

A Study of The Proactive Disclosure of Information by City District Government Karachi



The foundation stone for the KMC Building was laid in 1927, construction was completed in 1930,

Shehri - Citizens for a Better Environment



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- **Commonwealth Human Rights Initiative (CHRI)**
The concept of this publication was formulated
by the Commonwealth Human Rights Initiative (CHRI).



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The objectives of CHRI are to promote awareness of and adherence to the Commonwealth Harare Principles, the Universal Declaration of Human Rights and other internationally recognised human rights instruments, as well as domestic instruments supporting human rights in commonwealth member states.

"CHRI supports the cause of RTI and has provided guidance for this publication"

Friedrich Naumann
STIFTUNG **FÜR DIE FREIHEIT**

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**A Study of
The Proactive Disclosure of Information
by
City District Government Karachi**

**by:
Shehri - Citizens for a Better Environment**

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In this Book wherever City District Government Karachi (CDGK) has been mentioned, it should be read to mean as Karachi Municipal Corporation (KMC), as the nomenclature of Karachi City District Government has changed from CDGK to KMC and vice versa.

Sindh Local Government Act (SLGA) 2013 was passed by the Sindh Assembly on August 19, 2013 and it was signed by the Acting Governor of Sindh, His Excellency Agha Siraj Durrani on 26th August 2013.

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Disclaimer:

Every effort has been made to ensure the accuracy of the contents of this publication. The Editor or the organization does not accept any responsibility of any omission as it is not deliberate. Nevertheless, we will appreciate provision of accurate information to improve our work.

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The Concept Note

A STUDY OF THE PROACTIVE DISCLOSURE OF PROMINENT CITY CORPORATIONS IN SOUTH ASIAN COUNTRIES

BACKGROUND

Commonwealth Human Rights Initiative (CHRI) objective is to anchor a community of practice (CoP) on the right to information (RTI) in South Asia. The aim of the CoP was to bring together RTI activists and advocates on to a platform called South Asia Right to Information Advocates Network (SARTIAN) for the purpose of knowledge exchange, experience sharing, in short, for the co-creation of knowledge on RTI. It is widely recognized around the world that CoPs are the means by which members united by common interest, purpose and goals developed through mutual consultation create and share knowledge and deposit it in cyberspace for any person or institution to access. Apart from knowledge co-creation CoPs also undertake concerted action on issues of interest to further their common purpose. This could be in the form of purposive research and/or advocacy campaigns undertaken by CoP members working towards a common goal of reform. The knowledge, experience and outcomes of such action is documented and posted in cyberspace for other similarly interested individuals and groups to make use of.

In South Asia, the first right to information laws were passed in India at the provincial level during the late 1990s. Pakistan was the first country to adopt a national level access law [Freedom of Information Ordinance (FOIO)] in 2002. Later India, Nepal and Bangladesh enacted laws requiring governments at all levels to become transparent. Usage of such laws varies from country to country and within each country. One common factor noticed across the region was the increasing number of requests made to urban local bodies such as city corporations and municipalities. These bodies were responsible for providing a range of services and amenities to people in their jurisdiction. Given the size and concentration of urban populations, it was only natural to expect increased interaction between people and such local self-governing bodies in the context of the former's needs and the latter's duties and responsibilities laid down in law. Ordinarily the statutes establishing such bodies required them to disclose some categories of information to their clientele proactively. Where such bodies were covered by the national or provincial (State) FOI/RTI law, they have additional obligations to be transparent even to the extent of responding to information requests under strict timelines and sometimes on pain of penalty.

Members of SARTIAN CoP have been filing information requests with various public authorities including urban local bodies. These efforts are linked to their own plans of action and strategies designed to bring about governance reform in their countries. During discussions with some of the partners based in Pakistan, Bangladesh and India a common concern emerged, namely, inadequate levels of transparency in the working of urban local bodies. So it was agreed that CHRI would commission and coordinate specific studies of the

principles and practice of proactive disclosure of information observed by city corporations in three S. Asian countries, namely Bangladesh, India and Pakistan. ANSA-SAR had offered resource support for this exercise.

PURPOSE OF THE STUDY

In simple terms the purpose of each study was to make an assessment of the theory and practice of proactive or voluntary disclosure of information in pre-select urban local bodies and develop practical recommendations for improving transparency and timely disclosure of information. Upon completion of the three studies the findings were shared with all SARTIAN CoP members in an attempt to develop some basic minimum standards of proactive information disclosure for urban local bodies across S. Asia. These may be used by SARTIAN members in their advocacy efforts within their own countries. Such a study and the resulting recommendations can also be used for advocacy with the South Asian Association for Regional Cooperation (SAARC) to bring back transparency in governance as a focus theme on its agenda. The SAARC Social charter adopted in 2004 was required Member States to promote greater levels of transparency in the public, private national and international institutions. It was obvious that this declaration covered urban local bodies in each country. The findings and recommendations emerging from the study may be used to advocate with SAARC member States to deliver on this commitment.

URBAN LOCAL BODIES COVERED

The following urban local bodies were covered under this research exercise. The names of SARTIAN members who have undertaken the study given below:

Country	Name of the Urban Local Body	Name of the Organisation undertaking the study	Remarks
Bangladesh	Dhaka City Corporation	<i>Research Initiatives, Bangladesh (RIB)</i>	RIB will decide which of the two city corporations will be the focus
India	Municipal Corporation of Delhi	<i>CHRI, New Delhi</i>	CHRI will decide which of the three city corporations will be the focus
Pakistan	Karachi City Corporation	<i>Shehri-CBE, Karachi</i>	Shehri-CBE agreed to cover all offices of the Karachi City Corporation lying in different zones

SCOPE OF THE STUDY

The study covered both principles and practice of transparency in the selected city corporation.

Principles: What is the extent of transparency in the working of the city corporation required by law?

The first part of the study looked at the proactive disclosure provisions contained in the constituting laws, rules, regulations and bye-laws in relation to each city corporation. For example, identifying legal provisions that was required the text of the constituting law, rules, regulations and bye-laws of the city corporation made accessible to people for inspection or for purchase. The second part looked at the provisions of law that were required the city corporation to give notices of its actions or proposed actions to people through

various means. These contained in the enactment itself or in the rules, regulations and bye-laws relating to the city corporation. For example, identified provisions relating to proposals for levying taxes, tolls, cesses, fines or for imposing any other financial burden on the people of the area or the duty to publish electoral rolls and make them available to people for inspection. The third part looked at the provisions, if any, in the laws rules and regulations relating to each city corporation, according to which committee meetings must be held in the open so that people may attend; or if the minutes of such meetings are to be made available to people proactively or on request. This part of the study also looked at provisions in the laws, rules, regulations and byelaws requiring elected members or officials of the city corporation were required to hold meetings in their wards and constituencies to brief people about the working of the city corporation. Often budgets of such bodies were required to be pasted on the notice boards or on websites. If this was the case the enabling provisions must be studied and included in the report. Further the study looked at issues such as: the laws, rules and regulations requiring the city corporation to appoint any point person such as a public relations officer for providing information to visitors and legal requirements that the city corporation disseminate information through the mass media.

The fifth part of the study looked at the applicability of the relevant RTI law to the city corporation. For example, what kinds of information is required to be proactively disclosed by the city corporation and through what means (notice boards, posters, pamphlets, websites, newspaper advertisements, broadcasting or telecasting or through mobile phones). Did the applicable RTI law require the appointment of a point person to deal with people's requests for information law?

Practice: How transparent the city corporation is in reality?

Once the first five parts were researched and understood, the next step was to test these disclosure provisions for their efficacy. In other words, whether the city corporation was complying with the transparency requirements first, required under its own laws, rules, regulations and byelaws and next as required under the RTI law that was applicable to each city corporation. This involved the following kinds of assessment:

WEB CONTENT ANALYSIS

The part of the study covered the following areas:

Did the city corporation have a website of its own? If so what was the language used? How do people access the website (through cyber cafes, home computers with Internet access or through computer kiosks set up by the city corporation at its offices)?

What categories of information were displayed on the website? Which categories match with the proactive disclosure requirements under the constituting law, rules, regulations and bye-laws applicable to the city corporation? Which categories of information displayed on the website match with the proactive disclosure requirements required under the applicable RTI Act? Which categories are missing?

ASSESSMENT OF PROACTIVE DISCLOSURE FROM THE OFFICE PREMISES

This part of the study covered the following areas:

What kinds of information are displayed on notice boards, through posters, hoardings, billboards, wall paintings, cloth buntings and flex banners on the premises of the city corporation? How often are they updated or replaced with new information?

ASSESSMENT OF PROACTIVE DISCLOSURE THROUGH THE MASS MEDIA

This part of the study covered the following areas:

What kinds of information were published by the city corporation through the print media? What kinds of information were disseminated through the radio and television? Was there a requirement for making public announcements about anything through loudspeakers and itinerant announcers etc. (namely, those who make repeated announcements using mikes and while touring different parts of the city).

RECOMMENDATIONS FOR IMPROVING THE LEVEL AND DEPTH OF PROACTIVE DISCLOSURE

This final part of the study contained practical recommendations for improving compliance of city corporations with proactive disclosure obligations under the constituting law, rules, regulations and bye-laws as well as the RTI Act which is applicable. The recommendations must be aimed at making the delivery of services by the city corporation more transparent to the people living in its jurisdiction and also enabling those people to hold the city corporation accountable for its actions and omissions. It should also identify the constraints that city corporations are currently facing that prevent greater levels of proactive disclosure of information and make practical solutions.

METHODOLOGY OF THE STUDY

The study conducted in the following manner:

- 1) **Stage 1:** Research and compilation of provisions relating to information disclosure and transparency contained in the constituting laws, rules, regulations and bye-laws of each city corporation.
- 2) **Stage 2:** Research and compilation of findings about the kinds of information displayed on the website of the city corporation.
- 3) **Stage 3:** Visit to the premises of the city corporation to document the kinds of information displayed through notice boards, posters, hoardings, billboards, wall paintings, cloth buntings or flex banners.
- 4) **Stage 4:** Interview one or two senior elected members such as Mayor or corporator or senior administrative officers such as the Secretary or the Administrator (if there is no elected body) or public relations officer to understand the use of mass media to disseminate information to the general public.
- 5) **Stage 5:** Compilation of draft report and recommendations for improving transparency and submission to CHRI.
- 6) **Stage 6:** Submission of final report to CHRI after incorporating suggestions and recommendations.

A STUDY OF THE PROACTIVE DISCLOSURE OF PROMINENT CITY CORPORATIONS IN SOUTH ASIAN COUNTRIES

Project Sponsor: **Affiliated Network for Social Accountability - South Asia Region**
through **Commonwealth Human Rights Initiative (CHRI)**

Organization Undertaking the Study: **Shehri-Citizens for a Better Environment**

Urban Local Body to be Covered: **City District Government Karachi (CDGK)**

Scope of the Study: **Principles and Practice of Pro-active disclosure by CDGK**

STUDY FRAMEWORK:

Step 1: IDENTIFYING LAWS GOVERNING PROACTIVE DISCLOSURE & FREEDOM OF INFORMATION

1 st Part	Provisions for Pro-active disclosure of the constituting laws themselves.
2 nd Part	Provisions that require the city corporation to give notices of its actions.
3 rd Part	Provisions that require committee meetings to be open to public.
4 th Part	Provisions that require the city corporation to appoint a focal person.
5 th Part	Applicability of the relevant RTI law to the city corporation.

