

ANNUAL REPORT 2015-2016



Khyber Pakhtunkhwa
Right to Information Commission



ANNUAL REPORT



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Right to Information Commission

2015-2016

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FOREWORD:

The Khyber Pakhtunkhwa Right to Information Commission (RTIC) has continued to break new ground during the year in its endeavor to carry out its mission of ensuring dissemination of information by public bodies forensuring transparency and accountability leading to good governance.

In the culture of secrecy which has remained in vogue in government offices for the last 90 years or so, the Right To Information is like a candle in the storm. To keep this candle burning, the RTIC has been up against odds for the last two years and rightly so as the established norms and behaviors are hard to change.

Khyber Pakhtunkhwa RTIC is struggling to maintain its top ranking, in the implementation of RTI Laws in the country as assessed by PILDAT in its report published in January 2016. It is in this connection that I want to express my pleasure to state that every member of this fledgling organization has put in his/her best efforts.

We can claim that we have successfully surmounted the phase of outright resistance and are presently encountering the stage of objections which is a natural corollary of the effort to introduce a U-turn, which in our case is secrecy, and is now being replaced by transparency. Transparency, according to recognized international standards is the first step towards good governance. There is no gain saying that henceforth transparency of the system in vogue in a country would be determined on the scale of access to information provided to its citizens.

The KP RTI Commission has been lucky to receive the patronage of the government and the civil society at large which has provided a moral boost to

work despite some resistance. The media also provided the required coverage and put pressure upon bureaucracy to concede the right to information and the sum total of all these factors is that, we are not only the better of the two Commissions set up in the country but have received international recognition from organizations working for RTI at the global level.

Despite all this we are looking at our failures more than our successes to further improve our performance.

The RTIC conducted a series of trainings and workshops involving up to 600 Officers/PIOs. These trainings enabled the PIOs to be able to facilitate citizens in seeking information. A total Number 1771 complaints were received during the last year (1st April 2015-30th June 2016) out of which 1409 were disposed off, thus, averaging at 79.77 .

In order to overcome the issue of reaching out to the public at large, we are in-touch with the Schools and Literacy Department to have a chapter on RTI included in the curriculum so as to start creating awareness amongst the students at a very early stage about this basic human right.

I would like to acknowledge the support and assistance of CGPA, which has extended all out assistance to the KPRTIC in different activities initiated for the promotion of RTI in the province.

In the end, I would like to thank all the RTIC staff and PIOs for helping ensure the excellent performance of RTIC and hope the same will continue to achieve the RTI objectives in future.

VISION / OBJECTIVES

- a. To safeguard the constitutional right of citizens to access information of public importance.
- b. Enabling citizens to be involved in public affairs to effectively ensure transparency in all matters.
- c. Establishing a sense of citizenship, both in the general public and public organizations to meet the challenges of a democratic culture and its emerging issues.

MISSION STATEMENT

To enhance awareness amongst the people of the province that they have the right under this law to access information regarding any issue of public importance thereby having the opportunity to play their role as partners in improving governance.

1. INTRODUCTION:

‘To know’ is a basic human instinct and this urge has been one of the basic causes of friction between the rulers and the ruled, throughout human history. Whether the public has a right to know as to how the king is taking decisions, has been the subject of discussion over the centuries. How much the public should know and at what cost has also been debated. During the last century or so, civilized societies not only recognized this right as a basic human right but also enacted laws to give it a formal and binding shape.

The story of Pakistan is no different. A country, where three generations were brought up under the culture of secrecy, (Official Secret Act 1923), many officers and public bodies could not digest this human right easily. It was during the debate on the 18th amendment that Article 19-A was added to the Constitution, making it one of the fundamental rights of the people of Pakistan. The province of Khyber Pakhtunkhwa took the lead to formalize this right and the present Assembly deserves an honorable mention in passing this law in 2013.

The law itself is forward-looking and progressive and is being hailed inside and outside the country. The beauty of the law is that it provides a time-line for supply of information and also provides a forum to hear complaints against the non-provision of information sought from a public body. An independent Information Commission is the hallmark of the entire scheme, having the power not only to ensure and enforce supply of information but also to punish any delinquent official.

The establishment of RTIC is a mega initiative of its kind in the field of provision of information to the citizens. After induction of staff and initial infrastructural arrangements, time bound feedback mechanism was developed. Workshops seminars and meetings were made a wholesome activity with different stakeholders i.e. District Governments, Public Information Officers (PIOs), Journalists, NGOs and Civil Society.

2. HOW DID WE GET HERE:

“A popular Government, without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy; or, perhaps both. Knowledge will forever govern ignorance; and a people who mean to be their own Governors, must arm themselves with the power which knowledge gives.”
James Madison, (4th President of the USA.)

If democracy cannot function without informed citizens, then neither can it function without freedom of information. It is for this basic reason that more and more countries are adopting freedom of information laws in the belief that it is bound to result in transparency, accountability and a culture of openness.

The Right to Information, though a recent enactment in the province, has its roots in history. According to Islamic traditions Hazrat Umar, the second Caliph of Islam, was during the Friday prayers questioned by an ordinary citizen as to how the Caliph had a shirt stitched out of the Maal-e-Ghanimat cloth, which all had received and which was insufficient to make a shirt. The son of Hazrat Umar is reported to have responded on behalf of the father saying that as the cloth was insufficient for both to have shirts made, thus he had given his piece of cloth to his father and hence the Caliph had a new shirt. This tradition thus demonstrates that the right to seek information is as old as history goes, even though then it was not termed so.

The present institution of the Right To Information was formally introduced in Sweden in 1776 when a Finnish priest by the name of Anders Chydenius, through his writings and in his debates in the Diet, led to a stricter parliamentary control on the Government budget. The first law when enacted was largely motivated by the parliament’s interest in access to information which was held by the king. His (Chydenius) greatest achievement was towards the extension of

freedom of the press of which he was a great proponent. His statement that “No evidence should be needed that a certain freedom of writing and printing is one of the strongest bulwarks of a free organization of the state, as without it the estates would not have sufficient information for the drafting of good laws, and those dispensing justice would not be monitored, nor would the subjects know the requirements of the law, the limits of the Government and their own responsibilities.” Education and good conduct would be crushed, coarseness in thought, speech and manners would prevail and dimness would darken the entire sky of our freedom in a few years,” shows how much has been achieved in these last 250 years.

The United Nations General Assembly in 1948 passed a resolution declaring freedom of information as a basic human right. It was subsequently picked up by the United States of America in 1966. Thereafter, other nations in northern Europe introduced the same and thus accelerated the process so much so that by the end of 2014 almost 100 countries the world over had adopted the same.

Access to information in Khyber Pakhtunkhwa was limited or negligible before the passing of Right to Information Act, 2013. Citizens were not aware of the services/functions of the government or their right for seeking information. Public information dissemination in KPK was weak and inconsistent and important information of public concern was generally kept secret.

The Right to Information Act 2013 passed by the KPK Assembly in November, 2013, is assessed to be one of the most outstanding pieces of legislation enacted by the Provincial Assembly since independence. The buzz words “Good Governance and transparency” which are used in the context of RTI are absolutely on the mark as the Act leads to transparency and accountability. It is also participatory, effective and efficient.

