctioned posts in Pakistan Railways</li> <li>• Total number of Vacant Posts in Pakistan Railways</li> <li>• Plan to fill the vacant posts</li> </ul>	12 Apr 22	Written/post	---	Y	-	Mute refusal	N/A	No	

Question/Information Request	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
Authority 6 (PR) Question 2 <ul style="list-style-type: none"> <li>• Total operational expenditure of Pakistan Railways (including salary, pension, train operation, purchases, and repair &amp; maintenance, any development project), etc. for the FY 2020-21</li> <li>• Total receipts generated by Pakistan Railways for the FY 2020-21 (excluding any budgetary support from government or foreign loans/grants)</li> </ul>	28 Apr 22	Written/post	—	Y	-	Mute refusal	N/A	N/A	

Question/Information Request	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
Authority 7 (US) Question 1  1. Month wise detail of sugar procured from 1 <sup>st</sup> Jan 2022 to 31 <sup>st</sup> of March 2022 2. Name(s) of the trader/Sugar Mills who was awarded the contract 3. Price/Kg at which sugar was procured from 1 <sup>st</sup> Jan 2022 to 31 <sup>st</sup> of March 2022 4. Price/Kg at which sugar was sold at utility sold from 1 <sup>st</sup> Jan 2022 to 31 <sup>st</sup> of March 2022	12 Apr 21	Written/post	---	Y	-	Mute refusal	N/A	No	

Question/Information Request	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
Authority 7 (US) Question 2 Copy of the tender opening report (opened on April 26, 2022) for procurement of sugar	28 Apr 22	Written/post	---	Y	-	Mute refusal	N/A	No	
Authority 8 (WM) Question 1 Month wise gender-disaggregated data of the number of complaints received from Jan 2022 to March 2022	12 Apr 22	Written/post	---	Y	-	Mute refusal	N/A	No	

Question/Information Request	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
Authority 8 (WM) Question 2 <ul style="list-style-type: none"> <li>• Month wise list of number of general complaints received on phone number 1055</li> <li>• Month wise list of number of children complaints received on phone number 1056</li> </ul>	28 Apr 22	Written/post	---	Y	-	Mute refusal	N/A	No	

Average Processing Score	5%
Average Result Score	19%
Overall Score	$5\%+19\%/2=12\%$
Colour Grade (Red, Yellow, Green) for Processing the information	Red

### The Final Grade

During this exercise, we obtained two yellow (proactive disclosure and institutional measures) and one red (Processing information requests). The final colour grade will be Yellow

Final Colour Grade	Yellow
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## Abbreviation

FOI	Freedom of Information
KP	Khyber Pakhtunkhwa
MDGs	Millennium Development Goals
MIPC	Ministry of Inter Provincial Coordination
MNHSRC	Ministry of National Health Services, Regulation and Coordination
MoHR	Ministry of Human Rights
MoHW	Ministry of Housing and Works
MoF	Ministry of Finance
PIC	Pakistan Information Commission
PIO	Public Information Officer
PR	Pakistan Railways
PSDP	Public Sector Development Program
RTI	Right to Information
SDGs	Sustainable Development Goals
US	Utility Stores
WM	<i>Wafqi Mohtasib</i> (Federal Ombudsperson)

## Annexure A

### Measuring RTI Implementation

#### Methodology Developed by FOIANet

This methodology was developed by Freedom of Information Advocates Network (FOIANet) for gauging the implementation of Right to Information in a country.

The FOIANet is an international information-sharing network of organizations and individuals working to promote the right of access to information.

<https://foiadvocates.net>

The adoption, in 2015, of the Sustainable Development Goals (SDGs) represents an important opportunity for assessing the progress of States in a wide range of development areas. The SDGs cover a much broader set of issues than their predecessors, the Millennium Development Goals (MDGs). SDG 16, which is “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”, is particularly relevant for right to information (RTI) advocates. And, within that, SDG Indicator 16.10.2 (the indicators are the concrete achievements that will be monitored to assess progress towards the SDGs) is directly relevant to RTI, stating: “Number of countries that adopt and implement constitutional, statutory and/or policy guarantees for public access to information.” Every country is expected to implement all of the SDGs.

