

VIEWS AND COMMENTS
ON
“DRAFT PUNJAB FREEDOM OF INFORMATION (FOI) Bill, 2013”
BY
CONSUMER RIGHTS COMMISSION OF PAKISTAN (CRCP)

General

The draft Bill is a remarkable piece of proposed legislation on Right to Information (RTI) in the Punjab Province. It is reasonably brief, precise and covers almost all pertinent aspects of a balanced and implementable legislation. . Following points are being presented based on detailed feedback by national and international RTI experts, RTI –Pakistan’s partners, Institute of Social and Policy Sciences I-SAPS, Commonwealth Human Rights initiative CHRI, Aqlaal Law Associates and Consumer Rights Commission of Pakistan CRCP. These points may please be considered to further improve the draft.

| Section/ Title | Text Under Review | Views/ Comments by RTI Experts and CRCP’s RTI Team | Recommendations By CRCP |
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| Title of the draft Act, first line of Preamble and Section 1(1). | <ul style="list-style-type: none"> • Title: The Punjab Freedom of Information (FOI) Act, 2013. • Preamble: The first line reads, “WHEREAS it is expedient to provide for transparency and freedom of information.....” • “This Act may be cited as Punjab Freedom of Information Act 2012. | The term ‘Freedom’ sounds passive in nature and signifies lack of restrictions, whereas Article 19A of the Constitution of Pakistan has recognized it as ‘Right to Information (RTI)’. In other words, ‘freedom’ is given as a favour or blessing whereas a ‘right’ belongs to citizens and can be claimed with dignity and authority. | The term ‘Freedom of Information’ should be replaced by ‘Right to Information’, where ever it appears in the title or text. |

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| Preamble | Preamble – Whereas it is expedient to provide for transparency and freedom of information to ensure that citizens have improved access to public information; to make the Government more accountable to citizens; to enforce the fundamental right of access to information in all matters of public importance; and to provide for ancillary matters; | There must be a reference to Article 19A, so that the impression created is that this law gives effect to a fundamental right. | Please add following lines in the preamble: “Whereas the right to access to information is guaranteed to the citizens of Pakistan under Article 19-A of the Constitution of Pakistan 1973; |
| Section 1(3) | It shall come into force at once. | The Act is rightly being implemented in phases, giving reasonable time for implementation of various clauses. It would be appropriate, if a reference is made to these Sections as exception to this statement. | The line should be amended to read, “It shall come into force at once, except for sections / clauses, where gestation period has been specifically mentioned in this Act, which shall come into force, as stated thereto. |
| Section 2(d)(iii) | (iii) the public information officer has refused to receive and process the application for access to information; | Section 2(d)(iii): Please replace 'and' with 'or' or else both conditions will have to be satisfied. This makes it tougher for the applicant. | (iii) the public information officer has refused to receive or process the application for access to information; |
| Section 2(d)(vii) | (vii) the information has deliberately been destroyed to avoid disclosure; or | Section 2(d)(vii): 'information sought' is a more specific phrase than the term 'information' | (vii) the information sought has deliberately been destroyed to avoid disclosure; or |
| Section 2(d)(viii) | (viii) the public body is not implementing the provisions regarding proactive disclosure or is violating any other provision of the Act; | Section 2(d)(viii): It is advisable to split these into two separate grounds as one is specific and the other is general | (viii) the public body is not implementing the provisions regarding proactive disclosure. (ix) the public body is violating any other provision of the Act; |
| Section 2(f) | (f) “information” means any | Section 2(f): Please include budgets, | The definition of Information |

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| | information relating to a public body's constitution, structure and official activities and includes any memo, book, design, map, contract, representation, pamphlet, brochure, order, notification, document, plans, letter, report, accounts statement, project proposal, photograph, audio, video, drawing, film, any instrument prepared through electronic process, machine-readable documents and any other documentary material regardless of its physical form or characteristics; | advice and opinion, file, file noting and documents and papers, samples and models and agreements and info about private bodies accessible to a public body under any law rule or regulation for the time being in force. Samples and models must be included as they are mentioned in the definition of the right to information. | may be revised accordingly. |
| Section 2(h)(iii) | (iii) secretariat of the Governor of the Punjab; | Chief Minister's (CM) Secretariat is missing from the list of provincial public bodies. We believe the CM Punjab should set an example of openness and transparency in the CM's Secretariat, for others to follow. The sub-section should be revised accordingly. | (iii) secretariats of the Governor and Chief Minister of the Punjab; |
| Section 2(h)(vii) | (vii) a body owned or non-government organization controlled or substantially financed by the Government or a local government; | Section 2(h)(vii): Instead of the phrase "substantially financed" it is better to use terms such as 'financed or aided'. as the former term has caused much confusion in India. Also please include the criterion of body performing public functions and list them out such as providing public transport, running schools, colleges, universities and hospitals, electricity distribution, telephony services etc. | (vii) a body owned or non-government organization controlled, financed or aided by the Government or a local government; (viii) any other body which undertakes one or more of the following public functions: (to be decided by the Government of Punjab, as per guidelines set-out under comments to this clause) |