Its successful implementation, however, is directly co-related to the level of commitment of the Government, the political parties and the designated officers. It is, therefore, imperative that a large scale publicity of the benefits of the Act is made and full support is provided to all those who are tasked with the implementation of the RTI law.

3. THE COMMISSION:

The RTI Commission established under the RTI Law is an independent statutory body headed by the Chief Information Commissioner who is assisted by two Commissioners.

Under Section 25(1) of the Right to Information Act, 2013, the primary responsibility of the Commission is to receive and decide complaints. If a citizen file complaint against a public body for non provision of information, the Commission after hearing the citizen and the public body, takes a decision.

The Commission is also tasked with creating awareness and to ensure that the public bodies pro-actively display their records especially through the Web, so that citizens can seek whatever information they desire without visiting public offices. Some of the Departments have constructed their official websites containing organizational structure, their objectives, tenders, advertisements, recruitments, notifications etc. besides establishment of facilitation centers.

Section 25(2) (g) of the Right to Information Act, 2013 makes it obligatory on the Information Commission to compile a comprehensive annual report both describing its own activities, including an overview of its audited accounts, and providing an overview of the activities undertaken by all public bodies to implement this Act, taking into account the information provided by individual public bodies pursuant to section 5(2) of the RTI Act, 2013.

As per section 25(2)(g) of the Act, the Right to Information Commission is presenting this Annual Report. Internal Audit report for the year 2014-15 along with financial statements of 2015-16 is also included in the report under review (Annex 4). These reports are also available on RTIC website.

Initially in its first year the KPRTIC and its related activities were financially supported by the world bank/GSP to establish it on firm footings.

4. THIS REPORT:

This report covers the period from 1st April 2015 till 30th June 2016 providing a summary of the major events, activities, achievements and challenges. This period for RTIC has been important, challenging and engaging. The RTIC is entering into its third year and it is important that all stakeholders including decision makers have a clear understanding of this organization's future role. Efforts have been made to show a realistic and objective picture of the period under reference. All the quantitative information has been summarized in the tables and graphs. It is due to the effectiveness of RTI law and proper media campaign that a total no of 1771 omplaints have been registered with RTIC against which 1409 complaints have been resolved and 362 complaints are under process to be resolved in due course of time.

A large number of complaints received by the RTIC is an indication of the fact that slowly and gradually citizens' awareness about the efficacy of the RTI Law is increasing and they are using it to address issues of public importance.

5. NEED FOR RIGHT TO INFORMATION:

Lack of transparency is a major cause responsible for corruption in society as it conceals secret deals, arbitrary decisions, manipulations and embezzlements. It was also one of the main causes for all pervading corruption and Right to Information has led to openness, accountability and transparency. Before the enactment of Article 19-A in the Constitution and subsequent passing of RTI Laws at the provincial level, ordinary citizens were barred to know about public policies and expenditures. It was quite ironical that people who voted the persons responsible for policy formation to power and contributed towards the

financing of huge costs of public activities, were denied access to the relevant information.

The Right to Information Act has empowered citizens to seek information from the public bodies. Now, through this law, citizens can expose corruption and make public servants accountable in the performance of duties. RTI law is now recognized as a tool to expose corruption, malpractice and abuse of authority in public offices.

5.1:- Facilitation Role of RTIC:

Apart from provision of information, RTIC also served as a facilitation body at various stages in the implementation of this law. While interacting with community, it faced problems of different nature and intensity in close societies. For this purpose RTIC staff as well as facilitation center played a vital role by educating and informing people about the law, role of the Commission, Public Information Officers and the procedures to seek information.

During the period under review, RTIC remained in regular contact with all the stakeholders especially with provincial public bodies to implement the RTI Law in its true letter and spirit.

5.2:- Coordination Role of RTIC:

Effective coordination between the public bodies and stakeholders is one of the basic principle of RTIC for achieving its objectives. That is why the RTIC is working for the promotion of interactive engagement with the designated officers through sessions, workshops and seminars focused on processing RTI requests and ensuring proactive publication at public offices, besides educating the masses through comprehensive awareness campaigns.

During the period under review, RTIC held formal meetings with various government authorities. The coordinated approach has always been focused on bringing about a positive change in the performance of the public bodies.

5.3: Monitoring Role of RTIC:

Continuing with the primary role of monitoring the Chief Information Commissioner and the Information Commissioners paid visits to different public bodies. These visits were meant to identify any deficiencies in the public bodies and to draw up an inference about the various aspects of the RTIC activities at public bodies' level.

The documentation status of the public bodies were streamed line and minor short comings were addressed to align them according to the KP RTI Act. In some cases preliminary inquiries were conducted and fines were imposed on the defaulter/non-cooperative staff.

Tables/ Charts Reflecting Progress of RTIC

(Apr 15 - June 16)

Table-I

S.No	Departments	Addressed RTI Requests	In-Process RTI Requests	Pending RTI Requests	Request converted to Complaints	Total RTI Requests
1	Agriculture, Livestock & Co-Operation Deptt:	119	3	2	48	172
2	Auqaf, Hajj, Religious & Minority Affairs Deptt:	18	0	0	3	21
3	Autonomous	67	369	2	110	548
4	Banks	0	0	0	2	2
5	Chief Minister's Secretariat	21	0	0	13	34
6	Communication & Works Deptt: (C&W)	28	1	0	55	84
7	Eastablishment Deptt:	98	12	0	81	191
8	Elementary & Secondary Education Deptt:	373	28	1	260	662
9	Energy & Power Deptt:	1	0	0	11	12
10	Excise & Taxation Deptt:	97	8	0	14	119
11	Federal Deptt:	0	0	0	3	3

12	Finance Deptt:	27	0	0	25	52
13	Food Deptt:	1	0	0	6	7
14	Forestry, Environ ment& Wildlife Deptt:	32	0	0	35	67
15	Governor House				3	3
16	Health Deptt:	69	4	0	178	251
17	Higher Edu, Archives & Libraries Deptt:	65	8	0	268	341
18	Home & Tribal Affairs Deptt:	183	1	0	124	308
19	Housing Deptt:	0	0	0	6	6
20	Industries, Commerce &Labour	3	0	0	29	32
21	Information Deptt:	14	0	0	6	20
22	Inter Provincial Coordination Deptt:	0	0	0	3	3
23	Irrigation Deptt:	3	0	0	15	18
24	Law ,Parliamentary Affairs & Human Rights Deptt:	0	0	0	57	57
25	Local Government and Rural Development (LG &RD)	42	1	0	177	220
26	Minerals	0	0	0	13	13