Step 2: ASSESSMENT OF PRO-ACTIVE DISCLOSURE PRACTICES OF CITY DISTRICT GOVERNMENT KARACHI

1 st Part	Web-Site Analysis for Pro-Active Disclosures.
2 nd Part	Pro-active disclosures through Notice boards, Posters, Billboards, etc.
3 rd Part	Assessment of pro-active disclosures through mass-media.
4 th Part	Interview of Senior City Government Officers.

Step 3: RECOMMENDATIONS FOR IMPROVING VOLUNTARY & PRO-ACTIVE DISCLOSURE OF INFORMATION BY CITY GOVERNMENT KARACHI

1 st Part	Recommendations, if any, by the interviewed Government Officers.
2 nd Part	Recommendations by Shehri.

BACKGROUND OF KARACHI CITY CORPORATION

Karachi City Corporation, at one time or another, depending upon the form of local government, has been called either **KARACHI MUNICIPAL CORPORATION (KMC)** or **CITY DISTRICT GOVERNMENT KARACHI (CDGK)**. Presently, the city government is referred to as City District Government Karachi (CDGK).

A brief chronology of the various municipal corporations and the laws that have governed Karachi is as follows;

1. 1846 - The first form of government was a conservancy board established to control the spread of cholera in the city by Sir Charles Napier.
2. 1852 - Sir Bartle Frere revives the conservancy board and Karachi Municipal Commission appointed.
3. 1853 - Karachi Municipality formed.
4. 1878 - Bombay District Municipal Act 1837 was extended to Sindh and included Karachi and taxation began
5. Bombay Act No III of 1901, for the management of municipal affairs of the city of Karachi, which at that time was part of Bombay Presidency.
6. 1882 - Lord Rippon, Viceroy of India passed resolution for local self-government and laid the foundation for democratic forms of Municipal governance in India
7. 1901 - This District Municipal Act of 1901 was the only Act relating to the municipalities of outside the city of Bombay, experienced showed that this act no longer met the requirements of the larger municipalities and the government therefore decided to undertake a separate act for the city of Karachi (in view of the intention of the government to provide Karachi Municipality with the bill of its own as soon as possible. Till then Karachi Municipality continued to remain under the District Municipal Act of 1925.
8. 1919 - Government of India Act incorporated Lord Rippon's resolution and powers of democratically elected government were formulated.
9. 20th March 1933, the City of Karachi Municipal Bill was passed which transformed the city administration into a Municipality with a mayor, a deputy mayor and 57 councilors.
10. In 1935, Sindh became a province after its separation from the Bombay Presidency and Karachi became its capital.
11. Over a period of time under the Government of India Act 1935, the legislative assembly in Sindh made amendments to the Karachi Municipal Act 1933.
12. Karachi Municipal Act 1944.
13. The West Pakistan Repealing Ordinance 1970 resulted in the Repeal in many Acts including new Local Government Ordinances were passed. In our research no where have we been able to establish that the Karachi Municipal Act of 1944 was ever repealed.

The following ordinances pertaining to the local government have been passed periodically by the various governments.

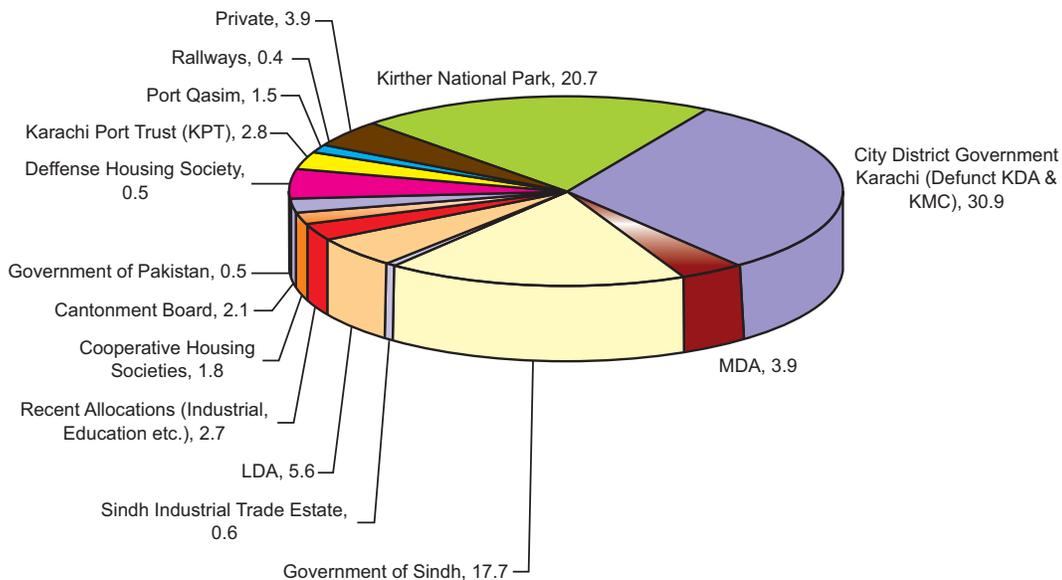
14. Sindh People's Local Government Ordinance, 1972 (SPLGO '72).
15. Sindh Local Government Ordinance, 1979 (SLGO '79).
16. Sindh Local Government Ordinance, 2001 (SLGO 2001).
17. Sindh Peoples Local Government Ordinance, 2012 (SPLGO 2012).

KARACHI CITY

Karachi is the largest and the fastest growing megacity of Pakistan with a population of over 16 million (2006), which is expected to reach 27 million mark by the year 2020. As a revenue generating base, Karachi contributes substantially to the national exchequer and the provincial revenues (almost to the extent of about 65% of the total revenues). The total land area of the Karachi district is approximately 3600 sq.km, of which about 1300 sq.km are occupied by the built-up area. The coastline in the district is about 135 kilometers.

The number of households in 2005 was approximately 2.1 million and by 2020 it is expected to increase to 3.9 million, A large segment of Karachi's population, roughly 40 percent, is afflicted with poverty, impacting the environment and the growth potential of the city.

In the city, district land planning and municipal control is fragmented into about twenty federal, provincial and local agencies with overlapping powers / functions with utter lack of coordination. These agencies include: 6 Cantonment Boards, Port Qasim Authority, Karachi Port Trust, Defence Housing Authority, Pakistan Steel, Pakistan Railways, Export Processing Zone, Sindh Industrial Trading Estate, Government of Sindh (Board of Revenue), City District Government Karachi, Lyari Development Authority, Malir Development Authority, Cooperative Housing Societies and private owners.



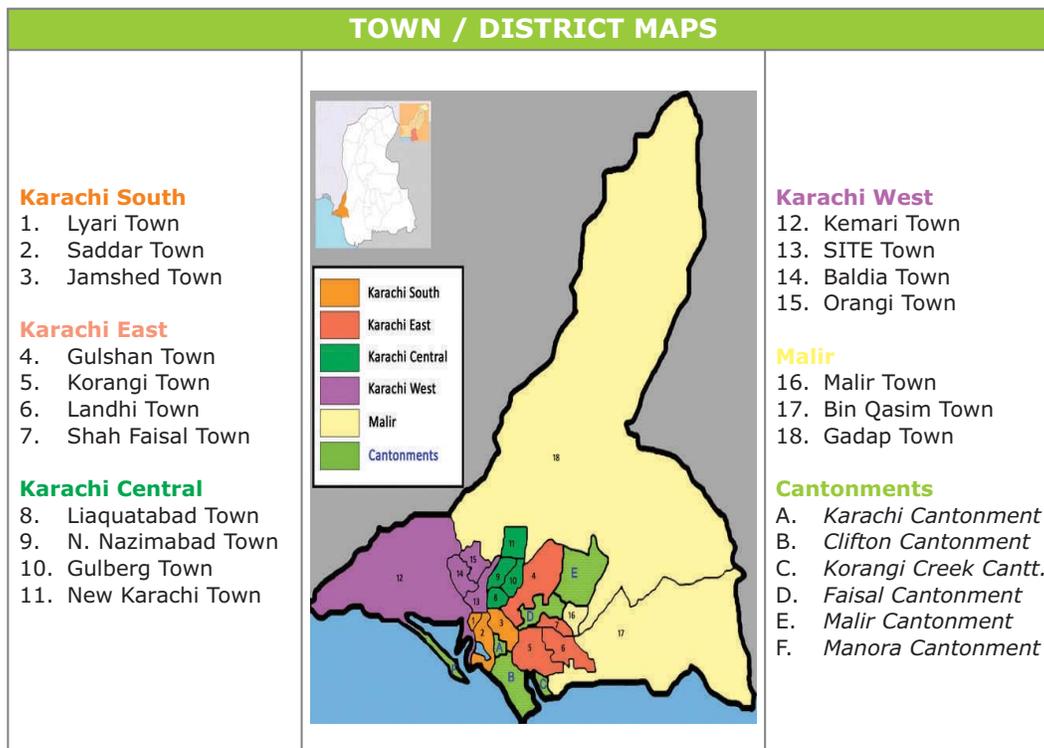
City District Government Karachi / KMC controls approximately 1/3rd of the total city area (3600 sq.km.), but if taken in the context of the built up area (1300 sq.km.), and the fact that it indirectly provides service structure to the other areas also, its share rises to between 50 - 60%.

LOCAL GOVERNMENT SYSTEM

Under the Municipal Corporation system, the local government consisted of the Karachi Metropolitan Corporation (KMC) and five District Municipal Corporations (DMCs), one for each district. 262 elected councilors elected the mayor of the city whenever there was an elected council.

However, under the present District Government System, administered through SPLGO 2012, Karachi is now one city district which has to be headed by a Nazim (mayor) and a Naib-Nazim (deputy mayor). The district is divided into 18 towns and each town is further divided into approximately ten union councils. Each town and union council is to have its own nazims and naib nazims. Since, no local body elections have been held there is no elected council, and the affairs of City District Karachi and the various towns under it are being run by government appointed bureaucrats, known as Administrators.

The City District Karachi is divided into 18 Towns;



OFFICES OF CITY CORPORATION

The office of **Karachi Municipal Corporation (KMC)** is located at **KMC Building, M.A. Jinnah Road, Karachi**, whereas the office of **City District Government Karachi (CDGK)** is located at **Civic Centre, Gulshan-e-Iqbal, Karachi**.



