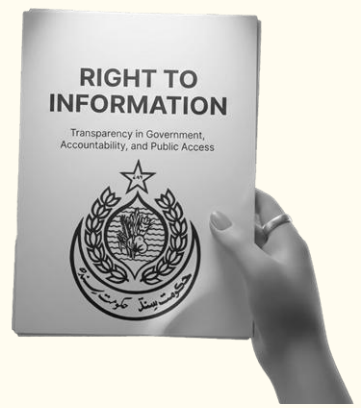




# Closing the Information Gap:

The Case for Reforming the Sindh Transparency and Right to Information Act, 2016





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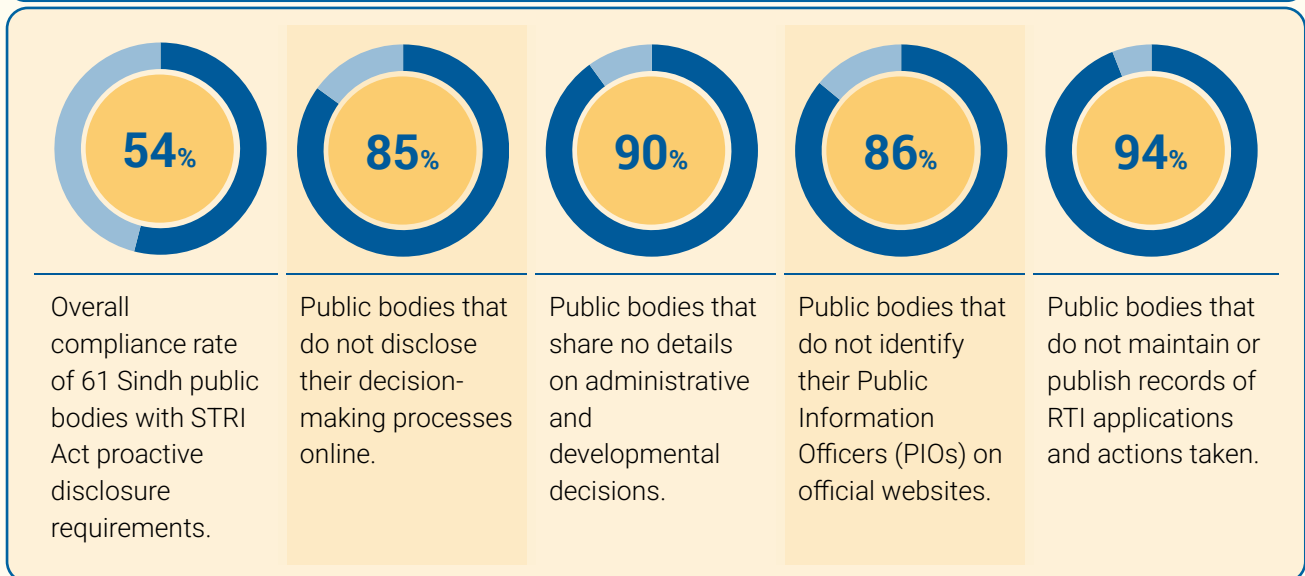
## Introduction

Nine years after the Sindh Assembly enacted the Sindh Transparency and Right to Information (STRI) Act, 2016, the province's public institutions remain largely non-compliant with its proactive disclosure requirements. A 2025 assessment conducted by the Free and Fair Election Network (FAFEN) of 61 public bodies – comprising 36 Secretariat Departments and 25 Attached Departments – found that, on average, Sindh's public bodies publish only 54 percent of the information that the law mandates. Secretariat Departments fared better at 59 percent, whilst Attached Departments disclosed only 48 percent.

The consequences of this compliance gap extend well beyond mere procedural non-fulfilment. When government information is absent from official channels, the resultant vacuum is often filled by speculation, rumour, and deliberate misinformation. FAFEN's campaign – Countering Disinformation through Reliable Government Information – is grounded in a clear, evidence-based premise that the most effective antidote to disinformation is not punitive legislation but the timely, accurate, and proactive publication of official information.