27	Development Deptt: Planning & Development (P&D) Deptt:	0	0	0	16	16
28	Population Welfare Deptt:	6	0	0	6	12
29	Provincial Assembly	0	0	0	12	12
30	Public Health Engineering	0	0	0	88	88
31	Public Health Engineering	1	0	0	2	3
32	Relief Rehabilitation &Settlement Deptt:	36	0	0	23	59
33	Science & Tech: and Information Tech: Deptt (ST&IT)	0	0	0	22	22
34	Sports, Culture Tourism & Youth Affairs	0	0	0	13	13
35	Transport & Mass Transit	5	0	0	10	15
36	Zakat, Ushr & Social Welfare	2	0	0	24	26
37	NGO's	0	0	0	9	9
38	Others	0	0	0	1	1
	Total	1311	435	5	1761	3512

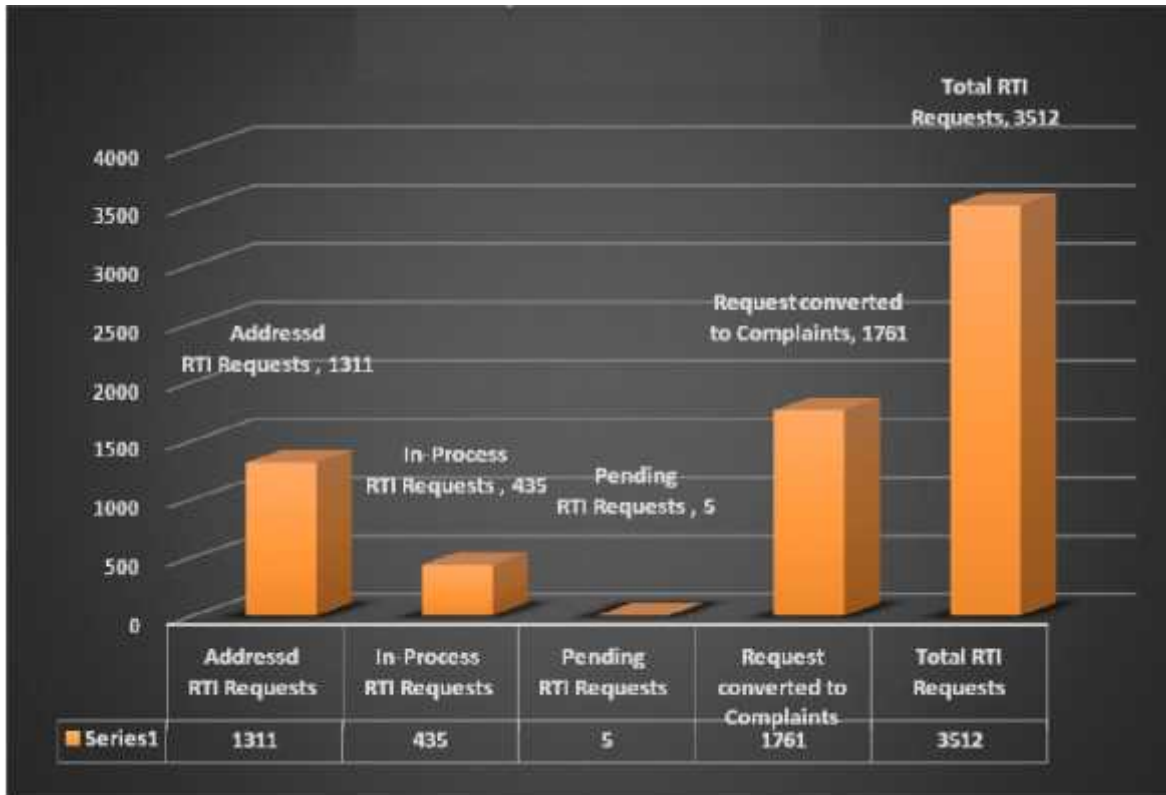
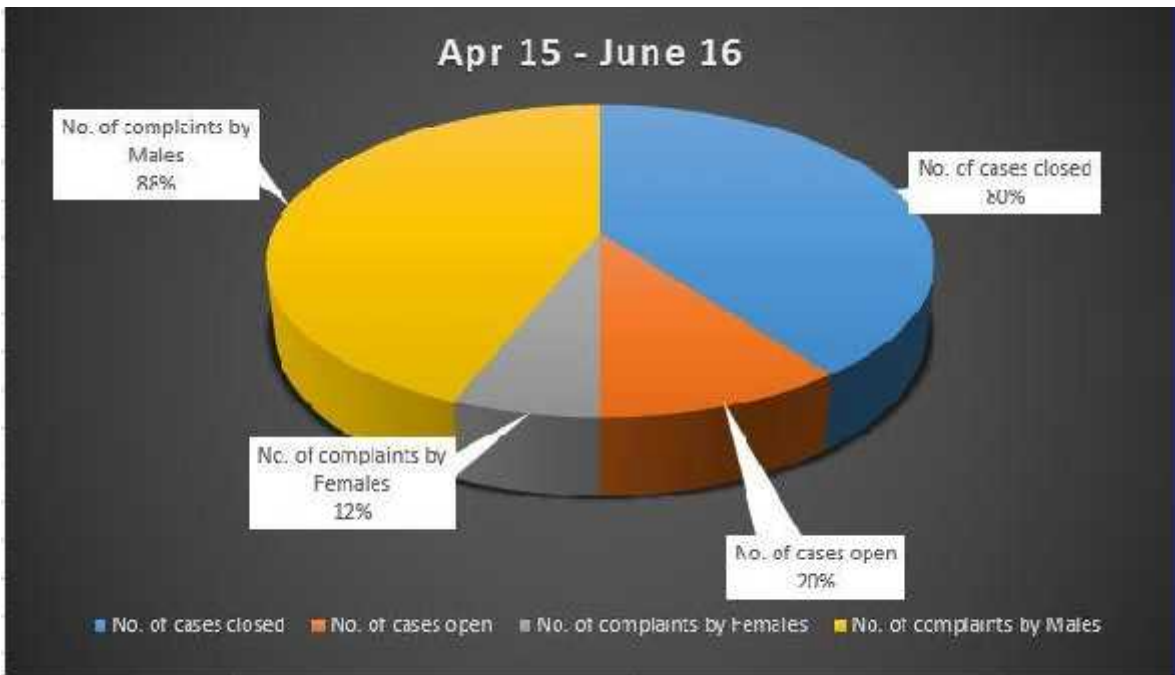


Table-II

Summary of Complaint 1st April 2015-30th June 2016

Complaint Status	
	Total
Total No. of Cases Registered	1771
No. of cases decided	1409
No. of cases in process	362
No. of complaints by Females	215
No. of complaints by Males	1556