**Office of
KARACHI MUNICIPAL CORPORATION**



**Office of
CITY DISTRICT GOVERNMENT KARACHI**

DEPARTMENTS OF CITY CORPORATION

DEPARTMENT NAME	DEPARTMENT NAME	DEPARTMENT NAME
Accommodation	Information Technology Department,	Municipal Services
Agriculture	Inspection	Parks & Horticulture
Anti-Encroachment KDA Wing	Karachi Institute of Heart Disease	Recovery, KDA Wing
Anti-Encroachment KMC Wing	Karachi Mass Transit Cell	Safari Park
Charged Parking	Karachi medical & Dental College	Sports Complex KMC
City Institute of Image Management	Katchi Abadies	Stores & Procurement
Council	Land, K.D.A Wing	Technical Services
Culture Sports & Recreation	Land, K.M.C. Wing	Transport and Communication
Education	Law Department	Utility Charges
Enterprise & Investment Promotion	Literacy	Vehicle
Estate, K.M.C Wing	Master Plan	Veterinary
Finance & Accounts,	Media Management Department	Zoo
Human Resources Management	Medical Services	

FUNCTIONS OF CITY CORPORATION UNDER SPLGO 2012

- * Approve Bye-Laws.
- * Levy Taxes, Fees, Cess or Charges.
- * Long term and short term development plans.
- * Annual and supplementary budget of district/metropolitan council.
- * Elect committees for monitoring performances, and regulate their functions and review their quarterly reports.
- * Elect Ethics committee, Insaf Committee, Sports & Culture Committee, District Accounts Committee, Farm Produce Market Committee, etc.
- * Approve posts for the office staff of Chairman and staff of District Council.
- * Prepare master plans, zoning, classification and reclassification of land, environment control, urban design, urban renewal, etc.
- * Review implementation of rules and bye-laws governing land use, housing, zoning, environment, roads, public utilities, etc.
- * Planning Development and maintenance of inter-district Roads, Bridges, Street Lights and Storm Water Drains.
- * Coordination, Monitoring and Supervision of all inter-district development / maintenance work.
- * Undertake measures for good governance and delivery of services.
- * Approve honorarium for members of various committees who are not on the payroll of city corporation, but rather act in a voluntary capacity. These would include guest members of technical committees, sports committees or culture committees. It would also include guest speakers at seminars or workshops, who may or may not be given honoraria for services rendered.
- * Review audit reports, and performance reports.
- * Flood relief and storm-water drainage.
- * Enhancement of the care of disabled, paupers, aged, sick, persons of unsound mind, abandoned minors and delinquents, drug dependents, abused children, etc..
- * Maintenance of Abattoir and cattle colonies to be specified by Government.
- * Medical College and Technical / Specialized hospital e.g. Karachi Medical and Dental College. Abbasi Shaheed Hospital, Sobbraj Maternity Home, Sarfaraz Shaheed Hospital, Spencer's Eye Hospital.

- * Leprosy Hospital and such other institutions and specified by Government.
- * Zoological Gardens, Safari Park, Aquarium, Sports Complex and Beaches.
- * Art Galleries and Museums.
- * Metropolitans Library.
- * Municipal watch and ward.
- * Fire-fighting services.
- * Civil defense.
- * Removal of encroachments, and maintenance of foot-paths.
- * Traffic engineering, public transport, mass transit system, fly-overs, underpasses, etc.
- * Approve development schemes for beautification along rivers, beaches and sea-sides.
- * Water reservoirs.
- * Treatment plans, liquid and solid waste disposal, sanitation and other municipal services.

FINANCES / BUDGET OF CITY CORPORATION

Octroi¹ used to be the main stay of defunct KMC and 70% of the non-development expenditure including salaries to the staff was met out of the income from Octroi, when in 1999 it was abolished with the agreement that the Federal Government would compensate the local councils for their losses, through additional 2.5 percent GST² which the local government would collect. This compensation has, however, been unable to make up for the foregone Octroi and Zila Tax (OZT) revenue. The loss has only added to the already resource shortfall of the City District Government Karachi.

The revenues of KMC / CDGK comprise of;

- a. Income derived from recovery of taxes, fees, charges etc. (own resources) and grant (in lieu of Octroi / Zila Tax) from the Provincial Government out of the share of General Sales Tax.
- b. Income from sale of land and lease proceeds.(Capital income).
- c. Releases from the Provincial Government under District ADP.

-
1. **Octroi** – was a local tax that was collected by Karachi Municipal Corporation on goods that were brought within the municipal limits. It was abolished in 1999.
 2. **G.S.T.** – General Sales Tax is charged at the rate of 16% on products made by a registered person or on Good imported into Pakistan.

BUDGET FOR THE YEAR 2012-2013**RECEIPTS:****(Rs.in million)**

Current Receipts	25,669.81
Capital Receipts	2,959.33
Total	28,629.14
District ADP funds	3,000.00
Grand Total	31,629.14

EXPENDITURE:

Establishment	10,848.45
Contingent	2,311.63
Repair & Maintenance	476.83
Total	13,636.91
Major Development Schemes/Works	13,517.25
District ADP	3,000.00
Total	16,517.25
Funds/Share to DMCs	1,375.00
Grand Total	31,529.16

SURPLUS:**(+) 99.98 Million**

A sum of Rs4928.30million was shown as expected revenue in the budget from various departments including local taxes, Estate, Katchi Abadies, Orangi Projects, Charged Parking and Land Department whereas an amount of **Rs12800million would be received by KMC from the federal government as Octroi Matching Grant and Rs3000million in the head of District ADP from provincial government.** The other major expected sources of income include Rs2105.44 million from Master Plan Department, Rs1147.25million from Engineering Department, Rs1648.08million from Municipal Utility Charges & Veterinary Department, Rs1080.65million from Transport & Communication Department and Rs18.00million from Municipal Services.

Topmost priority had been given to development works with the allocation of Rs9167.34million to engineering department whereas another major amount of Rs3974.64million set aside for the health sector to provide better facilities to citizens in KMC run hospitals and dispensaries. The Education Department had been allocated with a handsome amount of Rs2754.73million for up gradation of schools and bringing improvement in the standard of education in government schools. Rs2167.13million had been set aside in the budget for provision of uninterrupted municipal services to the citizens of Karachi. Transport & Communication sector was allocated with a sum of Rs1624.08million whereas a sum of Rs1067.13million was allocated for development of parks and recreation facilities in the city. Other major allocations in the budget include Rs680.37million for Information Technology sector and Rs584.06million for the Sports and Recreation Department of KMC.

Step 1: IDENTIFYING LAWS GOVERNING PROACTIVE DISCLOSURE & FREEDOM OF INFORMATION

CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN	Article 19-A	<i>Every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law”</i>
FEDERAL LAWS	FEDERAL FREEDOM OF INFORMATION ORDINANCE, 2002	FREEDOM OF INFORMATION RULES, 2004 (framed under Section 25 of FOI)
	PUBLIC PROCUREMENT REGULATORY AUTHORITY ORDINANCE, 2002	PUBLIC PROCUREMENT RULES, 2004 (framed under Sec 26 of PPRA) PUBLIC PROCUREMENT REGULATIONS, 2008 (framed under Sec 27 of PPRA)
PROVINCIAL LAWS	SINDH FREEDOM OF INFORMATION ORDINANCE, 2006	RULES & REGULATIONS NOT FRAMED
	SINDH PUBLIC PROCUREMENT ACT, 2009	SINDH PUBLIC PROCUREMENT RULES, 2010 (framed under Sec 26 of SPPA)
LOCAL MUNICIPAL LAWS	SINDH PEOPLES LOCAL GOVERNMENT ORDINANCE, 2012	APPLICABLE TO CITY DISTRICT GOVERNMENT KARACHI, (CDGK)
DEPARTMENTAL BYE-LAWS	CHANGE OF LAND USE AND MASTERPLANNING BYE-LAWS, 2003	APPLICABLE TO “MASTER PLAN DEPARTMENT” OF C.D.G.K.
LOCAL DEPARTMENTAL LAWS	KARACHI BUILDING & TOWN PLANNING REGULATIONS 2002 KARACHI WATER & SEWERAGE BOARD ACT 1996 Etc.....	LIMITED TO KARACHI BUILDING CONTROL AUTHORITY LIMITED TO KARACHI WATER & SEWERAGE BOARD

1. CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN

Article 19-A was introduced in the Constitution of Pakistan through clause 7 of the 18th Amendment on 08th April 2010. Article 19-A states;

“19A. Right to information.- Every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law”

Even before the insertion of Article 19-A in the constitution, the courts recognized the right to information as being part of the fundamental rights of the citizens as enshrined under various articles 8 – 20 of the constitution.

2. FEDERAL LAWS

The federal laws are being mentioned here only for information purposes; they are not applicable to the city corporation, neither CDGK nor KMC, which would be governed by the provincial and the local laws.

(i) FREEDOM OF INFORMATION ORDINANCE, 2002 (Ordinance # XCVI of 2002)

The Federal FOI was promulgated on 26th October 2002.

“ to provide for transparency and freedom of information to ensure that the citizens of Pakistan have improved access to public records and for the purpose to make the Federal Government more accountable to its citizens.....”

Section 5	The acts and subordinate legislation shall be duly published and made available to the public.
Section 6	Each public body shall ensure the computerization of all records covered by this provision.
Section 10	A public body shall designate and notify an official to ensure easy public access to information.

FREEDOM OF INFORMATION RULES, 2004 (SRO 514(I)/2004)

The freedom of Information Rules were notified on 18th June 2004 under section 25 of the Federal Information Ordinance 2002, to give effect to the working of Federal FOI 2002.

(ii) PUBLIC PROCUREMENT REGULATORY AUTHORITY ORDINANCE, 2002 (XXII of 2002)

The PPRA Ordinance was promulgated on 15th May 2002.

“for regulating public procurement of goods, service and works in the public sector.”

PUBLIC PROCUREMENT RULES, 2004 (SRO 432(1)/2004)

The Public Procurement Rules were notified on 08th June 2004 under section 26 of PPRA Ordinance 2002.

Rule 12	Procurements shall be advertised on the authority’s website as well as in the print media.
Rule 46	All procuring agencies shall maintain a record of respective procurement proceedings for a minimum period of five years.
Rule 47	As soon as a contract has been awarded the procuring agency shall make all documents related to the bid, public.

PUBLIC PROCUREMENT REGULATIONS, 2008 (SRO 805(I)/2008)

The Public Procurement Regulations were notified on 11th July 2008 under section 27 of PPRA Ordinance 2002.

Reg. 4	A procuring agency will keep the records of the procurement proceedings for a period of five years.
Reg. 5	Any person may, on request, obtain the records of the procurement proceedings.

3. PROVINCIAL LAWS (Province of Sindh)

**(i) SINDH FREEDOM OF INFORMATION ACT, 2006
(Sindh Act # XIV of 2006)**

The Sindh FOI Act was notified on 22nd December 2006.

“ to provide for transparency and freedom of information to ensure that the citizens of Province Sindh have improved access to public records and for the purpose to make the Provincial Government more accountable to its citizens..... ”

Section 5	The acts and subordinate legislation shall be duly published and made available to the public.
Section 6	Each public body shall ensure the computerization of all records covered by this provision.
Section 10	A public body shall designate and notify an official to ensure easy public access to information.