This document contains a methodology prepared by the Freedom of Information Advocates Network (FOIANet) which is designed to be a simple tool to help civil society organisations conduct parallel assessments of the extent to which States have met SDG 16.10.2. Existing tools – such as the RTI Rating ([www.RTI-Rating.org](http://www.RTI-Rating.org)) – already tell us whether or not States have adopted right to information (RTI) laws and, if so, how strong those laws are. The purpose of this methodology is to provide a simple, standardised tool to assess the extent to which States with RTI laws are implementing them properly. Three main assessment areas for measuring implementation are included in this methodology, namely the extent to which a State is proactively disclosing information, the extent to which institutional measures have been put in place to assist with implementation, and the extent to which requests for information are being responded to properly (assessed via a simple request testing approach).

Most of the assessment tools focus on the performance of individual public authorities, since they are the primary duty-bearers under RTI laws. Because it is not realistic to assess every public authority, this methodology calls on reviewers to select five to ten different public authorities in each country being assessed. These authorities should be selected so as to represent different parts of the public sector (such as ministries, oversight or regulatory bodies, public corporations and so on).

This methodology is not designed to provide a ranking of States or public authorities. At the same time, a three-point final grade of red, yellow or green is awarded so as to provide some comparative measure, as well as some indication of whether or not a State is

meeting its SDG 16.10.2 obligations. We recognize that some of the assessment tools used in this methodology ultimately require judgement calls. However, the way that results are aggregated across many variables means that such judgements are averaged out, meaning that final aggregated grades will be fairly and robustly reflective of the performance of a country (even if there will also necessarily be some borderline cases).

An excel sheet accompanies this methodology which facilitates the consistent recording of data collected. It also includes built-in formulas to calculate the scores in line with the scoring instructions. Additional information can also be recorded in a Word document.

### **Assessment Area One: Proactive Disclosure<sup>32</sup>**

Proactive disclosure is the release of information by public authorities without a request. This type of disclosure enables many people to access information from the government. As it is part of international standards relating to RTI, we also need to assess it as part of this methodology. Public authorities should publish on proactive basis both institutional information and information about their procedures for releasing information. The two tables below set out the minimum categories of information that each public authority should disclose proactively.

To measure proactive disclosure, reviewers should assess whether or not the authorities that are being assessed make the information in the two tables below available, whether through their websites and/or in other ways. Many RTI laws include a list of information which must be made proactively available but authorities should be assessed against the full list, even if the national RTI does not require this information to be published.

The assessment of whether or not information is published should be assessed against a five-point scale: (1) Full; (2) Full to Partial; (3) Partial; (4) Partial to None; and (5) None. The assessment of which score should be allocated, apart from (1) and (5), which are clear, ultimately depends on an evaluation of the reviewer of both what should be published in each category and how well the public authority has done vis-à-vis this. However, to try to ensure some consistency in the way scores are allocated, 'Partial' should be awarded where the authority has published around one-half of all of the information, 'Full to Partial' where the amount is clearly above one-half, and 'Partial to None' where the amount is clearly less than one-half.

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<sup>32</sup> This section draws heavily on the Right to Information chapter of the OGP's Open Government Guide.