Pie Chart-I - Complaints Status



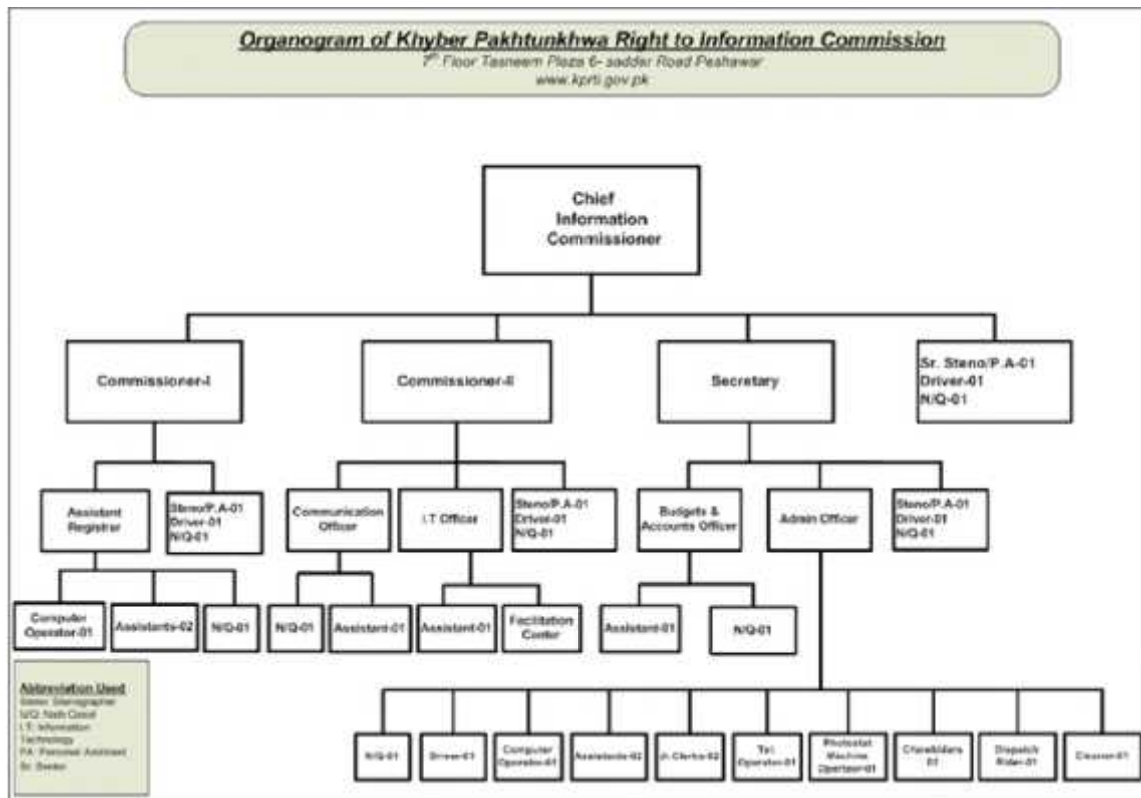
Statistics of KP RTI Commission website visits (April 2015 - June 2016)



6. The Commission Secretariat:

At present the Commission has five working sections; Communication, Legal, IT, Budget&Accounts and Administration.

Organizational Structure:



6.1 The COMMUNICATION SECTION:

The instantaneous dissemination of information regarding the activities of the RTIC and electronic and print media plays a vital role in making RTIC a success story. The Communication Officer of the RTIC works within the available resources and coordinates with Media Houses for publishing Press

releases, designing and printing of Annual reports, formulation of Media Annual work plan, arranging/coverage of RTIC trainings and workshops etc.

During the period under review this section efficiently kept the activities of RTIC on the screen. Besides regular coverage of RTIC activities, it also played vital role in resolving various issues like summons and chalking out transparency standards for the Prisons/Police and Labour Departments.

RTIC launched effective media campaigns to take general public on board with regard to the Right to Information Laws. A total of 6 newspaper advertisements were published in local and national dailies, airing of Radio advertisements on FM Radio to promote the cause of RTI. Likewise, 23 Billboards were displayed on National Highways, Frontier Highways and Indus Highway. Similarly, posters and calendars were printed to mobilize the general public to have access to information, with the active involvement of the Public Information Officers.

Various NGOs notably CGPA, PILDAT, SPADO, CPDI extended full support for the promotion of the RTI cause throughout the province by arranging seminars, workshops, talk shows, airing TV & radio advertisements and publication of promotional material.

6.2 The LEGAL SECTION

The Legal Section of the KPK RTI Commission registers complaints against Departments/Public Bodies and issues instructions for provision of requisite information to the complainants. It also issues summons to the PIO's to appear before the Commission for recording views. This section advises the public bodies whenever they are not clear about the interpretation of the law. One of the most important activities of the Legal Section is to record the Commission's

proceedings and draft the orders of the Commission besides maintaining case files/record.

This section received a total of 1771 complaints in the report under review. Out of which 1409 got resolved in time while 362 are pending.

6.3 The Administration Section:

The Administration Section of the KPK RTI Commission is responsible for all administrative and establishment affairs. It maintains all records and files of the employees. The Administration Section is also responsible for advertising recruitment of staff, either through ETEA or departmental selection committees to observe transparency and merit in hiring new staff. In this regard a total of 12 posts were advertised in the current fiscal year through two advertisements dated 28-02-2015 and 19-07-2015 respectively in local and national dailies. RTI strictly adhered to merit and transparency in the hiring of officers.

This Section also interacts with other Organizations/Departments with regard to matters assigned to the Administration Section and supervises themaintenance of records. It also regulates sales and purchases for the commission.

6.4 The IT SECTION:

Easy access to information is the hallmark of the RTIC. Data collection and its systematic compilation not only plays an important role in the smooth running of the office but also serves as a baseline indicator for future planning. Regular and instantaneous collection of information from the stakeholders is essential for the working of RTIC. The IT section is maintaining data of all the public bodies in the province in the form of database. It contains comprehensive record of the complaints and the same is updated on daily basis. The said

information is also uploaded on RTIC website on weekly basis. RTIC has also launched a Web-portal (ERTI) on pilot basis for district Peshawar. Computer generated requests shall further be extended to other districts in the near future. IT section also oversees the toll free no. **0800-587784** of the facilitation center of RTIC for which all technical and financial assistance has been provided by CGPA, a non-governmental organization, working in the field of freedom of information.

In today's world of information technology, internet is the most sophisticated means of dissemination of information. For the same reason, RTIC has maintained a website which can be accessed through www.kprti.gov.pk. This website is uploaded with all the important information regarding RTIC to make it useful.

Likewise, IT section also maintains social media pages on Facebook and Twitter which can be accessed through <https://www.facebook.com/kprti> and https://twitter.com/KP_RTI respectively. These social media accounts are regularly monitored and timely feedback is given by this Section.

The IT Section is not only tasked to maintain an updated list of the PIOs but has also to liaise with PIOs to have an updated status of requests on regular basis.

6.5 The Budget & Accounts Section:

The Budget & Accounts Section is responsible for preparation of budget proposals of the Commission to be sent to the Finance department in the light of Section 27(2) of the RTI Act 2013. On receipt of the grant from the government, this section makes proposals for item wise distribution of funds. Funds are

allocated to their respective heads according to the volume of transaction.

This section is responsible for maintaining books of accounts expenditures, prepares monthly payrolls, bank reconciliation and tax statements. The budget is distributed head wise i.e. Pay and allowances, building rent, telephone bills, printing charges, media campaign etc.

Following table is the Audit report of the fiscal year 2015-16.

