



From Enactment to Enforcement:

Strengthening Balochistan's Right to Information Act to Counter Disinformation



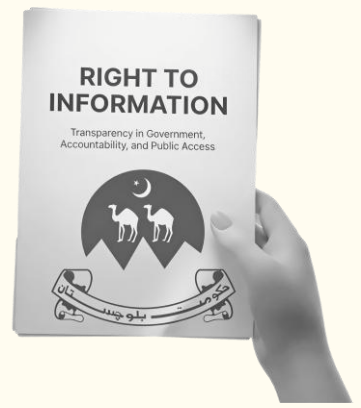
Countering Disinformation Through Reliable
Government Information

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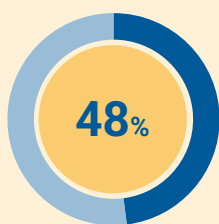
Introduction

Balochistan enacted its Right to Information Act in 2021 – the last of Pakistan's four provinces to do so, following Khyber Pakhtunkhwa and Punjab (2013), and Sindh (2016). The Balochistan Right to Information (BRTI) Act, 2021 was enacted in line with Article 19A of the Constitution of Pakistan, which guarantees the right to information to every citizen. Four years into the Act's life, [a 2025 assessment by the Free and Fair Election Network \(FAFEN\) of 66 public bodies websites](#) – 39 Secretariat Departments, 12 Attached Departments, and 15 Autonomous Bodies – found that only 48 percent of BRTI Act-mandated information is proactively disclosed on the official websites. This is the lowest average disclosure rate recorded across Pakistan's four provincial transparency assessments by Free and Fair Election Network (FAFEN).

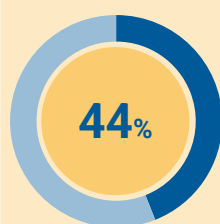
On average, more than half of the information (52 percent) that the BRTI Act mandates public bodies to publish through the internet is not available to citizens. Secretariat Departments are the weakest category at 44 percent. The information such as budgetary and expenditure details, subsidy beneficiaries, concession recipients, Public Information Officer (PIO) contact details, and annual compliance reports remain largely missing on the public bodies' websites. Only six percent of public bodies published any information enabling citizens to submit an information request. Only 15 percent published an annual compliance report as the Act requires.

Against this backdrop, this policy brief synthesises FAFEN's assessment findings with a systematic review of the BRTI Act, 2021 to identify structural gaps and propose targeted reforms to further strengthen the RTI framework in the province. The brief offers recommendations to the Provincial Assembly of Balochistan and the Government of Balochistan for amendments needed in the BRTI Act, 2021. It is produced under FAFEN's campaign titled Countering Disinformation Through Reliable Government Information, which rests on the premise that the most effective remedy for disinformation is not punitive laws but the proactive, enforced, and verifiable publication of official information. Balochistan has the opportunity to design its enforcement infrastructure from the outset rather than retrofitting it onto a decade of non-compliance. The amendments proposed in this brief are that opportunity.

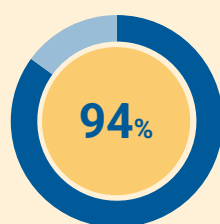
KEY FACTS – BALOCHISTAN RTI COMPLIANCE (2025)



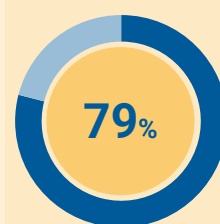
Overall disclosure rate – the lowest of Pakistan's four provinces as per FAFEN's assessments – leaving more than half of mandated information undisclosed



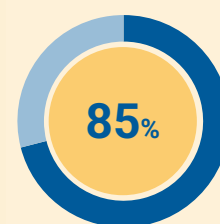
Disclosure rate of Secretariat Departments, the weakest category despite managing the province's core governance functions



Public bodies that disclosed no PIO contact details or procedure for submitting an information request



Public bodies that published no budget information whatsoever – neither proposed nor actual expenditures



Public bodies that published no annual compliance report as required under Section 5(2)(a) of the BRTI Act

1. WHERE DOES INFORMATION DISCLOSURE FALL SHORT?

Balochistan is a province where the consequences of information voids are acute. It is geographically vast, with a dispersed population of approximately 14.89 million across difficult terrain. Citizens who cannot readily access government offices depend disproportionately on digital networks, community rumour chains, and informal media for information about government decisions, services, and spending. When official sources are silent, those informal channels fill the space – and not always accurately.

