

November 12, 2024

TL2024/1112/1A

Principal Secretary to PM,
Prime Minister House,
Islamabad.

(For the attention of the Honorable Prime Minister)

Subject: Transparency International Pakistan Recommendations on Uploading of Updated Information on the Website of Housing & Works Department, Govt. of Pakistan, Ensuring Citizens Access to Climate Data as per Article 19A of the Constitution of Pakistan, Right of Access to Information Act, 2017, Supreme Court of Pakistan Judgement in CP No. 3532/2023

Dear Sir,

Transparency International Pakistan would like to draw your attention towards its recently released report titled "State of Data Disclosure of Climate Related Departments as per Access to Information Laws". The full report is available at: <https://transparency.org.pk/PUBLICATION/State-of-Data-Disclosure-under-Access-to-Information-Laws-by-Climate-Related-Departments-in-Pakistan-October-2024.pdf>. One of the departments included in this assessment is the Housing & Works Department, GoP, which has an overall poor average score of just 36%. **(Annex A & B)**

Climate related departments have a central role in climate action in Pakistan. Access to updated information ensures effective implementation of climate strategies, stakeholders participation and a coordinated response. It builds trust among the local communities disproportionately affected by climate change, enhances transparency and encourages confidence among international institutions, necessary for an effective access to much needed climate finance.

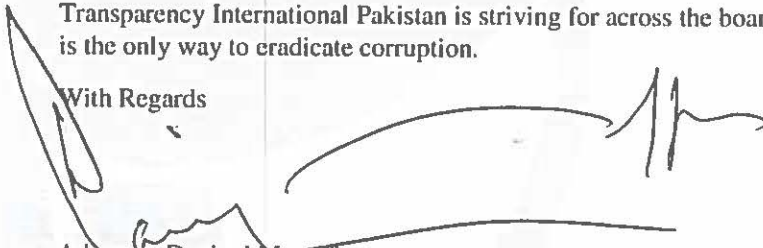
The honorable Prime Minister is requested to issue directives for compliance with Right of Access to Information Act 2017, section 5, Publication and Availability of Record, which mandates departments to proactively disclose information through their websites. It is also a mandatory obligation on public bodies under Article 19-A of the Constitution of Islamic Republic of Pakistan, as well as the honorable Supreme Court of Pakistan judgment dated 16 October 2023, in CP No. 3532/2023, which declared that;

"What previously may have been on a need-to-know basis Article 19A of the Constitution has transformed it to a right-to-know, and the Access to information is no longer a discretion granted through occasional benevolence, but is now a fundamental right available with every Pakistani which right may be invoked under Article 19A of the Constitution"

Transparency International Pakistan remains available for any technical assistance department may require, implementing the recommendations.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to eradicate corruption.

With Regards



Advocate Daniyal Muzaffar
Trustee/Legal Advisor
Transparency International Pakistan

Copies forwarded for the information with request to take action under their mandate to:

1. Secretary, Housing & Works Department, Islamabad.
2. Chief Information Commissioner, Pakistan Information Commission, Islamabad.

Annex-A

THE STATUS OF IMPLEMENTATION OF PROACTIVE DISCLOSURE BY CLIMATE RELATED DEPARTMENTS UNDER FEDERAL RIGHT OF ACCESS TO INFORMATION ACT 2017

| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | Avg |
|-----|------|------|------|------|------|------|------|------|------|
| (a) | 0.75 | 0.5 | 0.5 | 0.75 | 0.75 | 0.5 | 0.5 | 0.5 | 0.59 |
| (b) | 0.75 | 1 | 1 | 0.5 | 0.5 | 1 | 0.5 | 0.5 | 0.72 |
| (c) | 0.75 | 0.75 | 0.5 | 0.5 | 0.5 | 0.5 | 0.25 | 0.25 | 0.50 |
| (d) | 1 | 0.75 | 1 | 0.25 | 0.75 | 0.5 | 0.25 | 0.5 | 0.63 |
| (e) | 0.75 | 0 | 0.75 | 0.75 | 0 | 0.5 | 0.25 | 0.5 | 0.44 |
| (f) | 0.25 | 0.25 | 0.5 | 0.5 | 0.25 | 0.5 | 0 | 0.25 | 0.31 |
| (g) | 0.75 | 0.5 | 0.25 | 0 | 1 | 1 | 0.5 | 0 | 0.50 |
| (h) | 1 | 1 | 1 | 0 | 0.75 | 1 | 0.5 | 0 | 0.66 |
| (i) | 0.75 | 0.5 | 0.75 | 0 | 1 | 1 | 0 | 0 | 0.50 |
| Avg | 0.67 | 0.58 | 0.69 | 0.36 | 0.61 | 0.72 | 0.31 | 0.28 | 0.54 |

- 1 Ministry of Climate Change and Environmental Coordination
- 2 Ministry of Energy
- 3 Ministry of Finance, Revenue and Economic Affairs
- 4 Ministry of Housing & Works
- 5 Ministry of National Food Security and Research
- 6 Ministry of Planning, Development and Special Initiatives (MPD&SI)
- 7 Ministry of Water Resources
- 8 Ministry of Communications

4. Ministry of Housing and Works

| Clause | Website: https://mohw.gov.pk/index | Score |
|----------------|--|-------------|
| (a) | description of the public body's organisation and functions, duties, powers and any services it provides to the public, including a directory of its officers and employees, indicating their duties and functions and their respective remunerations, perks and privileges | 0.75 |
| (b) | statutes, statutory rules, regulations, bye-laws, orders and notifications, etc. applicable to the public body disclosing the date of their respective commencement or effect; | 0.5 |
| (c) | substantive or procedural rules and regulations of general application evolved or adopted by the public body, including any manuals or policies used by its employees; | 0.5 |
| (d) | relevant facts and background information relating to important policies and decisions which have been adopted, along with a statement of the policies adopted by the public body and the criteria standards or guidelines upon which discretionary powers are exercised by it | 0.25 |
| (e) | the conditions upon which members of the public can acquire any licence, permit, consent, approval, grant, allotment or other benefits of whatsoever nature from any public body or upon which transactions, agreements and contracts, including contracts of employment which can be entered into with the public body, along with particulars about the recipients of any concession, permit, licence or authorisation granted by the public body; | 0.75 |
| (f) | a description of its decision making processes as defined in the Federal Government's Secretariat Instructions, 2004 and any instructions for the time being in force for public to provide input into or be consulted about decisions; | 0.5 |
| (g) | detailed budget of the public body, including proposed and actual expenditures, original or revised revenue targets, actual revenue receipts, revisions in the approved budget and the supplementary budget; | 0 |
| (h) | the methods whereby information in the possession or control of the public body may be obtained and the prescribed fee required along with the name, title and contact details of the designated officials; | 0 |
| (i) | Reports including performance reports, audit reports, evaluation reports, inquiry or investigation reports and other reports that have been finalised; | 0 |
| Average | | 0.36 |