**STATEMENTS OF ACCOUNTS
RIGHT TO INFORMATION
COMMISSION
GOVT. OF KHYBER PUKHTUNKHWA
FOR THE YEAR ENDED JUNE 30, 2016**



NAZIR CHAUDHRI & CO.
CHARTERED ACCOUNTANTS

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INDEPENDENT AUDITOR'S REPORT

We have audited the accompanying Financial Statements of "Right To Information Commission Govt. Of Khyber Pukhtunkhwa" as at **June 30, 2016**, and the related statement of income and expenditure account & Statement of Cash Flow, for the year then ended and summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statement

Management is responsible for the preparation and fair presentation of these financial statements in accordance with approved accounting standard as applicable in Pakistan and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's responsibility

Our responsibility is to express an opinion on this financial statement based on our audit. We conducted our audit in accordance with international auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of any material misstatement.

An audit involves performing procedures to obtain audit evidence about the amount and disclosure in the financial statements. The procedure selected depend on the auditor's judgment, including assessment of the risk of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considered internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedure that are appropriate in the circumstances, but not for the purpose of expressing and opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used in the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that our audit provides a reasonable basis for our opinion.

OPINION

In our opinion, the financial statements give a true and fair view of the financial position of the "Right To Information Commission Govt. Of Khyber Pukhtunkhwa" as at **June 30, 2016** and of its financial performance, its cash flow for the year then ended in accordance with approved accounting standards as applicable in Pakistan.

PESHAWAR
August 12, 2016

NAZIR CHAUDHRI
CHARTERED ACCOUNTANTS



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**RIGHT TO INFORMATION COMMISSION GOVT OF KPK
BALANCE SHEET
AS AT JUNE 30, 2016**

	NOTE	2016 RUPEES	2015 RUPEES
<u>CURRENT ASSETS</u>			
Cash and bank balances	5	18,328,380	13,010,179
		<u>18,328,380</u>	<u>13,010,179</u>
<u>LESS - CURRENT LIABILITIES</u>			
Accrued and other payables	6	292,084	157,159
NET- CURRENT ASSETS		<u>18,036,296</u>	<u>12,853,020</u>
<u>FUNDS AND SURPLUS</u>			
Fund -Opening Balance		12,853,020	-
Surplus fund for the year		5,183,276	12,853,020
		<u>18,036,296</u>	<u>12,853,020</u>



[Signature]
B & C OFFICER

[Signature]
CHIEF INFORMATION COMMISSIONER

[Signature]
SECRETARY



**RIGHT TO INFORMATION COMMISSION GOVT OF KPK
INCOME AND EXPENDITURE ACCOUNTS
FOR THE YEAR ENDED JUNE 30, 2016**

		2016 RUPEES	2015 RUPEES
<u>INCOME</u>			
Grant In Aid	7	30,000,000	30,000,000
Other receipts	8	118,890	920
		30,118,890	30,000,920
<u>EXPENDITURE</u>			
Salaries and allowances	9	15,336,411	6,166,584
Purchase of Assets	10	375,819	8,171,230
Repair & Maintenance	11	234,217	140,096
Rent -Office building		2,280,000	570,000
T.D/D.A charges		307,016	26,255
Medical expenses Reimbursement		9,472	15,801
News paper , books and periodicals		58,378	10,588
Consultancy charges		1,286,667	840,339
Internet Service charges		336,824	-
Local Conveyance charges		1,640	-
Remuneration/Honoraria		-	49,890
Printing and Stationery		712,661	486,999
Telephone charges		289,926	73,691
Legal & professional charges		1,150,000	-
Electricity charges		374,334	73,500
Gas Charges		15,170	1,140
Postage and Courier expenses		169,792	62,461
Seminars , Workshop & meeting expenses		46,750	-
POL & CNG expenses	12	686,278	238,545
Registration of Vehicles		-	77,061
Entertainment expense		14,566	13,120
Advertisement expenses		1,213,466	76,538
Bank Charges		3,500	3,862
Misc Expenses		32,727	50,200
		24,935,614	17,147,900
Excess of Income over expenditure		5,183,276	12,853,020
Surplus carried to the balance sheet		5,183,276	12,853,020

B & A OFFICER

CHIEF INFORMATION COMMISSIONER

SECRETARY



RIGHT TO INFORMATION COMMISSION GOVT OF KPK
CASH FLOW STATEMENT
YEAR ENDED JUNE 30, 2016

	2016 <u>RUPEES</u>	2015 <u>RUPEES</u>
CASH FLOW FROM OPERATING ACTIVITIES		
Surplus for the year	5,183,276	12,853,020
Operating surplus before working capital changes	<u>5,183,276</u>	<u>(12,853,020)</u>
Increase / decrease Working Capital Changes		
Income tax and sale tax	<u>134,925</u>	<u>157,159</u>
	<u>134,925</u>	<u>157,159</u>
Cash Generated from Operations	<u>5,318,201</u>	<u>13,010,179</u>
Net increase in cash and cash equivalents	<u>5,318,201</u>	<u>13,010,179</u>
Cash and cash equivalents at the beginning of the year	<u>13,010,179</u>	-
Cash and cash equivalents at end of the year	<u>18,328,380</u>	<u>13,010,179</u>




B & A OFFICER


CHIEF INFORMATION COMMISSIONER


SECRETARY



**RIGHT TO INFORMATION COMMISSION GOVT OF KPK
NOTES TO THE ACCOUNTS
FOR THE YEAR ENDED JUNE 30, 2016**

1 THE COMMISSION AND ITS OPERATIONS

The Right to Information Commission was established through an Act of the Provincial Assembly of Khyber Pakhtunkhwa in November 2013. Under section 24 (2) of the Act, the Commission is an Independent Statutory body enjoying operational and administrative autonomy from any other person or entity, including Government and any of its agencies, except as specifically provided for by law. This Commission is headed by the Chief Information Commissioner. The Primary responsibility of the Commission is to receive and decide the complaints if the citizen is non providing information by a particular Department.

2 BASIS OF PREPARATION

2.1 Statement of Compliance

The financial statements have been prepared in accordance with approved accounting standards as applicable in Pakistan. Approved accounting standards comprised on the International Financial Reporting Standard (IFRS) issued by the International Accounting Standards Board (ISAB) as applicable in Pakistan.

2.2 Functional and presentation currency

The financial statements are presented in Pakistan Rupees, which is also the Commission's functional currency. All the financial information presented in Pak Rupee has been round-off to nearest Rupee.

3 BASIS OF MEASUREMENT

3.1 These financial statements have been prepared under Historical Cost Convention

The preparation of financial statements in conformity with approved standard requires management to make judgments, estimates and assumption that affect the application of policies and reported amounts of income and expenditures. The estimates / judgments and associates assumption are based on historical experience and other factors including expectation of future events that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.



4 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:

Following accounting policies applied in the preparation of these accounts:

4.1 Property, Plant and Equipments

Property, plant & equipment are stated at cost. Maintenance and normal repairs are charged to income while major renewals and repairs are capitalized. Gain or loss arising from the disposal of property, plant equipment is charged to the current year profits.

4.2 Revenue recognition

Copying fee and other is accounted for on receipts basis.

4.3 Expenses recognition

All expenses are recognized when outflow of resource is confirmed.