**Availability of institutional information**

Type of information	Indicator	Published (Full/Full to Partial/Partial /Partial to None)	Data Source (website or location of information)
<b>Institutional</b>	Are functions of the authority and its powers published?		
<b>Organizational</b>	Is information about the organizational structure of the authority, including the names and contacts of key officials, published?		
<b>Operational</b>	Are any authority strategies, plans or policies published?		
<b>Legislation</b>	Are the laws governing the authority's operations published?		
<b>Activities and Service Delivery</b>	Are descriptions of the main activities undertaken and services offered by the authority, including, for the latter, any forms required to be filled out and deadlines for application, published?		
<b>Budget</b>	Is information about the projected budget, actual income and expenditure, and/or audit reports published?		
<b>Public Procurement and Contracts</b>	Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published?		
<b>Participation</b>	Is information about the mechanisms and procedures for consultation and public participation published?		

**Availability of information about the right to information**

Type of information	Indicator	Published (Full/Full to Partial/Partial/Partial to None)	Data Source (website or location of information)
RTI information	Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond?		
How to make an RTI request	Is information on how to make an RTI request published, including contact details?		
Costs for publications	Is information about the costs/fees for paying for photocopies of information published?		
List of information requested	Is information related to RTI requests which were granted published?		

**Notes:**

- The information listed above may not be available for different reasons. For example, the information may simply not have been disseminated. However, another reason is that a website might not be working or the authority might be building a new website. For purposes of this assessment area, unless the non-availability is very short term (for example because a website is temporarily taken down but so briefly that it is still possible to conduct an assessment during the period of evaluation), these reasons are irrelevant and scores should be allocated based on what information is actually accessible.
- All 12 of the categories on the two lists above are considered to be relevant to all public authorities. Some authorities will have more information falling within one or another category, but no authority should simply ignore a category. As a result, every public authority being assessed should be given a score for each category.

## Scoring

Authorities should be given the following ‘marks’ for each result area:

Full	Full to Partial	Partial	Partial to None	None
100%	75%	50%	25%	0%

Individual authorities should then be awarded a global score by averaging their scores for each result area (i.e. by adding their scores for each result area and then dividing by 12, the number of result areas). Individual authority’s global marks should then be averaged to obtain an overall score (i.e. the global mark for each authority should be added and then divided by the number of authorities assessed).

Finally, a colour grade should be assessed based on the overall score as follows:

Red	Yellow	Green
0-33	34-66	67-100

## Assessment Area Two: Institutional Measures

This assessment area looks at the institutional measures that have been put in place to support implementation of RTI laws. It is divided into two sections. The first focuses on the overall framework for implementation (i.e. it assesses central government actions and only needs to be applied once for each country). The second focuses on measures by individual authorities (and should, as a result, be applied separately to each authority being assessed). The two tables below reflect the substance of what is being assessed in each area.

1. For both tables below, the first column lists actions which should be taken to ensure that an RTI law is being implemented properly. The second column indicates whether or not the listed action has been taken while the remarks column allows researchers to comment on how it has been done.
2. Both tables are considered to represent minimum requirements for the effective implementation of an RTI law. Therefore, the presence or absence of these actions should be assessed regardless of whether or not the law calls for them. Thus, a country should be allocated a mark of ‘no’ if there is no independent oversight body, even if the law does not create such a body.

### Note:

- A Nodal Agency is a central authority, often located inside of government but it could also be an independent body, which has certain responsibilities in the areas of coordination, capacity building and/or standard setting relating to RTI, but which is not an oversight body because it does not deal with complaints about requests for information. In some countries, this is a ministry which leads on RTI, while in other countries it is a human rights commission.

**Table 1: Overall Framework for Implementation**

Question/ Issue	Yes/No/Partially	Remarks
1. Has government established an RTI Nodal Agency? (If yes, comment on its roles and functionality)		
2. Has government established an independent RTI oversight body, such as an information commission? (If yes, comment on its work and how effective it has been)		

**Table 2: Implementation by Individual Public Authorities**

Question/ Issue	Yes/No/Partially	Remarks
1. Has the authority appointed an Information Officer who is responsible for RTI implementation? (If yes comment on how the mandate functions)		
2. Does the authority have an RTI implementation plan? (If yes, comment on the extent to which such a plan has been operationalised)		
3. Has the authority developed/ issued guidelines for receiving and responding to information requests? (If yes, comment on their usage)		
4. Does the authority make available relevant information for making requests, such as a form for this (online and in paper form) and contact details for the Information Officers?		
5. Has the authority provided RTI training to its information officers? (If yes, comment on when the most recent training programme was conducted).		