This policy brief is addressed to the Provincial Assembly of Sindh and the Government of Sindh. It presents [FAFEN's assessment findings](#)<sup>1</sup>, identifies structural weaknesses in the STRI Act that enable non-compliance, and proposes targeted amendments to transform the Act from a largely declaratory instrument into an enforceable transparency framework.

### KEY FACTS – SINDH RTI COMPLIANCE







## 1. The RTI–Disinformation Nexus

Pakistan's information ecosystem is increasingly characterised by the rapid circulation of unverified claims that often outpace official clarifications. Where public bodies fall short to proactively disclose their decision-making

<sup>1</sup> Free and Fair Election Network (FAFEN). *An Assessment of Proactive Disclosures by Public Bodies in Sindh Province*. Islamabad: FAFEN, 2025.

processes, budget allocations, or service delivery criteria, citizens are compelled to rely on informal sources – social media forwards, partisan commentary, and hearsay.

The FAFEN assessment documents precisely where these information voids are deepest in Sindh:

<p><b>Decision-making opacity:</b></p> <p>Only <b>15 percent</b> of assessed public bodies published any description of how decisions are made, leaving citizens without the evidence to evaluate government actions on their merits.</p> 	<p><b>Financial non-disclosure:</b></p> <p>Only <b>10 percent</b> shared information on administrative and developmental decisions; 46 percent did not publish even partial budget details.</p> 
<p><b>Accountability blackout:</b></p> <p>Only <b>six percent</b> maintained or published records of Right to Information (RTI) applications received and actions taken – the very metric that makes the Act self-enforcing.</p> 	<p><b>Invisible PIOs:</b></p> <p><b>86 percent</b> of public bodies did not identify their PIOs online, effectively leaving citizens their statutory access point.</p> 

Each of these gaps effectively creates conditions that enable disinformation. The remedy is not the criminalisation of false information, as such measures risk chilling legitimate speech and are often weaponised against journalists and civil society. The remedy is mandatory, verifiable, and enforceable disclosure.

## 2. What the Law Requires – and Where It Falls Short

Section 6(1) of the STRI Act, 2016 mandates proactive disclosure, including online publication, across six categories, ranging from overview of public bodies, public service and conditions to personnel information, legal framework and policies, decision making processes and financial transparency, and access to information mechanisms. FAFEN's review of public bodies websites, conducted between 7 February and 26 March 2025, assessed each public body's website against 14 of these disclosure clauses.

Compliance was high for generic disclosures – organisational functions (95%), legal frameworks (95%), and public service criteria (95%) – but dropped sharply for the information most critical to accountability and countering disinformation:

Disclosure Requirement	STRI Act Clause	Compliance Rate
Decision-making processes	6(1)(f)	<b>15%</b>
Administrative and developmental decisions	6(1)(g)	<b>10%</b>
Budget – proposed and actual expenditures	6(1)(i)	<b>54%</b>
Subsidy programme execution details	6(1)(j)	<b>5%</b>
Concession and permit recipients	6(1)(k)	<b>7%</b>
PIO particulars	6(1)(m)	<b>14%</b>
RTI application records and actions taken	6(1)(o)	<b>6%</b>

FAFEN's assessment also found that even the best-performing departments – the Finance Department, the Investment Department, and the Chief Minister's Secretariat, each at 80 percent – did not achieve full

compliance. No public body in Sindh scored 100 percent against the STRI Act's proactive disclosure requirements.

These shortcomings are not solely the result of attitudes or reluctance. They reflect multiple structural gaps in the law itself as identified through a review of the STRIA. These include:

- The definitional ambiguities create space for arbitrary interpretation of key provisions discouraging full transparency by public bodies.

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- The mechanisms instituted within the existing legal framework for enforcement of mandatory proactive disclosures remain weak. Currently, the law does not require public bodies to systematically report on their implementation of RTI obligations, resulting in weak institutional accountability and the absence of reliable data to assess compliance trends and enforcement gaps.