4.4 Financial Instruments

All the financial assets and financial liabilities are recognized at the time when the Commission becomes a party to the contractual provisions of the instruments. Any gain or loss on de-recognition of the financial assets and financial liabilities is taken to income and expenditures account.

4.5 Accrued and other Liabilities

Accrued and other liabilities are stated at cost which is fair value of the consideration to be paid in future.

4.6 Cash and cash equivalents.

Cash and cash equivalents are carried in the balance sheet at cost. For the purposes of cash flow statement, cash and cash equivalent comprises of cash in hand, balance with banks and short term investments realizable within three months.



	<u>2016</u> <u>RUPEES</u>	<u>2015</u> <u>RUPEES</u>
5 CASH AND BANK BALANCES		
The Bank of Khyber -A/C No. 09844-00-6	<u>18,328,380</u>	<u>13,010,179</u>

The Right to Information Commission has maintained current account in The Bank of Khyber saddar road Peshawar cantt with approval of Provincial Finance Department. The Department accounts are reconciled with the Bank Statements.

6 ACCRUED & OTHER PAYABLES

Income tax payables (Salaries and supplies)	239,033	140,205
Sale tax withheld payable	<u>53,051</u>	<u>16,954</u>
	<u>292,084</u>	<u>157,159</u>

The taxes pertained for the period of June 2016 and has been paid by the Commission in the month of July 2016.

7 GRANT IN AID	<u>30,000,000</u>	<u>30,000,000</u>
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The Govt of KPK has released Grant-in-Aid of Rs. 30.00 (M) in two installment for salaries and operational activities of the Commission and its Secretariat.

	<u>2016</u> <u>RUPEES</u>	<u>2015</u> <u>RUPEES</u>
8 Other Receipts		
Copying Fee	1,738	920
Auction of Newspaper and Batteries	10,595	-
Recovery of POL Charges from Officers for extra usage.	32,577	-
Recovery of Salary from Communication Officer on resignation	20,680	-
Refund of POL Security From FC Filling Station	50,000	-
Misc receipts	<u>3,300</u>	<u>-</u>
	<u>118,890</u>	<u>920</u>



9 PAY & ALLOWANCES	2016 RUPEES	2015 RUPEES
Pay of officers	8,478,214	2,190,000
Pay of staff (Basic)	2,707,570	1,319,985
House Rent	732,788	431,233
Conveyance Allowance	994,968	619,435
Washing Allowance	8,400	5,175
Adhoc Relief 2010	814,161	479,095
Adhoc Relief 2011	-	143,774
Adhoc Relief 2012	-	311,998
Adhoc Relief 2013	397,217	233,999
Adhoc Relief 2014	264,791	155,997
Adhoc Relief 2015	358,616	-
Medical Allowance	507,899	252,099
Dress Allowance	3,600	2,375
Integrated Allowance	28,800	21,419
Computer Allowance	39,387	-
	15,336,411	6,166,584

10 PURCHASE OF ASSETS

Purchase of 3 Nos. of GLI Toyota Corolla vehicles	-	5,664,000
Purchase of 1 No. of Suzuki cultus	-	1,062,800
Purchase 1 No motor cycle	-	69,900
Purchase of Furniture and fixture	-	593,724
Purchase of office equipments	49,900	533,172
Purchase of Photostat machine & equipments	116,600	121,005
Purchase of consumable items	5,780	63,054
Purchase of other items	133,220	26,975
Purchase of computer items	70,319	36,600
	375,819	8,171,230

Proper assets registered has been maintained by the Commission.

11 REPAIR & MAINTENANCE

Repair & Maintenance of vehicles	164,867	115,571
Repair & Maintenance of Furniture & Fixtures	3,350	1,050
Repair & Maintenance of Machinery & equipments	65,400	22,170
Repair & Maintenance of Office Building	600	1,305
	234,217	140,096

12 POL AND CNG

The Commission has properly maintained separate log books for official vehicles. For excess used of POL beyond the limits were recouped.

13 GENERAL

Record regarding receipts and expenses is maintained properly. Figures have been rounded off to the nearest of rupees.

B & A OFFICER

CHIEF INFORMATION COMMISSIONER

SECRETARY



7. ACHIEVEMENTS

After the establishment of the RTIC, requesters started approaching the concerned PIO's for supply of information. Majority of requests were related to recruitment and supply of merit lists. Awareness campaigns by the RTIC changed the priorities of the people and now people also inquire about the issues of common interests. These queries are mainly related to public sector developmental projects, provision and expenditure of funds, liabilities and unspent balance, if any. Requests are also being received regarding provision of health facilities, arrangement of workshops by the concerned departments in their respective districts, etc. In this regard, the PIOs played their role to entertain requests and supply information, trying to avoid filing of RTI Complaints. The commission has a list of more than 600 PIOs nominated by the public bodies throughout the province, to facilitate citizens and provide the relevant information.

The RTI Commission signed a MoU with Center for Governance and Public Accountability (CGPA), a non-governmental organization. As per contract the CGPA established Facilitation Center with a toll free number where citizens can call and get all relevant information regarding Right to Information law. Besides, they also keep liaison with all the PIO,s for updating the Commission about the number and nature of requests filed by the public.

8. CHALLENGES:

Despite some good work, a lot needs to be done by the RTIC in realizing the goal of achieving transparency and accountability in the public sector. The real challenge, as mentioned in the previous report, lies in the attitude of the person who is the custodian of the information which is a public property. Although the ice has been broken; much needs to be done for changing the attitude of bureaucracy at all levels. The citizens need to be informed about the source of the funds and its expenditure. Unless we accept the general public as the owners of the funds we spend, the goals of RTI cannot be achieved, though it is a bitter pill to swallow.

8.1 Awareness activities:

Though it is next to impossible to achieve 100% success in carrying out awareness campaigns as there will always be a segment of society which is ignorant about the changing dynamics of how the government bodies function. Yet, RTIC put in great efforts to ensure that the maximum number of people could know about this sunshine Law. Though we had successes in this regard, keeping in view the ever increasing number of complaints and requests, there is still need to carryout continuous awareness campaigns by engaging mass media.

8.2 Maintenance of Record :-

Under Section-4 of the Right to Information Act, 2013, the Information Commission is bound to guide the Public Bodies in the maintenance and indexing of records. Although, the maintenance of record has been mentioned in the Manual of Secretariat Instructions framed by the Government but these are rarely followed. Interaction by this Commission with the Public Bodies revealed that majority of the record holders are not aware of the said instructions. It is a common knowledge that old record is stored in verandas or any other available space. It has been found that no Public Body has any methodical program for the indexing and maintenance of record. Court record at the lower level is also victim of bureaucratic apathy. The Revenue Record is also in shambles and owners run from pillar to post to get hold of the needed documents. Although, efforts have been made to computerize the Revenue Record but the real goal has yet to be achieved. Requests with this Commission regarding the minutes of the meetings held four and five years earlier could not be answered for the simple reason that it is difficult for every Public Body to locate the old record. Unless the old record is indexed and maintained in accordance with the provisions of the law, the dream of proactive publication of record can never be realized.