The remarks column for both tables should be used to record relevant information which may be used for the purposes of scoring. For example, where the independence or powers of the oversight body is limited, this should be mentioned. Where some training has been provided to information officers but this is limited in scope or depth (i.e. superficial), this could also be recorded.

### Scoring

The following 'marks' should be allocated for each result:

Yes	Partially	No
100%	50%	0%

'Yes' should be awarded where the result is present and is of good quality. 'Partially' should be awarded where the result is present but has some weaknesses. For example, there may

be an RTI Nodal Agency but it may have done nothing to support RTI, or the oversight body may not be independent or may lack the powers it needs to do its job properly. Alternately, there may be an RTI implementation plan, but it is of low quality or has not been updated for a long time. Annual reports may have been prepared only periodically or they may be very cursory in nature. 'No' should be awarded where the result is not present or is of such low quality as to be almost completely ineffective. In the case of appointment of an information officer, only marks of 'yes' or 'no' should be applied.

It may happen that it is difficult to find information about some of these institutional measures, such as whether an information officer has been provided with training. Although formally this might seem to warrant a 'not applicable' response, thereby removing the action from the scoring, the methodology calls for a 'no' to be allocated. This is because all of this information should be readily available (in the example above, the information officer should simply indicate to the reviewer whether or not s/he has received training) and the mere non-availability of this information is a serious RTI failing.

Average marks should then be generated for each of the seven (two plus five) actions being assessed here. For the overall framework, or central measures, the average will simply be the single mark obtained for the country. For the measures by individual public authorities, the average will be obtained by calculating the average mark for all of the authorities assessed. The overall score for this assessment area should then be obtained by calculating the average of all of the average marks for the seven actions.

Finally, a colour grade should be assessed based on the overall score as follows:

Red	Yellow	Green
0-33	34-66	67-100

### **Assessment Area Three: Processing of Requests**

This is the most open-ended of the three approaches for measuring implementation because we felt it was important to leave it open to participants to choose questions that not only assessed performance but also were relevant to their work or that of their partners.

The basic methodology involves making two or three requests for information to each of the five to ten focus public authorities. Some care needs to be taken at this point to avoid alerting the authorities to the fact that a test is going on. If the number of requests is low, so that even making two requests to a public authority will raise suspicions, this could be cut to just one request. You might think about who should make the requests and about using different individuals so as not to raise suspicions.

Some attention should be given to the sensitivity of the requests in terms of whether or not exceptions are potentially engaged. The differences between requests in different countries in this regard will mean that the results will never be strictly comparative. However, to limit this, we suggest that you aim to ask a range of questions, from those for

which it is absolutely clear that no exception is engaged to those where this is more arguable (although all requests should aim to ask for information that you do not consider to be exempt under the law).

Information about making the request and how it was responded to should be recorded, ideally along the lines of the table below (although in practice you should use the attached excel file for this).

	Date Request Submitted	How Request was Filed	Date Receipt Received	Submitted (Y/N)	Date, if any, of response	Result	How information provided	Fee charged, if any	Comments
Authority 1, Question 1		(i)	(ii)	(iii)		(iv)	(v)		
Authority 1, Question 2									
Authority 2, Question 1									
...									

- i. Post, e-mail, fax, hand delivered
- ii. The date, if any, you receive an acknowledgement of or receipt for the request
- iii. If you were unable to submit, provide an explanation in Comments
- iv. See the list below
- v. Electronic copy, hard copy, right to inspect, and so on

The following ‘manner of processing’ issues should be recorded in the comments:

1. Whether a receipt was provided (if the law provides for this and, if relevant, within the time limit set out in the law).
2. Whether the response was timely (again, in accordance with the time limits set out in the law and any extensions were appropriate)
3. Whether information was provided in the format desired (again, if the law provides for this).
4. Whether and any fee charged was appropriate (again, in accordance with the limits in the law).