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| Section 2(j) | (j) "Right to information means" the right to obtain information accessible under the Act. And includes the right to: | Section 2(j): In order to make the law applicable to information held by the public bodies as on the date of enforcement please insert "held by public bodies" after the term ;information'. or else disputes may arise about prospective effect of the law i.e., the law may be interpreted to cover only such information created or collected after this law enters into force. This argument was countered in India effectively because the phrase 'held by' was mentioned in the corresponding clause of the RTI Act. | (j) "Right to information" means the right to obtain information held by public bodies, accessible under the Act and includes the right to: |
| 2(k) | Term 'third party' has been used in the Bill, but not defined. | Section 2: The term 'third party' used in this Bill also must be defined clearly. | (k)"third party" means a person other than the citizen making a request for information and includes a public authority. |
| Section 3(1) | 3. Access to information. -(1) Subject to the provisions of this Act, an applicant may exercise the right to information. | Section 3: Please insert the phrase "from public bodies" at the end of this clause. | 3. Access to information. -(1) Subject to the provisions of this Act, an applicant may exercise the right to information from public bodies. |
| Section 4(a) | (a) particulars of the public body, its functions and duties; | Section 4(a): please include "structure and organisation" in this sub clause. | (a) particulars of the public body, its structure, organization, functions and duties; |
| Section 4(d) | (d) Acts, Ordinances, rules, regulations, notifications, circulars and other legal instruments being enforced, issued used by the public body in discharge of its functions; | Section 4(d): Please include manuals also. | (d) Acts, Ordinances, rules, regulations, manuals, notifications, circulars and other legal instruments being enforced, issued used by the public body in |

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| | | | discharge of its functions; |
| Section 4(e) | (e) a statement of categories of information being held by the public body; | Section 4(e): It is better to use the term 'records' or 'files' here as information becomes vague in this context. Also please specify in this clause that it includes information held electronically also. | (e) a statement of categories of 'records' or 'files' being held by the public body; |
| Section 4(f) | (f) a description of its decision-making processes and any opportunities for the public to provide input into or be consulted about decisions; | Section 4(f): Please include channels of supervision and accountability in this sub-clause as this is what people need to know most when an officer refuses to work according to the rule | (f) a description of its decision-making processes, channels of supervision and accountability and any opportunities for the public to provide input into or be consulted about decisions; |
| Section 4 | 4. Proactive disclosure | Section 4: Please bring in additional categories from Bangladesh's RTI Act here relating to the procedure for awarding contracts, authorizations and permits. Also please include a requirement to disclose all facts and figures relating to policies and important decisions that affect the public in a routine manner; and the duty of a public body to give reasons for all of its administrative and quasi-judicial decisions to affected persons. (See 4(1)(c) and (d) of the Indian RTI Act). Please include the principle that information should be disclosed proactively so that people's need to ask for information formally under this law is reduced. Please explain the modes of | As proposed. |

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| | | dissemination of this information and the language in which this must be done. (Please see Section 4 of the Indian RTI Act) | |
| Section 5 | 5. Punjab Information Commission | Section 5: 1) ICs should be appointed by the Governor on the recommendations of this selection committee. Or else they will always be subordinate to the CM. 2) As this is a 2-member committee the law must also say what happens if the members do not agree on a name? Who has the casting vote? or you could make it a three member committee where majority decision prevails. The third person could be the Chief Justice of the Lahore High Court. This could ensure that the appointment will not be politicised. Also please put in a clause which requires prior advertising of vacancies, call for applications from the public for vacant posts and the adoption of a transparent process for selection. Absence of these conditions is a major problem in India and Bangladesh. | As proposed. |
| Section 5(2)(c) | (c) a person from civil society having experience of not less than fifteen years in the field of mass communication academic or right to information. | Section 5(2)(c): 'academic' is too vague a term. It is better to specify which fields of specialization you would like to include. Examples, social service, management, science and technology etc. or else people with this kind of specialization will be discriminated against and it may not meet | (c) a person from civil society having experience of not less than fifteen years in the field of right to information, mass communication, social service, development sector, management, science and |