8.3 Proactive Publication/Construction of Website:-

The hallmark of the Right to Information Law is the proactive publication of the record so that general public, instead of visiting the offices of the PIO's of the Departments, access their official websites for the desired

information. All the Public Bodies do not have their official websites and on the insistence of the Commission they have now started the construction of their official websites for which they are in contact with the Information Technology (IT) Board established by the Khyber Pakhtunkhwa Government. The progress in this context is very slow and not much information is available on the websites already created for some of the Public Bodies. Under the direction of the Supreme Court of Pakistan, the Commission worked with the Public Bodies like Prisons and Police Departments and their websites have now taken a better shape. Some of the Public Bodies have done a good job by not only creating their official websites but updating it with the latest information. Although the goal set by Section-5 of the Right to Information Act, 2013, is yet to be achieved but the Commission is working very closely with the Public Bodies to achieve the goal of Proactive Publication.

One of the major problems in the achievement of this goal is the non-availability of technical staff and facilities. The Directorate of Information Technology is overburdened because every Public Body relies on it not only for the construction of the official websites but also for its updating. The Commission has time and again requested the Public Bodies to make their own arrangements for the management of their websites but only a few Departments have obliged so far.

8.4 Lack / limited use of Information Technology:

In majority of the cases, the PIOs are neither computer literate nor have access to this facility which results in slow processing of requests at the primary level. This issue needs to be addressed on priority basis. If tools are made available, skills would develop as a natural corollary. The need for an IT literate PIO is the need of the time as the Commission's day to day business is going digital while on the other hand the PIO, who plays key role in the whole process is handicapped, leading to retarding the whole process.

8.5 Inaccessibility and frequent Change of PIOs:

Frequent postings and transfers phenomenon of PIOs results in delayed responses to requests for the provision of information as a result of which the requests change into complaints. It also increases the difficulties of the

Commission as new hands are not only hard to train but new minds are harder to orient which is a time-consuming process.

In some cases the location of Departments/offices are not easily accessible such as Central Police Office, Chief Minister's Secretariat, Provincial Assembly, Home and Tribal Affairs Department and many more. Difficulty in accessibility to such offices discourage requesters to file the RTI request, ultimately converting in to complaint.

8.6 Poor Report Generation:

There are more than 600 PIO,s nominated by their relevant public bodies to deal with RTI requests filed by citizens. Under the RTI Law, it is obligatory for the PIO to generate annual report specifically prescribing what actions they have taken to implement the law in its true letter and spirit. The Commission by analyzing the annual/ progress reports filed by the PIOs /public bodies did not find it satisfactory as it lacks to specify their actions and exact number of applications they have processed. There is a need that PIOs follow the instructions issued by the Commission in this regard.

8.7 Ineffective Implementation in PATA:

The RTI Act 2013, has not yet been extended to Provincially Administrated Tribal Areas (PATA). With utmost regret, most of the applications/requests received in this office are from PATA. Effective measures needs to be taken by the Federal Government to extend the RTI law to PATA in the best public interest.

9. SUGGESTIONS:

During the period under review, quite a few issues were encountered and solutions found for the same. All the same, the following issues needs to be rectified:

9.1 Publication and availability of record:

It is mandatory under the RTI Act that every public body must ensure Pro Active Publication of information in a way most easily accessible to citizens. That means putting information such as rules of business, seniority list, organizational

structure, contact numbers, annual reports, progress reports, tender documents, budget and actual expenditures and career opportunities.

In the past two years the RTIC has put in conscious effort for ensuring that public bodies may comply with obligations under the KP RTI Act, 2013. The Commission was successful as some of the departments such as Information and Public Relations, Local Government and Rural Development, Planning and Development, Home and Tribal Affairs have updated their websites according to the standards prescribed by the RTIC in light of the KP RTI Law. Moreover, the Commission directed administrative secretaries of all the respective departments/attached departments/autonomous bodies for ensuring proactive publication on their respective websites.

Though, much progress has been made in the provincial metropolis but still there is a need that Public bodies, at district level, are enabled by having the required budget, IT equipments, access to internet and professional staff to upload the relevant information online for the implementation of RTI Law resulting in transparency and accountability.

9.2 Unnecessary delay in response:

The Commission has experienced, over the period of time, that majority of the complaints, it has entertained, were due to unnecessary delay in response to the applicant on behalf of the PIO. The PIOs usually do not entertain the request immediately as they are assigned this responsibility as an additional charge without remuneration.

It is suggested that the administrative secretary/head of the Public Body be designated as PIO to ensure the smooth supply of information under the KP RTI Act to the requester.

9.3 PIO's problems:

Due to the effective media campaign large number of RTI requests have been filed in almost every public body where applicants have asked information but the departments were reluctant to provide the same. Hence, forcing the PIO to relinquish his duties of the additional charge besides handling of office routine work.

Likewise, to furnish RTI request, PIO had to write to concerned authority for the provision of relevant information as per standard operating procedure (SoP).

It is, therefore, suggested that old fashioned office pattern may be overhauled and be replaced with a telephone call or e-mail based correspondence (within and outside the departments) for timely reply to the information seeker.

9.4 Inclusion in syllabus:

The KP RTI law may be included in the syllabi of educational institutions at the matriculation, intermediate or Bachelor's level.

In this regard the Commission has suggested to the Secretary Education for inclusion of a chapter on the RTI Law while Pakistan Provincial Services Academy (PPSA) and Staff Teaching Institute (STI) has already included the RTI Law as a subject in their training syllabi on the request of the KP RTI Commission.

The KP RTIC believes that the Official Secret Act 1923, Efficiency and Discipline Rules and Rules of Business may be modified in light of the KP RTI law to guide the future public servants in the discharge of their responsibilities in a more transparent and accountable manner.

Appreciation/letter of thanks from complainants

To
The Assistant Registrar,
Right to information Commission
Khyber Pakhtunkhwa,
Peshawar

Date: 09/03/15

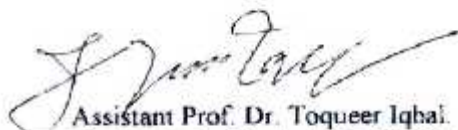
Subject: LETTER OF APPRECIATION

Respected Sir,

I am extremely thankful to your department for providing me with documents relevant to my promotion case. I had written several letters and visited the concerned departments several times in person but was unable to get the required information.

I am also thankful to the Honourable Chief Minister for constituting such an excellent department for helping those people in obtaining the required information which are unavailable to the general public. I am surprised that the commission fulfilled its duty in providing the information in time and hope that it will be much easier to get justice because of this department.

Thanking You,



Assistant Prof. Dr. Toqueer Iqbal
Biochemistry Dept, Ayub Medical College, Abbottabad
Contact Number: 03005632152

Copy to:
PS The Honourable Chief Minister, KPK

*Copy to
C/O and
to I.T.O.
to be uploaded
on website*

Handwritten note: 1. Handwritten to I.T.O. 2. 12/3/15

*ADP
12/3*

Right to Information Commission
Diary No. 1780
Date: 12/3/15
Section: A-2

To,
The Chief Information Commission,
RTIC Peshawar, Kpk.