FAFEN's campaign is premised on the documented relationship between information absence and disinformation spread. The BRTI Act's proactive disclosure requirements were designed precisely to prevent this by mandating that public bodies publish information about their structures, functions, frameworks and finances for citizens in an accessible manner including through the internet. By making available information on budget, subsidy programme, decision-making processes, and PIO contact details, the law creates a publicly verifiable factual record. Citizens, journalists, and civil society organisations can then measure claims about government actions against that record. Without it, no such check is possible.

However, FAFEN's assessment of public bodies websites against nine specific disclosure requirements drawn from Sections 5(1) and 5(2)(a) of the BRTI Act reveals that the check is largely missing. The table below presents compliance rates across all assessed categories:

Disclosure Requirement	KPRTI Clause	Compliance Rate
Legal frameworks and policies	5(1)(a)	80%
Functions and duties of public body	5(1)(b)	98%
Personnel directory – powers, remuneration, perks	5(1)(c)	70%
Public service norms and criteria	5(1)(d)	73%
Budget – proposed and actual expenditures	5(1)(e)	21%
Subsidy and benefit programme details	5(1)(f)	15%
Recipients of concessions, permits, authorisations	5(1)(g)	2%
PIO contact details and request procedure	5(1)(h)	6%
Annual compliance report	5(2)(a)	15%

The pattern is consistent with what FAFEN found in other provinces, but the scale of the missing information in Balochistan is significantly higher in certain categories. Compliance is adequate on general disclosures such as organisational structure, personnel directories, and legal frameworks. But, it collapses precisely where public interest is highest and accountability is most needed, such as budgets, subsidies, permits, access procedures, and compliance reporting.

2. Overview of the Legal Framework

The BRTI Act, 2021 establishes a sound statutory foundation for transparency. While the law largely follows a similar framework as other provincial RTI laws, its definitions of key terms such as 'information' and 'public bodies' are broader than its sister frameworks. The definition of information categorizes an exhaustive list of information categories and explicitly covers photographs, audio or video materials, and any instrument prepared through electronic processes. Such broad definition accommodates digital governance environments. Similarly,

public bodies definition under Section 2(n) covers all government departments and attached departments, the secretariats of the Chief Minister and Governor, the Provincial Assembly, subordinate judiciary, bodies established by law, local governments, and non-governmental organisations financed by the government.

Notwithstanding these strengths, structural gaps similar to the ones noted in other provincial frameworks reduce the Act's effectiveness. These are described below:

2.1. Definitional Ambiguities

Section 2 currently lacks adequate definitions for several critical terms:

- **Applicant:** The definition of 'applicant' in Section 2(b) is confined to citizens of Pakistan i.e. natural persons. This excludes legal persons, such as companies, civil society organisations, media organisations, from the right to information.

- **Complaint:** The definition in Section 2(c) describes a complaint narrowly as an allegation that a request 'has not been dealt with in accordance with the rules and procedures.' It does not enumerate specific actionable grounds such as non-provision within the stipulated time, refusal to receive a request, furnishing false or incomplete information, excessive fees, deliberate destruction of information, failure to comply with proactive disclosure requirements, or violation of any other provision. Without enumerated grounds, the commission's complaint jurisdiction is susceptible to narrow interpretation by public bodies seeking to resist accountability.

- **Working days, civil society, national security:** The Act uses these terms in operational provisions – timelines, applicant eligibility, and exemptions – without defining them. The absence of a definition for 'working days' in particular creates ambiguity in the calculation of response deadlines under Section 11.

- **Right to information:** The Act does not define the substantive content of the right it creates. An operational definition should specify the right to inspect documents, take notes or certified copies, take certified samples, and obtain information in electronic form. Explicitly including the right to obtain information in 'understandable, analysed, and disaggregated' form would prevent raw-data dumps from substituting for meaningful disclosure.

- **Information web portal:** While the law requires publishing of information through the internet, it does not define in clear terms any digital portal such as official websites for proactive disclosure, leaving digital infrastructure to administrative discretion.

2.2. Absent Decision-Making Disclosure Requirement

Unlike other RTI laws, which require public bodies to publish their decision-making processes and opportunities for public consultation, the BRTI Act contains no such obligation. Section 5 of the Act does not include a counterpart to the decision-making disclosure requirements present in other provincial laws.

2.3. Weak Annual Compliance Reporting

Section 5(2)(a) imposes a requirement for public bodies to publish annual reports on their RTI implementation without providing a timeline for publication or accountability for non-publication. Resultantly, 85 percent of assessed public bodies published no such report on their websites.