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- The STRIA does not sufficiently guarantee the independence and operational capacity of the Sindh Information Commission, particularly in relation to appointments, removal procedures, financial autonomy, and proactive planning. The [Commission itself has been documenting these fiscal and operational challenges in its annual reports](#) submitted to the provincial government<sup>2</sup>.

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- Unlike other RTI frameworks in the country, the STRIA lacks provisions for mandatory reporting of the Information Commission to the legislature for a bipartisan scrutiny of its performance. Currently, it requires such reporting only to the provincial government.

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- The existing RTI framework falls short of providing an enabling framework for digitalisation of RTI processes, including electronic submission and tracking of information requests and complaints. This limits accessibility, reduces efficiency, and creates information asymmetries between applicants and public bodies.

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- The Act does not incorporate key internal accountability mechanisms, such as whistleblower protections and clearly defined responsibilities for senior officials, which are essential for ensuring compliance from within public bodies. Evidence from global institutions such as [the World Bank](#)<sup>3</sup> and [Transparency International](#) demonstrates that such safeguards are critical in preventing corruption and mitigating risks of maladministration.

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- The Act does not prescribe standardised formats for the storage, management, and proactive disclosure of information, leading to inconsistent practices across public bodies and undermining the usability and comparability of disclosed information.

### 3. Recommendations for Strengthening STRIA

FAFEN urges the provincial government and the Provincial Assembly of Sindh to initiate legislative reforms to strengthen the STRI Act, 2016. The following recommendations are informed by FAFEN's compliance assessment and a systematic review of the Act's existing provisions.

#### 3.1. Strengthen the Act's Definitional Clarity

Ambiguous definitions allow public bodies to claim procedural compliance while continuing to withhold substantive information. The following definitional amendments are recommended:

- **Public body:** Broaden the definition to cover any institution that receives rebates, tax concessions, subsidies, or funds from the provincial public exchequer.

<sup>2</sup> Sindh Information Commission. Annual Reports (2022-23 and 2023-24). Available at: <https://rti.sindh.gov.pk/files/RTI/anwalraput%20part%20FINAL%2052%20PAJ.pdf>.

<sup>3</sup> World Bank. *The Effects of Corruption on Administrative Performance: Illustrations from Developing Countries*. 1983. Washington, D.C. World Bank.

- **Record:** Introduce a comprehensive definition of “record” that includes information in any form, ensuring digital and electronic records are unambiguously covered.
- **Right to information:** Amend the definition to include the right to obtain information in a form that is understandable, analysed, and disaggregated, so that raw data dumps do not substitute for meaningful disclosure.
- **Employee or official:** Explicitly define the employees and officials of public bodies whose particulars are to be proactively disclosed, including consultants and temporary staff.
- **Digital complaint handling:** Expand the definition of ‘complainant’ to explicitly include submissions made through digital complaint mechanisms, alongside paper-based complaints.

### 3.2. Mandate Annual Compliance Reporting

The STRI Act currently contains no requirement for public bodies to report on their own RTI compliance. FAFEN recommends inserting the following two new sub-sections in Section 6:

- Each public body shall publish an annual report on its implementation of the Act’s obligations, including comprehensive data on requests received, response timelines, requests refused, and the grounds of refusal.
- This annual report shall be formally submitted to the Speaker of the Provincial Assembly of Sindh and to the Sindh Information Commission, which shall review the report and take appropriate action.

Additionally, a new sub-section in Section 7 should require that the head of each public body actively support and facilitate the Public Information Officer (PIO) in the discharge of functions under the Act – establishing clear senior-level accountability for RTI compliance.

### 3.3. Introduce Whistleblower Protections

RTI laws function most effectively when individuals within public bodies can report non-compliance without fear of retaliation. FAFEN recommends inserting a dedicated whistleblower protection provision in the Act, modelled on international best practice, that protects individuals who, acting in good faith and on reasonable grounds, disclose information they believe to be substantially true regarding wrongdoing, corruption, or serious maladministration in a public body. This provision would strengthen internal accountability and support RTI enforcement from within public institutions.