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| | | the test of the fundamental right to equality guaranteed by the Constitution. | technology etc. |
| | | Section 5: The salary and status of the Commissioners should be specified. It should be above the highest ranking bureaucrat in the Province or equivalent to a judge of the High Court. The law must also say that the remuneration package of a Commissioner shall not be varied to his disadvantage during his tenure. | As proposed |
| Section 5(5) | (5) The Government may remove a Commissioner if an open inquiry held by a special committee of the provincial Assembly of the Punjab, specially constituted for the purpose through a resolution of the Provincial Assembly, finds that misconduct has been committed by the Commissioner or the Commissioner has become incapable performing the duties of the Commissioner by reason of physical or mental incapacity. | Section 5(5): This method for removal could also become highly politicized. Instead a reference must be made to the High Court to inquire into serious allegations of misbehavior or incapacity and a positive report should form the basis for action in the Provincial Assembly. A single body must not inquire, prosecute and punish a person. This is against the principle of checks and balances. There must be a provision for suspension of a Commissioner during the pendency of the inquiry and the action in the Assembly. This power must be given to the Governor. The accused Commissioner must be given an opportunity to present his case before the Assembly before a resolution is adopted as this is an essential principle of natural justice. The Governor must also have the power to remove a Commissioner on other grounds such as insolvency, criminal indictment etc. | May be revised accordingly |

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| Section 5(7) | (7) The Government shall allocate adequate funds to the commission to enable it to establish a secretariat, hire the requisite staff to conduct its business properly, and promote access to information among the wider public, public servants and civil society. | Section 5(7): This makes the Commission dependent upon the Government for everything under the financial accounting rules. So it is better to specify that grants-in-aid will be sanctioned to the Commission with the approval of the Assembly so that they may spend the money in an autonomous manner, subject to statutory audit of course. They should also have the freedom to hire competent staff from the market apart from receiving officers on deputation from the Provincial Government. | May be revised accordingly |
| Section 6(1) | .-(1) The Commission shall receive complaints or determine the public interest under section 13 and resolve any inconsistencies in the application of the provisions of this ACT or the rules. | Section 6(1): 1) The grounds for filing a complaint before the IC must be specified clearly. 2) Demand for unreasonably high fee by the PIO for supplying information must be a ground for the complaint. 3) The onus of justifying rejection of an information request must be on the officer issuing such a rejection order during the internal review and complaint stage. 4) The law must clearly state that the decision of the IC is binding if Section 16 is to become a reality. | May be revised accordingly |
| Section 6(3) | (3) While inquiring into a complaint, the commission may examine any | Section 6(3): This provision could be expanded further to empower the IC. | May be revised accordingly |

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| | information on spot or get it examined by an officer appointed by the commission. | According to international best practice standards the IC should have powers of searching the premises of the public body for records claimed to be lost by officials. They should also have the power to question employees of the office on the premises of the public body. This is essential as a common excuse for not furnishing information is that files have gone missing. The Coalgate scam in India is the most recent example of files gone missing and even courts cannot get access to them. This is a burning issue right now for the mass media in India. | |
| Section 6(4) | (4) The commission may, while deciding a complaint, impose the prescribed fine upon the public information officer in prescribed manner. | <p>a. It is worthwhile laying down a system of fine or penalties in the primary legislation i.e. FOI/ RTI Act, whereas procedures in this regard can be covered under rules. It is worth mentioning that same practice has been adopted in Indian RTI Act 2005 and this single clause has meaningfully enhanced the effectiveness of RTI in India.</p> <p>b. Apart from monetary fine the public body should also be liable to pay compensation if unreasonable denial or delay in giving information causes any loss or detriment to the applicant/complainant.</p> | May be revised accordingly. |
| Section 6(5)(a) | (5) The commissions shall facilitate the application of the provisions of this Act through the following | Section 6(5)(a): These powers will make sense only if the IC is also empowered to | May be revised accordingly |