The Rules and Regulations to give effect to the working of the Sindh Freedom of Information Act, 2006 have still not been notified to-date.

**(ii) SINDH PUBLIC PROCUREMENT ACT, 2009
(Sindh Act # IV of 2009)**

The SPPA was promulgated on 25th May 2009.

“.....for regulating public procurement of goods, service and works in the public sector.”

**SINDH PUBLIC PROCUREMENT RULES, 2010
(SORI (SGA & CD) 2-30/2010)**

The Sindh Public Procurement Rules were notified on 08th March 2010 under section 26 of SPPA 2009.

Rule 10to make the evaluation report of the bid, and the contract agreement public through hoisting on the authority’s website.....
Rule 17	Procurements shall be advertised on the authority’s website as well as in the print media.
Rule 50	Within seven days of the award of contract, the results of the bidding process will be put on the web-site of the authority.

4. LOCAL MUNICIPAL LAWS

Over the span of last almost 100 years, the municipality of Karachi has been governed by various municipal and city laws, sections of which have dealt directly or indirectly with laws akin to transparency or right to information in one way or another. However, these have had limited scopes in giving public access to municipal records or information. Presently, the City District Government of Karachi (Municipality of Karachi) is governed by “The Sindh Peoples Local Government Ordinance 2012”.

Following are the various sections of the SPLGO 2012 which deal with transparency, right to information and pro-active disclosure.

**SINDH PEOPLES LOCAL GOVERNMENT ORDINANCE 2012
(Sindh Ordinance # VIII of 2012)**

The SPLGO 2012 was promulgated on 07th September 2012, and it was passed by the provincial legislator (Sindh Assembly) on 15th Nov. 2012, after which it became an Act of Law.

Introduction: *“.....transparent decision-making through institutionalized participation of the people at grass-root level.”*

CHAPTER	SECTION	TEXT
I	3	Ordinance to over-ride other laws.
	4	Council shall adhere to Federal & Provincial Laws.
IV	40	(8) The meetings of the Taluka Council shall be open to public, unless the Council, by a resolution, decides to hold any meeting in camera.
VI	71	(8) The meetings of the Metropolitan or District Council shall be open to public, unless the Metropolitan or District Council, by a resolution, decides to hold any meeting in camera.
VIII	93	(6) The meetings of the Union Council shall be open to public, unless the Union Council, by a resolution, decides to hold any meeting in camera.
XI	116	(5) A statement of monthly and annual Accounts and such other necessary statements shall be placed at a conspicuous place by the Council concerned for public inspection.
XI	119	(2) No tax shall be levied without previous publication of the tax proposal and after inviting and hearing public objections.
XV	151	Transparency.- (1) Every citizen shall have the right to information about any office of the Councils.
		(2) Every office shall provide requisite information, if not restricted under any law for the time being in force, on the prescribed forms and on payment of such fee as may be prescribed.
XV	152	(3) Information about the staffing and the performance of the office of a council during the preceding month shall, as far as possible, be displayed at a prominent place within the premises of the office for access by the citizens.
		(4) (d)The monitoring Committee shall evaluate the performance of each office in relation to transparent functioning.
XIX	169	(10) The Monitoring Committee may identify and report any inefficiency or corruption to the Mayor or Chairman for appropriate action.
		(1) The candidates for the seats of councils shall, before the election, make public their manifesto.

XXI	202	Complaint Cell.- Every council shall set up a complaint cell for the redressal of grievances within the ambit of this Ordinance.
	204	Appeals.- Any person aggrieved by any order in pursuance of this ordinance may appeal to the authority, as prescribed.
	205	Rules.- (1) Government may make Rules for carrying out the purpose of this Ordinance.
	206	Bye-Laws.- (1) Every Council may make Bye-Laws for carrying out the purpose of this Ordinance.

Even the previous SLGOs, which were the precursors of the present municipal law, SPLGO 2012, had some provisions of both, “*Pro-Active Voluntary Disclosure of Information*” and “*Right To Information*”, in one way or another, and to varying degrees.

These were;

SINDH LOCAL GOVERNMENT ORDINANCE 1979 (SLGO 79)

- Section 45 (3) : *Provided that tenders or quotations involving expenditure exceeding such amount as may be prescribed shall be invited by a notice in a newspaper;*
- Section 51 (3) : *Every meeting of a council shall be open to the public unless the presiding authority orders that the proceedings any enquiry or deliberation before the council should be in camera;*
- (7) : *The minutes shall be open to inspection by any inhabitant of the local area.*
- Section 115 : *All records prepared or registers maintained under this Ordinance shall be deemed to be public documents.....*

SINDH LOCAL GOVERNMENT ORDINANCE 2001 (SLGO 2001)

- Section 42 (7) : *The meetings of the Zila Council shall be open to public, unless the Council, by a resolution, decides to hold any meeting in camera.*
- Section 69 (7) : *The meetings of the Taluka Council shall be open to public, unless the Council, by a resolution, decides to hold any meeting in camera.*
- Section 89 (6) : *The meetings of the Union Council shall be open to public, unless the Union Council, by a resolution, decides to hold any meeting in camera.*
- Section 116 (2) : *No tax shall be levied without previous publication of the tax proposal and after inviting and hearing public objections.*
- Section 137 (1) : *Every citizen shall have the right to information about any office of the District Government, Taluka Municipal Administration and Union Administration.*
- (2) : *Every office shall provide requisite information, if not restricted under any law for the time being in force, on the prescribed forms and on payment of such fee as may be prescribed.*
- (3) : *Information about the staffing and the performance of the office of a local government during the preceding month shall, as far as possible, be displayed at a prominent place within the premises of the office for access by the citizens.*

5. DEPARTMENTAL BYE - LAWS

MASTER PLAN DEPARTMENT OF CITY DISTRICT COUNCIL CHANGE OF LAND USE AND MASTER PLANNING BYE-LAWS, 2003

These Bye-Laws were adopted by the City District Council vide Resolution # 383 dated 06.01.2004, through powers conferred by Section 192 (2) 5th Schedule Part II Clause 3 OF Sindh Local Government Ordinance 2001.

These Bye-Laws are applicable to the working of the Master Plan Department of CDGK, and were notified in the official gazette on 12th February 2004.

Bye-Law 3.3	For any change of land use, a public notice of A-5 size will be given in two different newspapers inviting public objections.
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ASSESSMENT OF THE VARIOUS PROVISIONS

I. PROVISIONS FOR PRO-ACTIVE DISCLOSURE OF THE CONSTITUTING LAWS THEMSELVES

This first part deals with identifying the various provisions, if any, contained in the constituting laws, rules and regulations, and bye-laws which mandates the corporation to ensure that the said laws, rules, regulations and bye-laws are disseminated to the public for inspection and awareness. Such provisions are to ensure that no law remains hidden behind closed doors, but should reach out to the citizens on a pro-active voluntary basis.

- (i) The only such provision, albeit a mere superficial window-dressing, exists in the introduction to the SPLGO 2012, wherein it is stated;

“The following Ordinance made by the Governor of Sindh is hereby published for general information.”

- (ii) Also, the publication of any law is mandated through Clause 19-A of Sindh General Clauses (Amendment) Ordinance, 2002, which states;

“ 19-A. Rules and Order, etc. to be published. – All rules, notifications, orders/regulations and circulars having the effect of law made or issued under any enactment shall be published in the official Gazette.”

- (iii) Section 5 of Sindh Freedom of Information Act 2006 states;

“Section 5: The acts and subordinate legislation such as rules and regulations, notifications, by-laws, manuals, orders having the force of law in Sindh province shall be duly published and made available at a reasonable price at an adequate number of outlets so that access thereof is easier, less timeconsuming and less expensive.”

Therefore, for any law, rule, regulation, bye-law or notification, to have a legal effect, it is mandatory that it be published in the official gazette to be available to the public, without which it will have no legal consequences. However, the provision of making the public aware of the Corporation’s intent to bring any statute on the book does not exist, with the result that though the notification may get published in the official gazette, the citizens generally remain unaware of the framing of any law or an amendment to an already existing law, giving unbridled powers to the authority or Corporation to manipulate the legislation to their advantage.

II. PROVISIONS THAT REQUIRE CITY CORPORATION TO GIVE NOTICES OF ITS ACTIONS

The following laws necessitate for the city Corporation to give public notices regarding its intent to carry out its various functions;

(i) Sindh Peoples Local Government Ordinance 2012

Section 119 (2) : *No tax shall be levied without previous publication of the tax proposal and after inviting and hearing public objections.*

(ii) Change Of Land Use And Master Planning Bye-Laws, 2003

Bye-Law 3.3 : *For any change of land use, a public notice of A-5 size will be given in two different newspapers inviting public objections.*

(iii) Sindh Public Procurement Rules, 2010

Rule 17 : *Procurements shall be advertised on the authority's website as well as in the print media.*

Section 4 of SPLGO 2012 states that the **“Council shall adhere to Federal & Provincial Laws”**.

III. PROVISIONS THAT REQUIRE THE COMMITTEE MEETINGS TO BE OPEN TO PUBLIC

Various sections of the SPLGO 2012 make it obligatory on the City District, Taluka and Union Councils to open their meetings to public. However, no provisions exist which make it mandatory on the councils to give public notices of their meetings, with the result that the citizen may remain unaware of when a meeting is being, or supposed to be held. This casts doubt on the transparency of the council meetings.

Section 40 (8) : *The meetings of the Metropolitan or District Council shall be open to public, unless the Metropolitan or District Council, by a resolution, decides to hold any meeting in camera.*

Section 71 (8) : *The meetings of the Taluka Council shall be open to public, unless the Council, by a resolution, decides to hold any meeting in camera.*

Section 93 (6) : *The meetings of the Union Council shall be open to public, unless the Union Council, by a resolution, decides to hold any meeting in camera.*

While Sections 40(9), 71(9) and 93(7) makes it mandatory on the councils to record and maintain the minutes of the meetings, no provision exist which allows the minutes of committee or council meetings to be made public, rather, FOI laws specifically forbid the disclosure of such minutes of any meeting to public scrutiny.

Sindh Freedom of Information Act, 2006:

Section 8 (b) – **Minutes of meetings** are excluded from the list of public records that can be obtained through freedom of information.

Both previous local laws, i.e. SLGO 1979 & SLGO 2001, had provisions through which council meeting were open to public;

SLGO 1979 Section 51 (3) : *Every meeting of a council shall be open to the public unless the presiding authority orders that the proceedings any enquiry or deliberation before the council should be in camera;*

(7) : *The minutes shall be open to inspection by any inhabitant of the local area.*

SLGO 2001 Section 42 (7) : *The meetings of the Zila Council shall be open to public.....*

Section 69 (7) : *The meetings of the Taluka Council shall be open to public.....*

Section 89 (6) : *The meetings of the Union Council shall be open to public.....*

As for city budget, though no such provision exists in the SPLGO 2012, yet it is made public on the City Corporation Website. However, while only the over-view and broad outlines are given, the details are missing.

