

BY COURIER

Ref: PILAP/HO/2021/627

Dated: 5th October, 2021

**The Cabinet Secretary,
Cabinet Division,
Cabinet Block, Cabinet Secretariat,
Red Zone,
Islamabad**

APPLICATION UNDER THE RIGHT OF ACCESS TO INFORMATION ACT, 2017

Dear Sir,

The Public Interest Law Association of Pakistan (PILAP) is a public interest association concerned with the primary objective of enabling the citizens of Pakistan to attain the realization of their civil, human, economic, social and political rights, as guaranteed by the Fundamental Rights laid down in the Constitution of Pakistan. PILAP addresses matters of public interest by means of advocacy and by seeking redress for the people of Pakistan through the justice system. It respectfully submits as under:

1. That PILAP seeks information on state gifts received by the "Toshakhana" of the Cabinet Division from foreign states, dignitaries and others. At the outset, it is pertinent to mention that any foreign gifts presented to Government/public functionaries are presented in their capacity as representatives of the people of Pakistan. They are, hence, presented to the state and the people of Pakistan. Even if presented personally to the heads of state or government they are obligated to report receipt to the Cabinet Division.
2. That the present government has inquired into and challenged the receipt of foreign gifts by previous heads of state and government through courts of law. If the matter is one of confidentiality the question arises as to why previous governments are being questioned about gifts received while the present one hides behind the cloak of confidentiality.
3. That even otherwise, when certain information is declared classified by a Minister-in charge under the Right of Access to Information Act, 2017, the proviso to section 7(f) of the Act states that they are obligated to record reasons as to why the harm from disclosure of information outweighs public interest. The reason against such

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disclosure cited by the government is not to strain relations with foreign countries. It is submitted that while this reasoning does not outweigh the public interest, especially in a developing country such as ours where the basic needs of people are not being met, it is still possible to disclose the list of foreign gifts reported to the Toshakhana since August 2018 by disclosing the details and amount of each gift, as well as whether or not they have been bought or auctioned under the Procedure for the Acceptance and Disposal of Gifts laid out in Office Memorandum No.8/5/2017-TK dated 18th December, 2018 of the Cabinet Secretariat.

4. That in view of the above, PILAP respectfully submits this application under the right granted by the Right of Access to Information Act, 2017 and Article 19A of the Constitution as under:

- i) Please provide a list of all gifts received by government/public functionaries from foreign states, dignitaries and others reported to the Toshakhana of the Cabinet Division since August 2018.
- ii) Please indicate whether and how the said gifts have been disposed of under the Procedure for the Acceptance and Disposal of Gifts laid down in Office Memorandum No.8/5/2017-TK dated 18th December, 2018 of the Cabinet Secretariat.

5. That in the circumstances, PILAP would be grateful for a reply at the earliest.

Thank you.