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| | <p>functions, in addition to any other functions as may be prescribe:</p> <p>(a) Issuing directive to public bodies for preservation, management, public, publicity and access to information;</p> | <p>demand reports on action taken from the public bodies to which such directives are issued. If such a provision is not included there will be no way for the IC to check compliance with its orders. Where the IC's function is merely advisory in nature as in clause (d), this reporting requirement may be dispensed with.</p> | |
| Section 6(5)(b) | <p>(b) Deciding a complaint within thirty days of receiving it or, for good reason, within sixty days of receiving it;</p> | <p>In case of 60 days, the 'good reason' needs to be recorded in writing, for consumption of the complainant.</p> | <p>(b) Deciding a complaint within thirty days of receiving it or, for good reason, to be recorded in writing, within sixty days of receiving it;</p> |
| Section 6(5)(f) | <p>(f) establishing an information web portal,</p> | <p>Section 6(5)(f): This provision will work only if all public bodies upload the necessary information. If there is a high degree of willingness to comply, this function is best left to the administrative department in charge of implementing this law. The IC has other onerous functions to take care of.</p> | <p>May be revised accordingly</p> |
| Section 6(g) | <p>(g) compiling a user hand book in Urdu and English, containing such information in easily comprehensible form and manner, as many reasonably be required by a person who wishes to exercise the right to information under this Act and the user hand book shall contain</p> | <p>Section 6(g): It is important to include provisions for educating people about the value and use of this law. This will help promote awareness and this will give a push from below to the agenda of transparency. Please see Section 26(1) of the Indian RTI Act for a sample.</p> | <p>As proposed</p> |

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| | all pertinent information, required by the public information officer for implementation of this Act; | | |
| Section 6(5)(h) | (h) preparing an annual report on the implementation of the provisions of this Act during that year and submit it to the Government for laying before the Provincial Assembly of the Punjab. | Section 6(5)(h): The report must contain much more information about implementation. It must contain statistics relating to number of requests received, denied or where information was furnished. The number of times exemptions were invoked must also be recorded. Please see Section 25(3) of the Indian RTI Act for a sample. Giving summaries of information requests may become difficult when their number grows into thousands. Instead, it is better to make it obligatory for a public body to get access to a website (its own or hired) and upload all information requests received and the information supplied to the requestor in an indexed form. These are called information logs in the UK. BBC website is an example. In India Indian Railways follows this practice even though the RTI Act does not place such a duty. This will help reduce repeated requests for the same information from multiple applicants. The Information officer can easily direct them to the website which will save him and the applicant a lot of time. | As proposed. |
| Section 8(1) | 8. Maintenance and indexing of information. - (1) Subject to | Section 8(1): Instead of merely saying ‘easily accessible form’ it is better to say | As proposed. |

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| | provisions of this Act and as may be prescribed, a public body shall ensure that an information is properly maintained in an easily accessible form. | “in a manner that facilitates the right to information under this Act.” Then the emphasis will be on access for the people instead of access to the officials to the public body. | |
| Section 8(2)(b) | (b) easy and authorized electronic access of information by an applicant. | Section 8(2)(b): This provision is problematic because it may cover information that attract exemptions which may not be disclosed unless there is overweighing public interest. So the suggestion given in the immediately previous comment takes care of this idea of making access easy to people. | May be deleted. |
| Section 10(1) | 10. Application procedure. - (1) An applicant may make an application to a public information officer on an information request form that shall be made easily available to the public both electronically and on paper by the public body. | Section 10(1): If use of forms is made compulsory, public bodies will use this an excuse to reject or return requests on technical grounds. The exercise of a fundamental right should not be made contingent on the use of a form. Plain paper applications should also be accepted so long as they cover all fields mentioned in the printed form. A form should therefore be optional, just to facilitate the requesters. | .---(1) Subject to the provisions of this Act, any citizen may lodge a request for information with a public body through the public information officer. A request for information shall be made in writing and lodged in any manner in which the public body has the facilities to receive it, including in person, by mail, by fax or by e-mail. Any written request for information which identifies the information or record sought in sufficient detail to enable the public body to locate it, and which includes an address for |