Nonetheless, the budget details can be asked for under the FOI.

IV. PROVISIONS REQUIRING THE CITY CORPORATION TO APPOINT A FOCAL PERSON.

Though no such provision exists in the SPLGO 2012 for the appointment of a focal person to acts as a liaison officer to citizens requesting information, or to disseminate information pro-actively on behalf of the city corporation, but, both the Federal and Provincial FOI laws cover only one aspect, i.e. the appointment of a focal person to act as a liaison officer for citizens requesting information. Pro-active dissemination of information to the general public is not his defined duty. He is only mandated to assist the general public in accessing information requested under FOI laws.

Sindh Freedom of Information Act, 2006:

Section 10 (1) – A public body shall designate and notify an officer employee to whom requests under this Act are to be made. These officials will be designated to ensure easy public access to Information.

(2) – In case no such official has been designated or in the event of the absence or non-availability of the designated official, the person incharge of the public body shall be the designated official.

City Corporation did appoint a focal person, but only after repeated written reminders by Shehri.

V. APPLICABILITY OF THE RELEVANT RTI LAW TO THE CITY CORPORATION FOR PRO-ACTIVE DISCLOSURE

The two RTI laws available on the statutes in Pakistan are **(i) Federal Freedom of Information Ordinance 2002, & (ii) Sindh Freedom of Information Act 2006.**

Section 4 of SPLGO 2012 states that the “*Council shall adhere to Federal & Provincial Laws*”, hence, the various sections of Sindh FOI are applicable to the working of Karachi City Corporation. The relevant portions are;

(i) Sindh Freedom of Information Act, 2006

Preamble: *WHEREAS it is expedient to provide for transparency and freedom of information to ensure that the citizens of Province Sindh have improved access to public records and for the purpose to make the Provincial Government more accountable to its citizens, and for matters connected therewith or incidental thereto;*

Section 4 – **Maintenance and indexing of records.-**each public body shall ensure that all records are properly maintained.

Section 5 – **Publication and availability of records.-** The acts and subordinate legislation.....shall be duly published and made available..... for easier access.....

Section 6 – **Computerization of records.-** Each public body shall endeavor that all records are computerized and connected through a network all over the country on different systems so that authorized access to such records is facilitated.

Section 9 – **Duty to assist requester.-** A public body shall take necessary steps as may be prescribed to assist any requester under this Act.

Section 10 – **Designation of official.-**

(1) A public body shall designate and notify an officer employee to whom requests under this Act are to be made. These officials will be designated to ensure easy public access to information.

(2) In case no such official has been designated or in the event of the absence or non-availability of the designated official, the person incharge of the public body shall be the designated official.

Section 11 – **Functions of designated official.-**the designated official shall provide the information contained in any public record or, as the case may be copy of any such record.

Step 2: ASSESSMENT OF PRO-ACTIVE DISCLOSURE PRACTICE OF CITY DISTRICT GOVERNMENT KARACHI

A. WEB CONTENT ANALYSIS

Since over the past few years, the nomenclature and administration of Karachi City Council has oscillated between **City District Government Karachi (CDGK)** and **Karachi Municipal Corporation (KMC)**, therefore two separate web-sites are maintained side-by-side at the Karachi City portal (<http://www.karachicity.gov.pk/>), one representing Karachi Municipal Corporation (<http://www.kmc.gos.pk/>) and the other representing City District Government Karachi (<http://14.192.147.139/cdgkx/>). The contents of both the sites are by far and wide overlapping and in duplication.

(1) KMC Website (<http://www.karachicity.gov.pk/>)

Following are the various screen-shots for the KMC site.





KMC
OFFICIAL WEB PORTAL OF
KARACHI METROPOLITAN CORPORATION

About Karachi
Citizen Complaint
Tenders
Districts
Events



KMC ADMINISTRATOR VISIT HILL PARK AND POLO GROUND.
Karachi: August 12: KMC Administrator Saqib Soomro has said that construction works including renovation and reconstruction of Bano Garden along with...

KMC ADMINISTRATOR ON BEHALF OF CITIZENS LAY WREATH OF FLOWERS ON PLAZAS-E-QUAID.
Karachi: August 14: KMC Administrator Saqib Soomro has said that Karachi was a big and very important city and citizens watch over our practices and...

English News | اردو خبریں | Download Urdu Posts

سیاحان چترنی - 03333004573، ضلع جنوبی - سیکٹرز افغان - 03422473090، ٹائٹل کیلئے محمد ابرار بیجوچ 03332746391، الیکٹرونک اینڈ میکانیکل

GOVERNMENT

Home
Administrator Karachi
Metropolitan Commissioner
D.M.C.'s
Departments
KMC Directory
Photo Gallery
Video Gallery

RESIDENTS

VISITORS

BUSINESS

COMPLAINTS
1339

Quick links

- Home
- Administrator Karachi
- Metropolitan Commissioner
- D.M.C.'s
- Departments
- KMC Directory
- Photo Gallery
- Video Gallery

Inside system

- Score Bidding Form
- Tenders
- Grand Auctions
- Section 144 G.P.C
- Notifications
- KMC Resolution

Exclusive

- Public Notice
- Town Map
- Advertisement
- Job Opportunities
- National Holidays
- Prayer Timings
- Archive

Investment in KARACHI



سفری پارک کو جدید خطوط پر استوار کرنے کے لئے تمام تر اقدامات بروئے کار لائے جائیں۔
ایڈمنسٹریٹر ٹائٹل سومرو

بلدیہ حتمی گراچی کے ایڈمنسٹریٹر ٹائٹل سومرو نے کہا ہے کہ سفری پارک کی جدید خطوط پر استوار کرنے کے لئے تمام تر اقدامات بروئے کار لائے جائیں گے۔ پارک کے جس حصے پر سہولتیں مہیا نہیں ہیں وہیں فوری طور پر ٹیولینٹ کے کام شروع کیے جائیں تاکہ شہریوں کو ایک بہتر اور بین الاقوامی سطح کا سفری میسر اسکے یہ بات ایوں نے گزشتہ روز سفری پارک کے تفتیشی دورے کے موقع پر کہی، ڈائریکٹر جنرل انجینئرنگ سروسز نیاز

KMC ADMINISTRATOR ON BEHALF OF CITIZENS LAY WREATH OF F...
Karachi: August 14: KMC Administrator Saqib Soomro has said that Karachi...

read more... | مزید



Independence Day Celebrations. Karachi: August 13: Following the directives of KMC Administrator Saqib...

read more... | مزید

سٹی وارنٹز سے ایس ٹیوٹوں کے دوروں، بلدیہ حتمی گراچی کے میئر پرویز انیسٹار سہیل انان سٹیوٹوں نے کہا ہے کہ...



Pay Utility Charges
Utility Bill

Change of Land Use
Form "A"

Fumigation
Fumigation

Residents
Job Opportunities

National Holidays

CCIS
Citizen Complaint Information System
ISO 9001

Command and Control

KARACHI
City of Excellence

KARACHI 2020

Photos of Latest Events



Visit Safari Park



Flowers on plaza-e-quaide



Meeting related monsoon



Construction Hill park



Eid Prayer



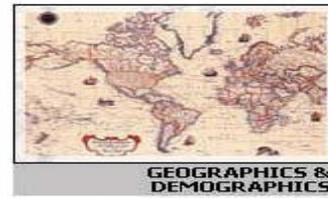
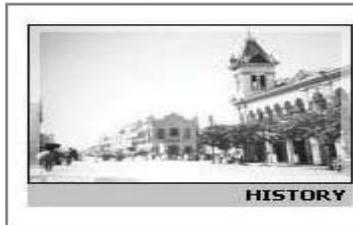
Officers meeting

(2) CDGK Website (<http://14.192.147.139/cdgkx/>)

Following are the various screen-shots for the links on the CDGK site.

The screenshot displays the CDGK (defunct) website interface. At the top, there is a logo and the text 'CDGK (defunct) Official Web Portal of City District Government Karachi'. Navigation tabs include 'About Karachi', 'Ex-City Nazim', 'Departments', 'Towns', 'Maps', and 'Feed Back'. Below these are icons for 'Residents', 'Govl.', 'Visitors', and 'Business'. A 'Latest News' section features a headline: 'COMMITTEE TO PROBE CORRUPTION IN VATERINARY DEPARTMENT'. A search bar and 'Login' link are also visible. The main content area is divided into several sections: 'QUICK LINKS' with a list of navigation options; 'CITY GOVERNMENT BURIED 940,879 OFFAL IN THREE DAYS' with an accompanying photo and text; 'CITY GOVERNMENT OFFICERS VISIT GRAVEYARDS'; 'CLEANLINES CAMPAIGN STARTS ON THURSDAY'; 'ADMINISTRATOR/DCO KARACHI INSPECT CLEANLINES AROUND AIR BASES'; and 'COMMITTEE TO PROBE CORRUPTION IN VATERINARY DEPARTMENT'. On the right side, there are sections for 'News/Meeting/visit', 'Dengue Virus', '2011-2012 Clean & Green City Campaign', 'Karachi City Planning Regulation', 'CNG BUS PROJECT', and a weather forecast showing 'Currently 34°C'. At the bottom, there is an 'OPINION POLL' section asking about the overall performance of CDGK, with options from 'Excellent' to 'Weak'.

About Karachi	Ex-City Nazim	Departments	Towns	Maps	Feed Back
Residents 0	Govt. 0	Visitors 0	Business 0		



August 2013						
Su	Mo	Tu	We	Th	Fr	Sa
28	29	30	31	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31
1	2	3	4	5	6	7

CITY NAZIM

- › Biography
- › City Nazim Vision
- › City Nazim Future Plans
- › City Nazim Office Address
- › Email to City Nazim

QUICK LINKS

- › Towns
- › Departments
- › Exclusive
- › City Budget
- › Forms
- › National Holidays
- › Prayer Timings
- › Public Services
- › Invest In Karachi

Top3 Mayor Syed Mustafa Kamal
Ex. City Nazim Karachi

Ex. City Nazim USA Visit

Houston - Karachi Sister City

ISO 9001 CERTIFIED

TOWN KARACHI
BY CITY BY RESPONSIBILITY

Command and Control

Citizen Complaint Center 1339

Karachi Strategic Plan

Photo Gallery

Video Gallery

Karachi Shining

Rising Karachi

Relief Camp

City Council Karachi

CITY GOVERNMENT

- › CDGK History
- › CDGK Organizational Chart
- › EX-City Nazim
- › EX-City Naib Nazim
- › Administrator
- › D. C. O
- › E.D.O.s
- › Town Administrator
- › CDGK Committee
- › Departments
- › Towns
- › CDGK Budget
- › CDGK Directory
- › Forms
- › KBCA
- › KW&SB
- › Find Your UC

(3) THE FOLLOWING INFORMATION IS PRO-ACTIVELY DISCLOSED ON BOTH THE WEB-SITES :

- i) Organogram of CDGK
- ii) Details pertaining to the various departments & offices of CDGK.
- iii) Details of senior staff members of CDGK including their contact details.
- iv) Details of various Towns under CDGK.
- v) History of Karachi and its culture.
- vi) Map of Karachi City and Town Limits.
- vii) Directory of Hospitals, Educational Institutes, Transportation, Financial Institutions, Travel & Tourism, Environment, Entertainment, etc.
- viii) Directory of Media Offices, Universities & Government Departments.
- ix) Business & Investment Opportunities, Employment, etc.
- x) Introduction & Description of CDGK.
- xi) Introduction & Description of Federal Government of Pakistan.
- xii) Introduction & Description of Provincial Governments.
- xiii) City Budget (Overview)
- xiv) Downloadable forms for Birth, Death, Marriage & Divorce.
- xv) Online Citizen's Complaint.
- xvi) Contact details for CDGK.
- xvii) Link to Karachi Strategic Development Plan 2020 (Master Plan).