### 3.4. Strengthen the Sindh Information Commission's Independence

The commission's ability to enforce the Act depends on its independence from the executive. FAFEN recommends the following three structural changes:

- **Selection process:** The appointment of the Chief Information Commissioner and commissioners should involve a broader, consultative process, such as a provincial assembly committee with representation from both the treasury and opposition benches, to ensure appointments are not solely at the discretion of the provincial government.
- **Removal process:** The current removal provisions place excessive discretion with the provincial government. The Act should specify that removal requires a reference to the High Court, which must conduct an inquiry and confirm that valid grounds for removal exist before the Governor may act.
- **Financial independence:** Establish a dedicated Sindh Right to Information Fund, vested in the commission, sustained by government grants, donations, and the commission's own income, with annual accounts audited by the Auditor General of Pakistan and tabled in the Sindh Assembly.

### 3.5. Empower the Commission to Inspect and Direct

The commission currently lacks statutory authority to conduct compliance inspections or to issue binding directions to public bodies on public records management. FAFEN recommends amending the Act to:

- Authorise the commission to conduct periodic inspections of public bodies' records.
- Empower the commission to issue binding instructions on how records must be maintained and what must be disclosed.
- Insert a new provision – Assistance to the Commission – requiring all provincial executive authorities to assist the commission in the performance of its functions.

### 3.6. Require Strategic Planning and Digital Tracking

A new section on strategic planning should require the commission to lay before the Sindh Assembly a five-year strategic plan setting out its objectives, priorities, proposed actions, a timetable, and cost estimates. The plan should be prepared in consultation with the standing committee of the Assembly, public bodies, and other stakeholders, and reviewed at mid-term. This would bring institutional transparency to the commission itself.

The commission should also be required to introduce a digital tracking system that notifies RTI applicants – by email or SMS – at each stage of the processing of their request. This would reduce information asymmetry between applicants and public bodies and make non-responsiveness immediately visible.

### 3.7. Standardise Proactive Disclosure Formats

To address the finding that most public bodies are unclear about what Section 6 proactive disclosures entail in practice, the commission – In consultation with public bodies – should develop standardised information formats tailored to the specific duties and functions of each category of public body. These formats should be mandatory, published on a Sindh Information Commission's web portal, and updated at least annually.



## Conclusion

The STRI Act, 2016 was enacted on a sound constitutional premise – that citizens of Sindh have a guaranteed right to information held by their government. Nine years on, a 54 percent average compliance rate demonstrates that the right exists in law but not consistently in practice. The resulting information gaps do not remain empty: they are instead filled by rumour, politically motivated narratives, and disinformation that undermine public trust in democratic institutions.

FAFEN does not argue that disinformation can be regulated away. Punitive approaches that criminalise the sharing of unverified information have proven ineffective in curbing disinformation, while frequently being used to suppress legitimate dissent, investigative journalism, and civil society scrutiny. The structural solution is the one already established under Article 19A of the Constitution and in the STRI Act itself: the proactive, timely, and verifiable publication of official information that minimises the space for false narratives to take hold.

The Sindh Provincial Assembly has the legislative authority and the democratic mandate to operationalise this framework effectively. The amendments recommended in this brief – to the Act's definitions, its compliance mechanisms, the commission's independence and powers, and its institutional architecture – would strengthen the Act's enforceability and address its current implementation gaps. FAFEN urges the Assembly to initiate the amendment process, and commits to supporting that process with evidence, technical input, and public engagement.



The Free and Fair Election Network (FAFEN) is Pakistan's largest civil society network of networks dedicated to strengthening democracy through observation and oversight of electoral, parliamentary, and governance processes. FAFEN's 'Countering Disinformation through Reliable Information' campaign documents proactive disclosure compliance across Pakistan's four provinces and advocates for law reform to strengthen citizens' right to information.

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