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| | | | delivery of the information or record, shall be treated as a request for information. A public body may provide an optional form for making requests for information, with a view to assisting requesters to make requests. |
| Section 10(2) | (2) An applicant shall not be required to provide reasons for their requests and shall only be required to provide an adequate description of the information and the necessary details to enable provision of the information | Section 10(2). Language error in second line needs to be corrected. | (2) An applicant shall not be required to provide reasons for his request and shall only be required to provide an adequate description of the information and the necessary details to enable provision of the information |
| Section 10(4) | (4) Where an applicant has indicated a preferred form of access, including a physical copy, an electronic copy or an opportunity to inspect documents, the public body shall provide access in that form unless to do so is likely to interfere with its operations or harm the document. | Section 10(4): "interference with its operations" is too broad a ground to deny access to information in the form sought by the applicant. This can become a ground for rejecting requests. Instead the criterion of "disproportionate diversion of resources" may be used to change the mode of access. This clause should never be used to reject an application or deny access to information. | May be revised accordingly |
| | (6) The public information officer shall respond to an application as soon as possible and in any case within twenty-one working days, provided that this may be extended by a maximum of a further twenty-one working days where this is necessary, including because the request requires a search | Section 10(6): Third parties must have the same right to seek internal review or make a complaint if they are aggrieved by an order of the PIO. Provisions relating to third party rights must be incorporated in the Bill before tabling it in Parliament. Please see Sections 11 and 19 of the Indian RTI Act for a sample. | As proposed |

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| | through a large number of records or consultation with a third party or any other public body, but the public information officer shall provide an information related to life or liberty within two working days of submission of the application. | | |
| Section 11(2)(b) | (b) if the public information officer do not know the public body or the office where the requested information or the part of the information is not available with the public body. | Section 11(2)(b): 1) Please replace the word 'do' with 'does'. 2) This clause will be used more often than the transfer clause as it is easy for the PIO to say that he does not know which public body holds the information. The purpose of proactive disclosure under Section is also to enable the PIO to transfer applications to the correct public body by checking it up online. If a PIO being an officer of government does not know where to send the application how can an ordinary person know where to submit his request. This clause may be deleted to prevent misuse. | This clause may be deleted to prevent misuse. |
| Section 12(1)(b) | (b) unreasonable behavior by the public information officer in the exercise of any discretion under the Act; or | Section 12(1)(b): Another ground for internal review can be "demand for unreasonable amount of fee for providing information". | (b) unreasonable behavior by the public information officer in the exercise of any discretion under the Act or demanding unreasonable amount of fee for providing information ; or |
| Section 12(3)(a) | (a) confirm, modify or reverse the decision of the public information officer; | Section 12(3)(a): Where an officer reviewing the decision of a PIO decides to modify it or reverse it, it must be made obligatory for him to ensure supply of the information within a specific time limit. If a third party is required to be contacted for the purpose of the | As proposed |

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| | | internal review, 21 working days may not be enough. Please consider increasing the time limit for decision-making in such cases to 30 or 35 working days | |
| Section 12(3)(c) | (c) order departmental action against the public information officer if found negligent in performance of duties under this Act. | Section 12(3)(c): Unscrupulous senior officers may use this power as a stick to harass honest officers. So the PIO must be given an opportunity of being heard before departmental action is initiated against him. | (c) order departmental action against the public information officer if found negligent in performance of duties under this Act. However, the Public Information Officer must be given an opportunity of being heard before departmental action is initiated against him. |
| Section 13(1)(d) | (d) the legitimate commercial interests of a public body or a third party, including information subject to third party intellectual property rights; | Section 13(1)(d): 'Legitimate commercial interests' is too vague a term. Instead, the phrase 'Information whose disclosure may harm the competitive position of a public body or third party may be used in addition to protecting IPRs. Please note that in many countries, the only IPR which is kept a secret is a trade secret. All other IPRs such as copyrighted material and designs, patents, geographical indications etc. must be in the public domain as a rule. The only restriction is their commercial use by third parties without a license from the rights holder. | As proposed. |
| Section 13(1)(h) | (h) the effective formulation of or success of a policy either by its premature disclosure or by restraining the free and frank provision of advice within the Government. Public | Section 13(1)(h): As Section 13(2) already provides for disclosure of exempt information in the public interest, there is no need to repeat the same in Section 13(1)(h). It is better that all such matters be decided by the | This clause should be deleted. |