One of the major limitations to making the site user-friendly is the absence of contents in local languages, neither Urdu nor Sindhi. This also removes any sense of ownership of the city corporation by the citizens, who feel that by having the site in an alien language alienates them. Were the city corporation to present the site side-by-side in the three main languages, it would draw in more participatory viewership and active involvement from the citizens in the working of the city corporation.

Content wise, the two sites offer pro-active disclosure of passive information only. The user friendliness of the content varies from link to link, with some of the contents being easily understandable, while others offer only brief over-view.

What is missing, is pro-active disclosure of active information, such as;

- (i) Information and Invitation of Public Objections regarding levy of various taxes, charges, fees, etc.
- (ii) Information and Invitation of Public Objections as a part of the participatory involvement of citizens in the framing of laws or amendments to the already existing laws, laws which would eventually govern the citizens. Participation of the stake-holders.
- (iii) Notices and Minutes of the meetings.
- (iv) Online form for citizens requesting information under RTI.
- (v) Notices and invitation of Public Objections regarding change of land use by Master Plan Department.
- (vi) Master Plan Department, an important component of CDGK, and requiring maximum public participation is minimally represented on the CDGK web-site with no interactive link.
- (vii) Policy documents, Laws, Rules & Regulations, Bye-Laws, etc governing the working of various departments of CDGK, with the result that the citizens remain unaware of the laws which regulate the working of the departments. This breeds corruption and bad-governance.

B. PRO-ACTIVE DISCLOSURE AT THE OFFICE PREMISES

Shehri visited the offices of (i) **City District Government Karachi**, (ii) **Karachi Municipal Corporation**, and the (iii) **Local Jamshed Town**.

The visits to the three offices took place on Monday, 19th November 2012, between 12:00pm and 4:00pm.

At none of these premises, neither was there any Public Notice Board or any other means of pro-active dissemination of information, such as Billboards, Posters, etc.

All these offices lacked means of either dissemination of information or assistance to citizens requesting information.



**Office of
CITY DISTRICT GOVERNMENT KARACHI**



**Office of
KARACHI MUNICIPAL CORPORATION**



**Office of
JAMSHED TOWN**



**Office of
JAMSHED TOWN**

C. PRO-ACTIVE DISCLOSURE THROUGH MASS MEDIA

These are a few samples of public notices put in the newspapers by the city corporation;

**OFFICE OF THE DISTRICT OFFICER
(RECOVERY / CHARGED PARKING)
CITY DISTRICT GOVERNMENT KARACHI**

100 Floor, Left Wing, Civic Centre, Gulshan-e-Iqbal, Karachi. Phone # 021-9923443

SUB: OPEN REDUCTION OF COCK CHARGED PARKING SITES FOR THE REMAINING PERIOD OF 2011-2012 (07 MONTHS W.E.F. 01-12-2011 TO 30-09-2012)

Open Public Auction for Leased Rights for the collection of Parking Fee for the remaining period of 2011-2012 (i.e. 01-12-2011 to 30-09-2012) for the following sites will be held on 14-11-2011 at 11:00 a.m. at 100 Floor, Left Wing, Civic Centre, Gulshan-e-Iqbal Karachi.

S.N	Name of Site	Approx. price
1.	Top Street, Islamabad / Alama Iqbal Road	50,000/-
2.	14th Street	11,000/-
3.	Latifa Ahamd	1,50,000/-
4.	10th Floor, Sector 4 Phase, Formosa	2,000,000/-
5.	10th site of Dargah Town, Street 1	2,000,000/-

The contractor will be entitled to recover parking fee as per following schedule:

The contractor must purchase and read the Terms & Conditions of Auction prior to participation in the Auction. The Terms & Conditions can be purchased from the office of the District Officer, City District Government Karachi, on payment of Rs. 500/- non-refundable.

In case the Auction is not held / postponed / no bid received on 14-11-2011, the same will be held 2nd time on 21-11-2011 and 3rd time on 28-11-2011 at the same time and venue.

District Officer
(Recovery / Charged Parking)
City District Government Karachi

DDG/KA/403021
SDF 497/38611

Public Notice # 1

PUBLIC NOTICE

CHANGE OF LAND USE OF PLOT NO. 041, BLOCK-3, GULSHAN-E-IQBAL, KARACHI

1. Shabbir Ahmad (Owner) Plot No. 041, Block-3, Gulshan-e-Iqbal, Karachi, has applied for change of land use of above plot from Residential to Commercial (Shops, Offices, Showroom, Bank & Marriage Hall) in Union Council No. 8, Gulshan-e-Iqbal Town and Master Plan Department, KMC, The Union Council No. 8, Gulshan-e-Iqbal Town, and Master Plan Department, KMC, expressing the proposed conversion and its implications on the amenities and infrastructure. Due to this conversion, the following changes to the currently applicable lease condition and Zoning Regulations will occur:

CONDITION	CURRENT	CONVERTED
Total Floor area	8032 Sq. ft.	5042 Sq. ft.
Height of Building and No. of Floors	Ground + 1 Floor	As per Law/Rules
Compulsory Open Space	As per Law/Rules	Front 8 ft. Sides 7 ft. Rear 7 ft.
Parking Requirement	As per Law/Rules	As per Law/Rules
Usage of Building	Residential	Commercial (Shops, Offices, Showroom, Bank & Marriage Hall)

Any one having objection / comments should file in writing the same within 15 days from the date of Publication of this Notice to Union Council No. 8, Gulshan-e-Iqbal Town, together with a copy of the same to the Master Plan Department, KMC, 9th Floor, Civic Centre, University Road, Gulshan-e-Iqbal, Karachi. Public hearing will be held at Union Council No. 8, Gulshan-e-Iqbal Town, within 5 days after expiry of above mentioned 15 days period of extension thereof, which will be attended by the District Officer of Master Plan Department, KMC. Those who have filed objection will be called to the public hearing for explaining their point of view.

Block-4
Block-3
Block-2

Public Notice # 4

PUBLIC NOTICE

KMC
Change of Land Use of Plot No. F-16, Block IV & V, Scheme 7, Dawood Cooperative Housing Society, Karachi.

1. (1) Altaf Lakhani (2) Anwar Ali (Owners) Plot No. F-16, Block IV & V, Scheme 7, Dawood Cooperative Housing Society, Karachi, have applied for change of land use of above plot from Residential to Commercial (Shops, Offices, Flats, Bank, Showroom & Marriage Hall) in Union Council No. 1, Gulshan-e-Iqbal Town and Master Plan Department KMC, is examining the proposed conversion and its implications on the amenities and infrastructure. Due to this conversion the following changes to the currently applicable lease condition and Zoning Regulations will occur.

CONDITION	CURRENT	CONVERTED
Total Floor area	18000 Sq. ft.	9900 Sq. ft.
Height of Building and No. of Floors	Old Structure	As per Law/Rules
Compulsory Open Space	As per Law/Rules	Front 8 ft. Sides 10 ft. Rear 10 ft.
Parking Requirement	As per Law/Rules	As per Law/Rules
Usage of Building	Residential	Commercial (Shops, Offices, Bank, Showroom, Marriage Hall)

Any one having objection / comments should file in writing the same within 15 days from the date of Publication of this Notice to Union Council No. 1, Gulshan-e-Iqbal Town, together with a copy of the same to the Master Plan Department KMC, 9th Floor, Civic Centre, University Road, Gulshan-e-Iqbal, Karachi. Public hearing will be held at Union Council No. 1, Gulshan-e-Iqbal Town, within 5 days after expiry of above mentioned 15 days period of extension thereof, which will be attended by the District Officer of Master Plan Department KMC. Those who have filed objection will be called to the public hearing for explaining their point of view.

Location Plan: Opp. LAQUAT HOSPITAL, IGA KHAN HOSPITAL

Location Plan of Plot No. F-16 Dawood C.H. Society Ltd, Sub-7 Plot Show is

Public Notice # 5

**KARACHI METROPOLITAN CORPORATION
OFFICE OF THE SUPERINTENDING ENGINEER (CM)
ENGINEERING DEPARTMENT**

4th Floor, Room No-C-412, Civic Centre, Gulshan-e-Iqbal, Karachi
Phone: 021-9923424, Fax: 021-9923069

Date: 23-04-2013

**NOTICE INVITING TENDER
(As per SPPRA Guideline)**

Tender in sealed covers are invited on Item Rate Basis for the following works from the firms having registration with Pakistan Engineering Council and possessing of Electric Contractors License from Electric Inspector, Government of Sindh in relevant field.

Tender Reference No.	Name of Work	Estimated Cost (Rs.)	Bid Security (Rs.)	Tender Cost (Rs.)	Eligibility
KMC/7/CM/ED/252/12-13	Improvement / Patch Work at Dockyard's Road from ICI Bridge to KFC (Case) Dockyard.	45,60,919/-	91,500/-	1,000/-	1. Valid PEC in C-4 & above in relevant category. 2. NTN Certificate. 3. Valid Professional Tax.
KMC/7/CM/ED/253/12-13	Delay in Removal of Encroachment & Construction of Road in Block-2, Gulshan-e-Iqbal.	15,40,000/-	31,000/-	1,000/-	1. Valid PEC in C-4 & above in relevant category. 2. NTN Certificate. 3. Valid Professional Tax.

Tender schedule shall be as follows:

SCHEDULE	DATE & TIME	VENUE
Receiving of Application & Issuance of Tender	From 02-05-2013 to 17-05-2013 During Office Hours	Office of Director Accounts, Engineering Department, 4th Floor Civic Centre, Gulshan-e-Iqbal.
Dropping of Tender	20-05-2013 2:00 pm	Committee Room of D.G. Gulshan-e-Iqbal.
Opening of Tender	20-05-2013 At 2:30 pm	Committee Room of D.G. Gulshan-e-Iqbal.

