



## **International Seminar on Freedom of Information Endeavours in the SAARC Nations: Challenges & Remedies**

*19 March 2016*

**Organised By:**

**Centre for Transparency and Accountability in Governance National Law  
University Delhi**

**&**

**National Campaign for Peoples' Right to Information, New Delhi**



**At**

**National Law University Delhi**

**Sector 14 Dwarka New Delhi, India**

## **THE ORGANISERS:**

### **Centre for Transparency and Accountability in Governance National Law University Delhi**

Centre for Transparency and Accountability in Governance, National Law University Delhi (*National Law University, Delhi established in 2008 by Act No.1 of 2008 of National Capital Territory of Delhi, Govt of Delhi, is one of the premier law universities established in India*) has been constituted to uphold the commitment of the rule of law and good governance. The Centre emphasises on sensitizing people on transparency and accountability in governance; empowering people such as students, lawyers, & public officials to contribute effectively to ensure transparency and accountability in governance; and creating and promoting quality research in the area of transparency and accountability in governance. The Centre also provides, for free of cost consultative services, training, sensitization and promotion on RTI, Labour and Industrial Laws and other governance related issues. The Centre also has organised national and International Conferences on good governance and corruption issues.

### **The National Campaign for People's Right to Information, New Delhi**

The National Campaign for People's Right to Information (NCPRI) was founded in 1996. Its founding members included social activists, journalists, lawyers, professionals, retired civil servants and academics. One of its primary objectives was to campaign for a national law facilitating the exercise of the fundamental right to information.

## **ABOUT THE SEMINAR**

The South Asian Association for Regional Cooperation (SAARC) was established when its Charter was formally approved on 8 December 1985 by the Heads of State or Government of Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. Afghanistan became a member of SAARC during the Fourteenth SAARC Summit held in Delhi, India in April 2007. SAARC provides a platform for the peoples of South Asia to work together in a spirit of friendship, trust and understanding. It aims to promote the welfare of the peoples of South Asia and to improve their quality of life through accelerated economic growth, social progress and cultural development in the region. The SAARC nations are significantly affected by rampant corruption in public as well as private sectors. Transnational Corruption and domestic corruption have also hindered development of the economics of SAARC nations.

Right to information has also been recognised as a part of fundamental rights under the Constitutions of most of the SAARC nations. The fundamental objectives of the freedom of information laws is to promote transparency and accountability in the operations of public authorities and contain corruption. Right to information finds adequate constitutional protection in Sri Lanka, Bangladesh, India, Nepal, Bhutan, Maldives, Afghanistan and Pakistan. The Constitutional Governing Documents of the SAARC nations have recognised access to information as an instrument of good governance and curbing corruption. In Nepal and Pakistan, the right to information is explicitly protected in the constitution by Article 27 of

the Interim Constitution of 2007 in Nepal, and in Pakistan, by Article 19A of the Constitution inserted via the 18th Amendment in 2010. The Constitution of Nepal 2015 has not expressly recognised right to information as a part of some fundamental rights.

Afghan Constitution 2004 Article 50 of the Constitution of Afghanistan has recognised access to information as an integral part of good governance. Afghanistan has also enacted Access to Information Law 2014 in consonance of Article 50 of the Constitution. Right to Information Bill, 2013 of Bhutan is pending before the Ministry of Information of Bhutan. The Nineteenth Constitutional Amendment to the Constitution of Sri Lanka 2015 under Article 14A has recognised Right to Information as a fundamental right of Citizens with effect from 15th May, 2015. The Constitution of Maldives, 2008 Article 61(d) stipulates that every citizen has the right to obtain all information possessed by the Government.

The Most of the Members of the SAARC, except Bhutan have ratified the UN Convention Against Corruption, 2003. Therefore the SAARC nations are under obligation to ensure implementation of transparency and accountability endeavours under the municipal laws meticulously. The Right to Information Act, 2005 of India, the Maldives RTI Act 2014, RTI Bill 2015 of Sri Lanka, RTI Act 2007 Nepal, RTI Act 2009 of Bangladesh, Access to Information Law 2014 of Afghanistan, Pakistan RTI ordinance 2002 and various provincial RTI laws and RTI Bill 2013 of Bhutan have been the initiatives in empowering citizens and other specified parties to provide right to access to information in governance for containing corrupt practices.

Though, in order to execute the spirit of the Constitutions of the SAARC nations, right to information laws have been enacted to promote the vision of transparency and accountability of governance of three pillars, the executive, the judiciary and the legislature, But the effective and efficient compliance of these RTI Laws due to lack of empowerment of executing authorities, the Information Commissions, is a matter of grave concerns for each and every member of the SAARC.