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| | information officer shall disclose the information if the public interest in such disclosure outweighs the harm that shall or is likely to result from such disclosure. | IC as public bodies often do not apply public interest principles to disclosure properly. Moreover, a policy making cycle, that effectively seeks and shares the public feedback, especially when the citizenry is well informed, and the policy makers are exposed to public scrutiny, policies are expected to be more realistic, effective and people centric.. This clause should therefore be deleted. | |
| Section 13(3) | (3) Where a part of a document is covered by an exception in subsection (1), any information in the document which is not covered by an exception shall be disclosed if it is reasonably severable from the rest of the document. | Section 13(3): This provision must also be subject to internal review procedure and complaint procedure before the IC. | As proposed |
| Section 13(4)(b) | (b) reasons which connect the information with the provisions of the Act; | Section 13(4)(b): PIOs and officers undertaking reviews of a PIO's decision often do not give detailed reasons for their orders of rejection. So the Bill must make it obligatory for both the PIO and the review officer to record speaking orders while rejecting requests for information or internal review. | As proposed |
| Sections 14 and 15 | 14. Offence.- In addition to any other action under any other law, any person who destroys a record which at the time it was destroyed was the subject of an application for access to information , internal review or complaint, or otherwise obstructs access to information which is the subject of an application , internal | Sections 14 and 15: Offences are tried in courts which is only proper. However the IC is also empowered to impose penalties. The Bill must include a clearly worded list of violations that will attract monetary penalty for the PIO. Please see Section 20 of the Indian RTI Act for a sample. The Indian RTI Act does not provide for penalizing the internal review officer. As a result such officers have little fear of violating the law. Punjab may consider including a penalty for the internal review | |

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| | <p>review or complaint, with the intention of preventing its disclosure under this Act, commits an offence punishable with imprisonment for a term not exceeding two years or with fine or with both.</p> <p>15. Cognizance for Offence.- A court shall not take cognizance of the offence punishable under this Act except on a report in writing of the facts constituting such offence made with the previous sanction of the commission or an officer authorized by the commission .</p> | <p>officer also for violating the provisions of this law without reasonable cause. Both the PIO and the internal review officer must be given an opportunity of being heard before the penalty is imposed on them. It is advisable to have a graduated system for imposing penalty apart from specific sums. Repeated violations must attract higher penalties.</p> | |
| Section 16 | <p>16. Bar of Suits .- A court shall not entertain a suit , application or other proceeding in respect of any decision made under this Act and the decision shall not be called in question otherwise than by way of an internal review or a complaint under the Act.</p> | <p>Section 16: A decision under this Act is normally made, once the options of internal review and complaint with Information Commission have been exhausted. What is the remedy, if a person feels aggrieved by the decision under this Act? We hope this clause does not oust the scope of judicial review in the High Court and the Supreme Court. Under the Indian RTI Act despite the decision of the ICs an aggrieved party can still go to the High Court under writ jurisdiction and later to the Supreme Court through a Special Leave Petition.</p> | <p>The Act must provide for judicial review in Lahore High Court and Supreme Court of Pakistan, as it clearly relates to honouring a fundamental right granted under Article 19-A of Constitution of Pakistan.</p> |
| Section 20 | <p>20. Act to take precedence over other laws.- The provisions of this Act shall take precedence over the provisions of any other law.</p> | <p>Section 20: This clause must be tempered with the phrase "to the extent of inconsistency with such other laws" or else it may lead to confusing situations. A sub-clause may also be included here to state that this law does not prohibit information disclosure required under other laws, rules or regulations in force.</p> | <p>20. Act to take precedence over other laws.- The provisions of this Act shall take precedence over the provisions of any other law, for the time being in force, to the extent of inconsistency with such other laws.</p> |

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| Section 21. | | <p>The Bill is silent about protection of Whistleblowers, which is a dire necessity under the prevailing circumstances. Unless we give protection to whistleblowers, we cannot control the rapidly growing menace of corruption. In this regard, we can start with a Section on protection of Whistleblowers and once the systems mature; the Government can enact a separate law for whistleblowers.</p> | <p>21. Protection of Whistleblower:</p> <ol style="list-style-type: none"> 1) It shall be a responsibility of employees of public body to provide information on any ongoing or probable corruption or irregularities or any deed taken as offence under the prevailing laws. 2) It shall be the duty of information receiver to make the identity of whistleblower in accordance with Sub-Section (1) confidential. 3) Individuals who disclose information will not be subjected to any legal, administrative or employment related sanction as long as they acted in good faith and in the reasonable belief that the information was substantially true and disclosed evidence of wrongdoing or a serious threat to public health, safety or the environment or a specific or substantial danger to public interests. 4) If any punishment or harm is done to the whistleblower |

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| | | | <p>against the Sub-Section (3), the whistleblower may complain, along with demand for compensation, before the Information Commission for revoking such decision.</p> <p>5) While investigating the complaint in accordance with Sub-Section (4), the Information Commission may order including to revoke the decision of removal from the office if he is removed from office and for the compensation if any damages occurred to the whistleblower.</p> |
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