Public Notice # 2

PUBLIC NOTICE IN THE NEWSPAPERS

PUBLIC NOTICE

CHANGE OF LAND USE OF PLOT NO. 163-A, BLOCK-3, PECHS, KARACHI

M/s. Al Muraza Society through Attorney (1) Shama Muhammad Hujj Sir, Mohammad Hujj Sir, Fida Hussain Pechs, 163-A, Block-3, P.E.C.H.S, Karachi has applied for change of land use of above plot from Residential to Educational Institute in Union Council No. 7, Jarnahed Town and Master Plan Department, KMC, The Union Council No. 7, Jarnahed Town and Master Plan Department, KMC is examining the proposed conversion and its implications on the amenities and infrastructure. Due to this conversion the following changes to the currently applicable lease condition and Zoning Regulations will occur.

CONDITION	CURRENT	CONVERTED
Total Floor area	15887 Sq. ft.	40791 Sq. ft.
Height of Building and No. of Floors	Ground Floor	As Per Law/Rules
Compulsory Open Space	As per Law/Rules	Front 8 ft. Sides 10 ft. Rear 10 ft.
Parking Requirement	As per Law/Rules	As per Law/Rules
Usage of Building	Residential	Educational Institute

Any one having objection / comments should file in writing the same within 15 days from the date of Publication of this Notice to Union Council No. 7, Jarnahed Town, together with a copy of the same to the Master Plan Department, KMC, 9th Floor, Civic Centre, University Road, Gulshan-e-Iqbal, Karachi. Public hearing will be held at Union Council No. 7, Jarnahed Town, within 5 days after expiry of above mentioned 15 days period of extension thereof, which will be attended by the District Officer of Master Plan Department, KMC. Those who have filed objection will be called to the public hearing for explaining their point of view.

Public Notice # 6

**KARACHI METROPOLITAN CORPORATION
Local Taxes (Advertisement)**

Auction for Rights of Recovery of Advertisement Free from Billboard and Flyover / Pedestrian Bridges Panels for Three Years

The Auction for Lease Hold Rights for the recovery of Advertisement Fee and Lease Rent from following Advertisement Billboards / Pedestrian Bridges / Flyover Panels for three years will be held on 20-05-2013 at 11:00 a.m. at Conference Hall 9th Floor, Civic Centre Gulshan-e-Iqbal Karachi.

The Auctioneer with a valid registration and an authorization from Advertisement Department KMC, will be allowed to participate in the said Auction.

The intending Advertiser will have to deposit amount equivalent to 10% of the total price as Security Deposit which shall remain in possession of the Auctioneer. The Pay Order of such amount should be presented in favour of Collector Advertisement Fee, KMC, which will be returned to the successful bidder after the completion of the period of 3 years or in case of highest / successful bidder the same shall be retained as Security of the Contract and also receipt amount of the bid bid towards contractual amount for one year or receipt of advertisement approved after from the Advertisement Department KMC.

The Auction will be held in two parts and Advertisers will have to pay the contractual amount on annual basis to advertise the Locations of Sites / Panels. Sites and Lease Price mentioned against each are as under:

S.N	Locations	Area (Sq. Ft.)	Rate (Rs.)
1	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
2	10th site of Dargah Town, Street 1	2,000	2,000
3	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
4	10th site of Dargah Town, Street 1	2,000	2,000
5	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
6	10th site of Dargah Town, Street 1	2,000	2,000
7	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
8	10th site of Dargah Town, Street 1	2,000	2,000
9	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
10	10th site of Dargah Town, Street 1	2,000	2,000
11	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
12	10th site of Dargah Town, Street 1	2,000	2,000
13	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
14	10th site of Dargah Town, Street 1	2,000	2,000
15	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
16	10th site of Dargah Town, Street 1	2,000	2,000
17	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
18	10th site of Dargah Town, Street 1	2,000	2,000
19	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
20	10th site of Dargah Town, Street 1	2,000	2,000
21	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
22	10th site of Dargah Town, Street 1	2,000	2,000
23	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
24	10th site of Dargah Town, Street 1	2,000	2,000
25	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
26	10th site of Dargah Town, Street 1	2,000	2,000
27	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
28	10th site of Dargah Town, Street 1	2,000	2,000
29	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
30	10th site of Dargah Town, Street 1	2,000	2,000
31	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
32	10th site of Dargah Town, Street 1	2,000	2,000
33	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
34	10th site of Dargah Town, Street 1	2,000	2,000
35	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
36	10th site of Dargah Town, Street 1	2,000	2,000
37	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
38	10th site of Dargah Town, Street 1	2,000	2,000
39	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
40	10th site of Dargah Town, Street 1	2,000	2,000
41	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
42	10th site of Dargah Town, Street 1	2,000	2,000
43	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
44	10th site of Dargah Town, Street 1	2,000	2,000
45	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
46	10th site of Dargah Town, Street 1	2,000	2,000
47	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
48	10th site of Dargah Town, Street 1	2,000	2,000
49	10th Floor, Sector 4 Phase, Formosa	2,000	1,000
50	10th site of Dargah Town, Street 1	2,000	2,000

Any one having objection / comments should file in writing the same within 15 days from the date of Publication of this Notice to Union Council No. 7, Jarnahed Town, together with a copy of the same to the Master Plan Department, KMC, 9th Floor, Civic Centre, University Road, Gulshan-e-Iqbal, Karachi. Public hearing will be held at Union Council No. 7, Jarnahed Town, within 5 days after expiry of above mentioned 15 days period of extension thereof, which will be attended by the District Officer of Master Plan Department, KMC. Those who have filed objection will be called to the public hearing for explaining their point of view.

Senior Director (Local Taxes), Advertisement Department
Karachi Metropolitan Corporation
100 Floor, Civic Centre, Gulshan-e-Iqbal, Karachi. Phone: 021-9923443

Public Notice # 3

PUBLIC NOTICE

CHANGE OF LAND USE OF PLOT NO. 104-H, BLOCK-3, PECHS, KARACHI

M/s. Al Muraza Society through Attorney (1) Shama Muhammad Hujj Sir, Mohammad Hujj Sir, Fida Hussain Pechs, 104-H, Block-3, P.E.C.H.S, Karachi has applied for change of land use of above plot from Residential to Educational Institute in Union Council No. 7, Jarnahed Town and Master Plan Department, KMC, The Union Council No. 7, Jarnahed Town and Master Plan Department, KMC is examining the proposed conversion and its implications on the amenities and infrastructure. Due to this conversion the following changes to the currently applicable lease condition and Zoning Regulations will occur.

CONDITION	CURRENT	CONVERTED
Total Floor area	18000 Sq. ft.	9900 Sq. ft.
Height of Building and No. of Floors	Ground Floor	As per Law
Compulsory Open Space	As per Law/Rules	Front 8 ft. Sides 10 ft. Rear 10 ft.
Parking Requirement	As per Law/Rules	As per Law/Rules
Usage of Building	Residential	Educational Institute

Any one having objection / comments should file in writing the same within 15 days from the date of Publication of this Notice to Union Council No. 7, Jarnahed Town, together with a copy of the same to the Master Plan Department, KMC, 9th Floor, Civic Centre, University Road, Gulshan-e-Iqbal, Karachi. Public hearing will be held at Union Council No. 7, Jarnahed Town, within 5 days after expiry of above mentioned 15 days period of extension thereof, which will be attended by the District Officer of Master Plan Department, KMC. Those who have filed objection will be called to the public hearing for explaining their point of view.

LOCATION PLAN

Public Notice # 7

Public Notices 1, 2 & 3 are notices for auction or tender. These notices are generally for the auction of awarding contracts for charged parking, entrance fee of parks and amusement centers, collection of rights of recovery of advertisement fee from billboards, etc. The notices for tender are either for undertaking various civil works such as road construction, footpath, maintenance work, building construction, etc, or tenders for the procurement and supply of various articles and materials for the city corporation, such as, but not limited to, office paraphernalia , computers, UPS, machinery like generators and vehicles, etc.

These notices are put in the newspaper basically because “Sindh Public Procurement Rules, 2010” mandates it through Rule 17, which states that;

“Procurements shall be advertised on the authority’s website as well as in the print media.”

Therefore, the publication of such type of public notices in the newspapers owes its existence to the Sindh Public Procurement Rules, which fact is also clearly stated in the notices themselves, rather than as a consequence of any provision of City Corporation Law (SPLGO 2012) or RTI law (Freedom of Information Act 2006).

Similarly, Public Notices 4, 5, 6 & 7 are notices for change of land-use of plots put in the newspapers as a necessary requirement of Bye-Law 3.3 of “Change Of Land Use And Master Planning Bye-Laws 2003”

“For any change of land use, a public notice of A-5 size will be given in two different newspapers inviting public objections.”

The city corporation also sometimes places advertisements or notices in the newspapers as a public service message. These would include awareness messages such as fumigations campaigns, health awareness issues, tackling spread of infectious diseases, warnings during monsoon season, caution against swimming in rough sea season, traffic awareness campaigns, information on disposal of solid waste on certain religious and festive occasions, promotional advertisements regarding holding of various cultural and sports festivals. These messages are put out by the city corporation as and when required, in maximum possible newspapers covering Urdu, English and Sindhi languages.

The notices for auction and tender come regularly in the newspaper with a frequency of one or two every week, whereas public notices for change of land use have a frequency of one or two every month. Furthermore, all such type of notices are placed, both in English and Urdu language newspapers. This is as per the mandatory requirement of the law, which states that prominent notices be placed in two mainstream newspapers, one English and one Urdu.

D. INTERVIEW OF SENIOR CITY GOVERNMENT OFFICERS

Shehri-CBE had written to both, Administrator City District Government Karachi, and Administrator Local Town, i.e. Jamshed Town, as well as other senior city government officers, for an appointment to discuss the various provisions of pro-active disclosure of information and how to make it more effective. Unfortunately, because of the change in the city government set-up, and pre-occupation with other pressing issues, only Administrator Jamshed Town, Mr. Naeem-ul-Haque Affendi was able to give us an appointment for an interview.

Date of Interview: 27th Nov. 2012

Time of Interview: 2:30 pm

Place of Interview: Administrator Secretariat, Jamshed Town, Karachi

- Attendance:
1. Mr. Naeem-ul-Haque Affendi,
Administrator Jamshed Town
 2. Mr. Aziz Ansari,
Town Officer, Municipal Regulations
 3. Dr. Syed Raza Ali Gardezi
Shehri-CBE

During the interview, Shehri-CBE probed the two officers of Jamshed Town as to what pro-active disclosure policy the town administration follows. Their initial reply was that since the new local municipal law, i.e. Sindh Peoples Local Government Ordinance 2012 was passed by the provincial assembly and made into an act just a fortnight ago, and the gazetted copies of which have still not been printed, so the implementation of the provisions of pro-active disclosure as per SPLGO 2012 is in limbo and it will require probably another month for the dust to settle down.

However, the town administration has been following pro-active disclosure policy to a very limited extent as a carry-over from the previous local municipal laws (SLGO 1979, SLGO 2001, etc), or other relevant laws, such as public procurement laws. These would include;

- Tender notices and auction notices in newspapers.
- Notices for council meetings.
- Maintenance of minutes of meetings.
- Budget documents.