#### **SUB-THEMES OF THE SEMINAR:**

The Seminar shall provide a platform, to promote access to information and good governance, to various stakeholders and soldiers of transparency and accountability in governance in the SAARC Countries. This Seminar would deliberate on the following sub-themes affecting access to information in the SAARC Nations:

1. Effectiveness of Pro-active disclosure scheme
2. Freedom of Information/Right to Information Laws and Corruption Control
3. Accountability of the Public authority and Public Information officers.
4. Nature and Scope of Exemptions under the Freedom of Information Laws
5. Dilution of access to Information and the Judiciary.
6. Empowerment of the Information Commissions
7. Reforms related to functioning of the Right to Information Schemes.
8. Protection to RTI Applicants/whistleblowers under Law.
9. Political Parties under RTI/Freedom of information scheme

10. Private Institutions performing public functions and Access to information
11. International Public and Private Organisations operating in the SAARC Nations and extent of RTI/Freedom of Information
12. Comparative Analysis of Freedom of Information Laws in the SAARC Nations: India, Sri Lanka, Nepal, Pakistan, Bhutan, Afghanistan, Maldives, and Bangladesh
13. Challenges before the Freedom of Information/Right to Information endeavours in the SAARC Nations.
14. *Above themes are only illustrative but not exhaustive. Research paper may select any topic related to the main theme*

### **PATRON-IN-CHIEF**

Prof. (Dr.) Ranbir Singh, *Vice-Chancellor, National Law University Delhi*

### **OUR MENTORS**

Justice AK Patnaik, Former Judge, Supreme Court of India  
Shri Wajahat Habibullah, Former Chief Information Commissioner and Former Chairperson Minority Commission of India, New Delhi  
Shri P S Bawa, Chairman; Transparency International, India  
Ms. Aruna Roy, National Campaign for Peoples' Right to Information, New Delhi  
Ms. Maza Daruwala, Chairperson, Commonwealth Human Rights Initiative, India  
Prof J S Chhokar and Chairperson of Association for Democratic Reforms  
Shri Shailesh Gandhi, Former Central Information Commissioner, Govt of India  
Prof Madabhushanam Sridhar Acharyulu, Central Information Commissioner, Government of India  
Shri Subhash Chandra Agrawal, RTI Activist. New Delhi  
Shri. Nikhil Dey, National Campaign for Peoples' Right to Information, New Delhi

### **PATRON**

Prof. (Dr.) G S Bajpai, Registrar and Professor, National Law University Delhi

### **SEMINAR CONVENER**

Dr. Jeet Singh Mann, Director Centre for Transparency and Accountability in Governance  
National Law University Delhi

### **CALL FOR PAPERS**

Research papers or field researches on the specified topics pertaining to freedom of information endeavours are invited from scholars, researchers, bar & bench, teachers and students, PIO,

NGO, civil societies. One co-author is allowed. Selected research papers will be allowed to make presentation. Papers selected by the Editorial Committee may be published in a book with ISBN No. after completion of the Seminar.

### **Guidelines for Seminar Paper**

*Research paper should apply research skills and use of appropriate research methodology. Research paper must highlight specific research problem/Issue and should also reflect on the viable solution of the /problems/issues identified. Abstract shall also provide for the Scheme of the Research Paper.*

Paper should not be of more than 10,000 words. It must be typed in Times New Roman Font Size 12 on A4 size paper with 1" margin on all sides with 1.5 line spacing using MS Word application. At the end of the paper, there should be a brief profile of the author with his e-mail ID, contact number and address.

### **Important Dates**

**Abstract Submission: 25 February 2016**

**Approved Abstract notification : 28 February, 2016**

**Submission of Complete Paper and Registration: 12 March 2016**

Research paper may be submitted to the Convener of the conference at [ctag@nludelhi.ac.in](mailto:ctag@nludelhi.ac.in). Articles received after the stipulated deadline will not be entertained for participation in the conference.

### **REGISTRATION CHARGES:**

*Registration Charges: Rs. 500 for legal professionals/Teachers and Rs 200 for students.*

No registration charges for the paper presenters, members of Commonwealth Human Rights Initiative, India; Transparency International, India; Association for Democratic Reforms, India; and NCPRI, New Delhi. No registration fee from Public Information Officers shall also be charged. ***There shall be no registration fee from any foreign delegate/participant including from the SAARC Nations and accommodation of the same, without any cost, will also be provided by the University.***

No TA/DA will be paid to participants. Limited accommodation is available on first come first serve basis for participants from outside NCR area only. Preference shall be given to paper presenters. Registration for witnessing the proceedings can be submitted at any time on or before **12 March 2016**. Certificate for actual participation shall be issued after completion of the events or will be mailed after completion of the conference. No certificate shall be issued *in absentia* and there shall be no refund of registration charges at any stage.

**For further information kindly visit our web site: [www.nludelhi.ac.in](http://www.nludelhi.ac.in)**

# **International Seminar on Freedom of Information Endeavours in the SAARC Nations**

## *Registration Form*

### **Details of the Participant**

Name.....

Designation.....

Organization.....

Mob

Phone.....

Email

ID.....

Mailing

Address.....

### **Payment Details:**

*(Applicable/ Not Applicable)*

DD/ Cheque No..... Rs.....

Date and Place

Signature

.....

All Payments to be made through Demand Draft or a Cheque payable at New Delhi and drawn in the favour of 'Registrar, National Law University, Delhi and sent to:

*Centre for Transparency and Accountability in Governance, (CTAG) National Law University, Delhi Sector 14 Dwarka New Delhi 10078 , India,*

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### **For Any Clarification please contact**

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