The Result will be one of the following (explanations below):

1. Oral Refusal
2. Written Refusal (in whole or in part)
3. Transferred
4. Referred
5. Mute Refusal
6. Information received
7. Incomplete Answer
8. Information Not Held
9. Unable to Submit

From among these, (6) is a legitimate result, (2), (3), (4) and (8) might be legitimate results and (1), (5), (7) and (9) are never legitimate.

### Scoring

The request processing approach generates two types of results, the four issues identified above as ‘manner of processing’ issues and the final result. For each of these five issues, the following ‘marks’ should be allocated:

Yes	Partially	No
100%	50%	0%

The following considerations should be taken into account when allocating marks:

1. Provision of a receipt will normally receive a ‘yes’ or ‘no’ mark although ‘partially’ might be awarded, for example if the receipt was provided outside of the time limit set out in the law.
2. For timeliness, ‘yes’ should be awarded for a response which is provided within the initial time limit or within the allowed period for extensions, if any extension claimed is deemed to be legitimate (see below). ‘No’ should be awarded where the time limits were formally not respected (whether the initial time limits or an extension), or perhaps where a claimed extension was, although formally proper (i.e. within the formal conditions of the law), deemed to be grossly excessive. ‘Partially’ should be awarded where breaches of the time limits were minor (such as responses being a few days late) or where formally proper extensions were not considered to be legitimate. There may be many reasons for this. For example, in some cases, the law sets out conditions for claiming an extension and these might not appear to be present. In other cases, the request could be too simple to need an extension. In yet other cases, the extension could be too long compared to the complexity of the request. Ultimately here, as in other cases in this methodology where judgement calls need to be made, common sense is needed.
3. For format, ‘yes’ should be awarded where the information is received in the format desired or any refusal to do so appears to be sanctioned by the law (for example because it would harm the record). ‘No’ should normally be awarded where the information is not provided in the desired format and this does not appear to be sanctioned by the law. A ‘partially’ score would be rare here but it might be awarded where, even though the information was not provided in the desired format and this does not appear to have been sanctioned by the law, the authority appears to have paid some attention to this issue and made some effort to comply.
4. For the fee, ‘yes’ should be awarded whether either no fee was charged or any fee was in accordance with the law. ‘No’ should be awarded where a fee diverges significantly from what the law allows, and ‘partially’ should be awarded where a fee diverges somewhat from what the law allows. Ultimately, these are judgement calls based on common sense.
5. ‘Yes’ should be awarded for Information Received (Result 6).

6. 'No' should be awarded for Oral Refusal (Result 1), Mute Refusal (Result 5) and Unable to Submit (Result 9).
7. An Incomplete Answer (Result 7) should get a 'no' where a significant part (i.e. 50% or more) of the information requested was not provided and a 'partially' where a significant part of the information was provided. Ultimately this is again a common sense judgement call.
8. The scoring of the result Written Refusals (Result 2) will depend on an assessment of the legitimacy of the grounds for refusal. Since the methodology calls for requests to relate to information which is not exempt, a 'yes' for this result will be rare and be awarded only where the grounds for the full or partial refusal appear to be legitimate. Where the grounds for the full or partial refusal appear to be somewhat reasonable, even if wrong, 'partially' may be awarded, while unreasonable refusals should earn a 'no'. In case of a partial refusal, where only a small amount of information has been removed, even based on an unreasonable refusal, 'partially' may also be awarded.
9. The scoring of the result Information Not Held (Result 8) will depend, first, on an assessment of whether or not this claim is accurate. If it is not deemed to be accurate – for example because it is simply not credible that the authority does not hold the information or because the authority is required by law to hold it – then a 'no' score should be given. If it is deemed to be quite unlikely to be accurate, 'partially' might be awarded. Even if the claim is correct, 'partially' should be awarded when the authority is supposed to transfer or refer the request to another authority but does not do this (which again involves a judgement call as to whether or not the initial authority should know of another authority which holds the information).
10. The scoring of Transferred (Result 3) and Referred (Result 4) will depend on whether this action was, according to the law, legitimate. Where the underlying grounds for this action (normally that the authority does not have the information (see above) but sometimes also because the information is more closely connected to the work of another authority) are not deemed to be present, a 'no' will normally be appropriate, unless there are some mitigating circumstances which justify a 'partially'. Where the underlying grounds are present, a 'yes' will normally be warranted, unless the law calls for a transfer and a referral was given (which should get a 'partially').