- Notices in newspapers and inviting public objections before levying of certain taxes falling in their domain, such as taxes on marriage lawns. However, this practice was followed off and on.
- Complaint procedure.
- Public awareness campaigns.

On query as to how, in the absence of a notice board, such information could effectively be disbursed to citizen visiting the office, the administrator acknowledged the lacking and promised to rectify it.

The administrator also recognized the principal of Freedom of Information, but deferred comments on its implementation to after studying the relevant portions of SPLGO 2012. Preparing rules and procedures for citizens requesting information, and their pasting on then notice board would also be done once the various provisions of SPLGO 2012 have been examined.

As to how many citizens on an average avail the facility of access to information in a month, the administrator was quite candid that as far as he is aware no citizen has ever approached his office for access to information under either FOI Act or SLGOs. The citizens approach his office only for the lodging and redressal of their complaints, mostly for non-availability of municipal services. The citizens need to be informed and educated about their right to information as conferred to them through various RTI laws such as the Freedom of Information Act and the various provisions of the Sindh Local Government Ordinances.

The meeting ended with regards and thanks to the town administration from Shehri-CBE, for not only giving valuable access to the working of the town administration, but also for providing a greater insight into how to improve the practices of pro-active disclosure of information by the town administration. Shehri would like to continue these dialogues in the future also with the Town Administration, to promote the concept of pro-active dissemination of information by the city corporation and its subsidiary offices.

Step 3: RECOMMENDATIONS FOR IMPROVING PROACTIVE DISCLOSURE OF INFORMATION BY THE CITY GOVERNMENT KARACHI

1. RECOMMENDATIONS BY THE INTERVIEWED GOVERNMENT OFFICER

Not much recommendations were given by the two officers of Jamshed Town during our meeting, probably since they had as yet not completely read the SPLGO 2012, and therefore were not willing to make any comments beforehand.

However, one recommendation that was made by them, and which made sense to Shehri also, was that each local town should bring out a newspaper, maybe every fortnight, and in which along with the mention of many laudatory efforts of the town administration, pro-active disclosure of different kinds of information can also be displayed.

2. RECOMMENDATIONS BY SHEHRI

The road to “Access to Information” is a dual carriageway, whereby access to information travels in both directions. One lane represents pro-active & voluntary disbursement of information by the department or authority itself where information travels from authority to the citizen, and the other lane represents the opposite direction whereby the citizen itself takes on an active role by becoming the requester for information.

Display of Information: The three main sources for disbursement of any information to the citizens is either through print media, web-site or display at the notice board on the office premises. Print media has the advantage that it has a far greater reach than the other two, though this gap is narrowing, but the main disadvantage is that the availability of the information is limited to just one day, i.e. if one misses the newspaper of that day, the information is lost. Moreover, one has to search for it among the plethora of other articles and notices, and it can easily be missed. On the other hand, with web-site, search is easy and the visual availability is an asset. The information can remain available for access for a considerable longer period of time. Same is the advantage with the display of information on a Public Notice Board at the office premises, i.e. easy visibility and longer duration of display. However, access becomes a disadvantage as citizens cannot visit the offices on a regular basis. Therefore, in summation, the combined display of information through all three sources, i.e. Print Media, Web-site and Public Notices at the office premises is the best option as it removes the disadvantage of one over the other.

Another very viable mode of information dissemination that is increasingly being put to very extensive usage is 'mobile applications' – particularly so in countries that are

heavily populated and where easy public access to local /city government offices is not easy. Information is forwarded and even input is solicited by two way information flow via mobile phones. Surveys on getting citizen feedback on services or views on some policy, project that the government intends to initiate, council meetings to be held are communicated via mobile messages. Information on, say a load shedding schedule, disruption in water supply services, some road construction etc. are relayed in advance via sms. Though KMC is using this mode of information dissemination, but on a very limited scale and with restricted prospects. Presently the information being circulated through SMS is very basic and passive, such as cleanliness drives, fumigation schedules, announcements of general nature, etc., but this approach has a lot of potential for growth where it can become an effective medium for two-way communication between the citizens and the city corporation. It can also be used by the City Corporation and the citizens to track the progress of their complaints or requests for information. Its main draw-back is the limited amount of information that can be circulated through mobile phone applications.

What Information to be Displayed: An average citizen is more concerned with the issues that affect him directly. While Public Notices regarding Auctions & Tenders are mandated by law, it is for the benefit of a select few. A citizen is more concerned about the framing of laws that would eventually govern him, budgetary allocations for services that in most cases are not provided to him, redressal of his complaints, and who to contact for the solution to his issues. Besides this the citizen also needs to feel empowered through effective lodging and resolution of his complaints. Also, he needs to know how his representatives are representing him, for which he should be allowed to observe committee proceedings or at the least, have access to minutes of the meetings. The citizen as a stake-holder has a right to have participatory involvement in the framing of laws, inclusive of but not limited to him being made aware of any attempt to frame a law and to have his objections heard. He also has a right to object to any change that is made in his living condition, environment or any issue that affects him. Hearing of public objections should not be limited to just that, that is merely hearing of objection without giving due diligence and consideration to them. His views have to be given consideration, and incorporated in the decision making process. For all this to happen, hearings should not only be properly advertised well before time, but their minutes and decision making process should also be properly displayed for public scrutiny. Citizens have a right to know if and whether their objections see the light of the day, or do they get relegated to the dust-bins of bureaucracy.

a) Shehri's Recommendations for Pro-Active Disclosure:

- (i) Proper provisions should be incorporated in the city corporation law (SPLGO 2012) to make disclosure of information a rule rather than an exception.
- (ii) A senior officer or a specific department should be mandated by law to ensure maximum voluntary and pro-active disclosure of information by the city corporation. Failure to do so should bring upon him strict disciplinary and pecuniary penalties, for nothing pinches one more than a wallop in the wallet.
- (iii) Information should be displayed through Print Media, Web-site and thorough Public Notices displayed at the office premise.
- (iv) Usage of mobile applications for greater access as this mode will have a much wider spread as compared to print media, displays in offices, though of course certain limitations exist as to how much and what kind of contact can be established.
- (v) Maximum information should be displayed.
- (vi) Information should be displayed, wherever possible, in English, Urdu & Sindhi.
- (vii) Web-site should also be available (through different links) in English, Urdu & Sindhi.
- (viii) All the Laws, Rules & Regulations, Bye-Laws, Notifications, Policies and Guidelines, under which the various departments of CDGK work, to be displayed on the web-site and link to them provided. Also Urdu and Sindhi translations of these instruments be provided.
- (ix) Public Notices for intention to framing of laws, amendment to the already existing laws, imposition of taxes, charges, fees, change of land use, etc to be prominently displayed though all three means.
- (x) Detailed Budgetary Allocations should be displayed on the web-site or link to it provided.
- (xi) Procedures for inviting and registering of public objections.
- (xii) Minutes and decision making process with regards to hearing of public objections.
- (xiii) Minutes and decision making process with regards to framing of laws, amendment to the already existing laws, imposition of taxes, charges, fees, change of land use, etc.
- (xiv) Schedule and minutes of committee meetings.
- (xv) Schedule and minutes of council meetings.

b) Shehri's Recommendations Where An Individual Acts As A Requester of Information:

- (i) Continuity in the local body system should be followed. Constant change from one system of SLGO to another SLGO creates confusion and ambiguity, leading to mismanagement and bad governance which eventually plays to the advantage of the beauracracy.
- (ii) A clear 'policy' based show of commitment by the city government to abide by the FOI Act and to put in place all human and procedural mechanisms to effectively comply with the FOI requirements.
- (iii) Setting up of a separate department to look after the FOI and general public relations related matters.
- (iv) Proper provisions should be incorporated in the city corporation law (SPLGO 2012), and to make proper rules and procedures for dealing with the process whereby a citizen applies for information.
- (v) The time frame for the application and appeal process should be clearly defined and strictly followed. It should be limited to weeks and not extend to months.
- (vi) The number of visits that a citizen has to make should be limited to not more than 2-3, both for the initial application and the appeal process. A citizen should not be expected to make more than 3 visits, as he cannot give up his job day-in day-out. It is a game of who blinks first, and invariably the citizen will blink first as he cannot afford to keep coming back again and again. The government officer, who in any case has to come every day to his office, will eventually tire out the applicant.
- (vii) The appeal process should be heard by an independent body, and not by a bureaucrat who is a part of the process.
- (viii) The appellate body should have considerable powers to initiate strict punitive actions against the errant officers.
- (ix) A senior officer should be mandated by law to ensure compliance of a citizen's request for information. Failure to do so should lead to the initiation of punitive measures both against him and the officer to him the initial request was made. These measures should also include monetary punishment.
- (x) Maximum information should be displayed.
- (xi) Exemption of documents from disclosure should be an exception rather as a rule, where the refusing authority would have to justify the exclusion of the document record from public record.

- (xii) Online form for citizens requesting information under RTI.
- (xiii) Online Tracking System so that the requester can follow the progress of his application for information. This will do away with the necessity of visiting the offices every time.
- (xiv) Mobile phone SMS application to track the progress of their requests for information.

“SUNLIGHT IS THE BEST DISINFECTANT”



RTI LAWS TO BRING MORE SUNLIGHT INTO OUR LIVES

Shehri-Citizens for a Better Environment

Shehri-Citizens for a Better Environment was formed in 1988 (based in Karachi City), as a non-political, noncommercial, non-governmental organization (under the Societies Registration Act XXI of 1860) by a group of concerned citizens to provide the citizens with a platform to effectively voice their concerns in determining their future and taking action in arresting the deterioration in their living environment and propose reform with a view to improve the same. Shehri-Citizens for a Better Environment is now fighting at the forefront of various issues of public concern related to the environment. The organization is actively engaged in areas of work like public advocacy and public interest litigation, right to information, freedom of information, good governance, community policing and police reforms, nature conservation, corporate social accountability, and last but not the least institutional reforms.

Objectives

- Establishment of an aware and pro-active civil society, good governance, transparency and rule of law
- Promotion of research and documentation, dialogue and influence of public policies
- Setting up an effective and representative local government system, e.g. capacity building and training
- Observance of basic human rights in society

Management

The core decision making body of the organization is the 'Managing Committee' (MC) that is answerable to the 'General Body' members. The MC is a volunteer body. The members of the MC hold office for a period of two years, after which there is a fresh election. Annual audit is conducted regularly and the audit report is duly shared with all members.

Financial and Program Management

Shehri-Citizens for a Better Environment has been certified (year 2005) with the Non Profit Certification Award by the Pakistan Center for Philanthropy in the areas of internal governance, financial management and program delivery. The organization has also been, in the year 2006, certified to comply with the USAID Management Standards after successfully participating in the Institutional Management and Certification Program implemented by the NGO Resource Center (A project of the Aga Khan Foundation). Donations to the organization are approved under section 47(1) (d) of the Income Tax Ordinance 1979.



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