Date: 14/04/16

Subject: Acknowledgement Letter

Dear Sir,

The purpose of this letter is to acknowledge to your department's performance and I am very thankful that Right to Information Commission is performing its best to provide information to the citizen in a short period of time. I have requested Peshawar Development Authority (PDA) to provide me information regarding son quota but due to incompressible delay from PDA, I approached to RTIC and appealed for my case and surprisingly quick response from the commission I have received the required information within a few days.

I am also very thankful to Kpk government for providing this facility for citizen to get such information which is difficult to approach from public departments, and I hope that this commission will get more appreciation from general public through its performance.

Regards



Architect Muhammad Arsalan
Alfalah Street Peshawar City
Contact: 0331-3531929

Copy to:

Peshawar Development Authority

Right to Information Commission Government of KPK
Case No: 2663
Date: 15/4/16
Section: 



سید

Flight to Information Commission,
Government of K.P.R.

Diary No. 5693

Date: 23-7-15

Section:

بخدمت جناب چیف انفارمیشن کمیشنر صاحب
رائٹ تو انفارمیشن کمیشن (آر ٹی آئی سی)، خیبر پختونخوا

جناب عالی!

گزارش یہ ہے کہ میری شکایت (00658) کے حوالے سے آپ کا مکتوب بحر الہ نمبر:

RTIC/AR/1-658/15 Dated: 01 July, 2015

نے آپ سے بذریعہ ای میل (مورخہ 6 جولائی 2015ء) ہدایت طلب کی تھی کہ میں اپنی درخواست (مورخہ 2 جولائی 2015ء) کا انتظار کروں یا آپ کی ہدایات کے مطابق پرو نیشنل بینک سیفٹی اینڈ پولیس کمیٹی کے (سی ایس ایس اینڈ پی سی سی) کے دفتر میں حاضر خدمت ہر جاؤں؟ بذریعہ فون 7 جولائی کو مجھے اسسٹنٹ ڈائریکٹر صاحب (ایم/پی) کے دفتر میں حاضر ہو جانے کی ہدایت کی گئی۔

چنانچہ میں آپ کی تحریری ہدایت کی تعمیل میں جناب سید افتاب حسین صاحب اسسٹنٹ ڈائریکٹر، ایم/پی (پی ایس ایس اینڈ پی سی سی) کی خدمت میں جمعرات 9 جولائی 2015ء کو حاضر ہوا۔ جہاں پر انہوں نے مجھے سوائے تین دستاویزات کے بقیہ آٹھ مطلوب دستاویزات کی نقول ایسی حالت میں فراہم کر دیں جو اب تصدیق شدہ بھی ہیں اور قابل استفادہ بھی۔

تین مطلوب دستاویزات میں سے دو دستاویزات پی ایس ایس اینڈ پی سی سی میں میرے فائل (شکایت نمبر: 78/2014) پر موجود نہیں اس لیے پھر ان دونوں کی تصدیق شدہ نقول نہیں مل سکے اور ان کے متعلق مجھے اسسٹنٹ ڈائریکٹر جناب سید افتاب حسین صاحب نے بتایا کہ یہ دونوں دستاویزات معزز پی ایس ایس اینڈ پی سی سی کے پاس تینوں پولیس افسران کی جانب سے اپنے تحریری جوابی بیانات کے ہمراہ جمع نہیں کی گئی ہیں۔ دونوں کی تفصیل درجہ ذیل ہے:

(1) زیارت خان (اے اس آئی) تھانہ کورڑہ) کا تحریری بیان سلسلہ انکوائری عدہ عالم ڈی ایس پی

(2) جعلی گواہان کا سی ایم صاحب کمپلینٹ سیل کو تردیدی بیان

لہذا جلد ہی مذکورہ دو مطلوب دستاویزات کی مصدقہ نقول کے لیے میں (عبید اللہ) متعلقہ ڈیپارٹمنٹ مثلاً جناب ڈی پی او صاحب شانگلہ وغیرہ کی خدمت میں درخواست کر لوں گا: ان شاء اللہ

جبکہ ایک دستاویز یعنی بکطرفہ فیصلہ (پر بنائے مینبر ارضی نامہ) پر پی ایس ایس اینڈ پی سی سی کے معزز ممبر جناب ڈاکٹر احمد علی صاحب کے تبصرہ کے متعلق مجھے بتایا گیا کہ ابھی تک ان کی طرف سے معزز پی ایس ایس کو مذکورہ تبصرہ موصول نہیں ہوا ہے۔ لہذا اس کی مصدقہ نقل کے حصول کے لیے میں انتظار کر لوں گا اور بعد میں معزز پی ایس ایس اینڈ پی سی سی کی خدمت میں درخواست پیش کروں گا: ان شاء اللہ

(9 جولائی 2015ء کو اسسٹنٹ ڈائریکٹر (ایم/پی) جناب سید افتاب حسین صاحب کی جانب سے فراہم کردہ آٹھ دستاویزات کی تصدیق شدہ نقول پیش خدمت میں جن کا مورخہ ان کی سابقہ فراہم کردہ غیر مصدقہ اور ناقابل استفادہ نقول سے کر کے امتیازی فرق بخوبی ملاحظہ کیا جاسکتا ہے)

حکومت جناب جسٹس صاحب رائٹ ٹو انفارمیشن کمیشن سپیڈر

جناب عالی!

گزارش ہے کہ

ہم رائٹ ٹو انفارمیشن کمیشن کے تہا لیبٹ مسکور ہوئیں۔
جس کی وجہ سے ہمیں ڈی ایچ او صاحب چار سدرہ کے دفتر
سے مطلوبہ دستاویزات من گئے ہیں۔ اور درخواست کے ذریعہ سے
کمیشن کو مطلع کیا جاتا ہے کہ ہمارا کیس بندہ کھیا جائے۔
مہربانی ہوگی۔

الروض

یوسف شاہ ولد خاد شاہ سردھری ملک

Right to Information Commission Government of KPK
Dist No 7867
Section

D.H.O چار سدرہ

کیس ڈشیل .. یوسف شاہ ولد خاد شاہ

16/10/2015

یوسف شاہ
شعبہ

CGPA, Social Audit Feb-2016



Conference on Media Regulations, Challenges and Reforms organised by the Pakistan Institute for Peace Studies (PIPs) at Sarena Hotel Islamabad on 21st July 2016



District Bar Association Chitral 12-01-2016



ETEA MOU



Inauguration



Provincial Seminar on KP RTI Law PC Hotel 15th Feb 2016



Regional Conference on RTI in South Asia Islamabad 16-17 Mar-2016

RTI Conference held at Karachi March-2016



**RTI Legislation & its Implementation
in Pakistan (Islamabad Jan-15, 2016)**



**R T I During PIO Summon
2015**



**SDP & SGGP PEV
Mission Workshop**



**State of RTI and its Implementation
Jan 27,28 2016 Lahore**





RIGHT TO INFORMATION COMMISSION

7th Floor, Tasneem Plaza, Near Provincial Benevolent Fund Building,

6th Saddar Road, Peshawar Cantt.

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E-mail: info@kprti.gov.pk