The scores for 'manner of processing' issues and the final result should be calculated separately. An average manner of processing score should be calculated for each request by averaging the four individual processing scores. These should then be averaged among all requests to obtain an overall manner of processing score. Similarly, the result scores should be averaged among all requests to obtain an overall result score. To obtain a final overall score, average the two interim overall scores (one for processing and one for result). Note that this places one-half of the weight on the (single for each request) result score and one-half on the (combined) process scores.

Finally, a colour grade should be assessed based on the overall score as follows:

<b>Red</b>	<b>Yellow</b>	<b>Green</b>
0-33	34-66	67-100

### ***Explanation of Results***

#### **1. Oral Refusal**

This is when an official from the authority informs you orally (spoken word or telephone) that they refuse to provide the information. If any reasons are given orally for refusing the request, these should be recorded under comments.

#### **2. Written Refusal (in whole or in part)**

This is when a refusal to provide the information, in whole or in part, is given in any written form (e.g. letter, e-mail or fax). Where the refusal is only partial, information may be blacked-out or “severed” or you are provided with only some of the relevant documents. The grounds given for refusing should be recorded under comments.

#### **3. Transferred**

This is when the authority transfers the request to another authority. Whether the authority informs you about this or not, and any reasons given, should be recorded under comments.

#### **4. Referred**

This is when the authority informs you that you should lodge the request with another authority (as opposed to transferring it itself). Once again, any reasons given for not responding directly to the request should be recorded under comments

#### **5. Mute Refusal**

This is where the authority simply fails to respond at all to a request or where answers are provided which are so vague that they cannot be classified in any other category listed here. A mute refusal is deemed to apply when the period in the access to information law for responding to requests has expired.

#### **6. Information Received**

This is when access is granted and information which responds to the request and which is complete or relatively complete is provided.

#### **7. Incomplete Answer**

Information is provided but it is incomplete, irrelevant or in some other way unsatisfactory. This is different from a partial refusal inasmuch as the authority appears to be treating this as a complete response (even though it is not) and it has not indicated that it is refusing information.

## 8. Information Not Held

This is where the authority responds claiming that it does not hold the information. Whether this seems to be credible or not should be recorded in the comments.

## 9. Unable to Submit

This is where, for whatever reason, you are simply not able to make the request. This should be extremely rare but it does sometimes happen, for example, that an authority will just not accept a request.

## Final Grading

Final grades should be assigned to States and may also be generated for individual public authorities if desired. For a country, there should be three overall colour grades of red, yellow and/or green, one for each assessment area (proactive disclosure, institutional measures and request processing). Similarly, for each individual public authority, three overall colour grades can be calculated, one for each assessment area.

From these three colour grades, the final grades should be allocated as follows:

# of Red	# of Yellow	# of Green	Final Score
3	0	0	Red
2	1	0	Red
2	0	1	Red
1	2	0	Yellow
1	1	1	Yellow
0	3	0	Yellow
0	2	1	Yellow
1	0	2	Green
0	1	2	Green
0	0	3	Green

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