2.4. Structural Incompleteness of the Balochistan Information Commission

Section 18(1) of the BRTI Act required the government to establish the Balochistan Information Commission within 120 days of the Act's commencement – by mid-June 2021. Yet, the commission remained unestablished for over three years. Following a Balochistan cabinet decision in October 2024, two commissioners were appointed in January 2025. However, In July 2025, Transparency International Pakistan wrote to the Chief Minister documenting the commission's continued non-operationalisation nearly eight months after those appointments – citing the absence of a Chief Information Commissioner and inadequate operational

infrastructure.¹ The commission's temporary office was formally inaugurated only on 28 August 2025. The Act requires the commission to be headed by a Chief Information Commissioner (a retired senior civil servant of BPS-20 equivalent) with three other commissioners. With multiple positions including that of Chief Information Commissioner vacant, the commission remains structurally incomplete — and the several years' gap from enactment to functional operations is itself evidence that the appointment process in Section 18 lacks adequate safeguards against executive inaction.

2.5. Commission Lacks Inspection Powers and Binding Direction Authority

Section 19 of the BRTI Act sets out the commission's functions but does not authorise it to conduct proactive inspections of public bodies' records, nor to issue binding instructions on how records must be maintained and what must be proactively disclosed. The commission's enforcement authority is effectively reactive as it can only respond to complaints. FAFEN's assessment documents widespread non-compliance across 66 public bodies, which a reactive commission cannot effectively address.

2.6. Financial Dependence on the Executive

Section 21 of the BRTI Act makes the commission financially dependent on government grants-in-aid. The commission must prepare and present a budget proposal to the government, but there is no statutory minimum funding obligation and no independent fund.

2.7. No Whistleblower Protection

The BRTI Act contains no provision protecting persons who disclose evidence of wrongdoing, maladministration, or failure to comply with RTI obligations. The absence of such protection creates a chilling effect on internal disclosure within public bodies — those most likely to know about RTI non-compliance are the employees of the public body itself. Without statutory protection, the informal channels of accountability that make RTI frameworks self-correcting cannot operate effectively.

2.8. Remuneration and Security of Tenure Not Specified

Section 18 of the BRTI Act does not specify the remuneration, perks, and privileges of the Chief Information Commissioner and commissioners, nor does it bar the government from varying those conditions to commissioners' disadvantage after their appointment. Where a government is hostile to RTI enforcement, financial pressure through variable remuneration is a mechanism of indirect control that the Act does not guard against.

■ Recommendations for Strengthening BRTI Act

FAFEN urges the Provincial Assembly of Balochistan as well as the Government of Balochistan to initiate an amendment process for the BRTI Act, 2021. As the most recently enacted provincial RTI law, Balochistan's Act can learn from implementation experience in other provinces. The following recommendations address the Act's structural and operational gaps as discussed in preceding sections.

2.9. Strengthen Definitions in Section 2

Imprecise definitions allow public bodies to claim technical compliance whilst withholding substantive information. The following definitional amendments are recommended:

- **Applicant:** Define as any citizen of Pakistan or legal person registered or incorporated in Pakistan seeking information under the Act, including a person authorised on behalf of a legal person.

¹Transparency International Pakistan Letter to Chief Minister Balochistan, 11 July 2025. Available at: <https://transparency.org.pk/government-of-balochistan/>

- **Public body:** Extend the definition to any private institution receiving rebates, tax concessions, subsidies, or funds from the public exchequer, ensuring that entities sustained by public money cannot evade disclosure obligations.
- **Complaint:** Replace the existing definition with one that specifies actionable grounds, including wrongful denial, non-provision within the stipulated time, refusal to receive and process a request, furnishing false or incomplete information, excessive fees, deliberate destruction of information, failure to comply with proactive disclosure requirements, and violation of any other provision of the Act.
- **Right to information:** The definition should explicitly include the right to inspect any work or document, take notes or certified copies, take certified samples of material, and obtain information in electronic form. The words 'understandable, analysed and disaggregated' should be added after 'obtain' to ensure that raw data dumps do not substitute for meaningful disclosure.
- **Information web portal:** Define as an online platform or website established by a public body for making information accessible to all citizens.
- **Working days, civil society, national security:** Insert precise definitions for these terms to remove ambiguity in interpretation.

2.10. Add a Decision-Making Disclosure Requirement

A new clause should require each public body to publish a description of its decision-making processes, the basis on which key decisions are made, and the avenues through which citizens may provide input.

2.11. Mandate Annual Compliance Reporting by Public Bodies

Section 5(2)(a) already requires an annual compliance report. However, this requirement is absent from 85 percent of assessed websites, indicating that the existing obligation lacks enforcement. The Act should be strengthened in two ways:

- The annual report prepared by each public body under Section 5(2) shall be formally forwarded to the Speaker of the Balochistan Provincial Assembly in addition to the Balochistan Information Commission, which may discuss the performance of public bodies. This creates legislative oversight of departmental compliance.
- A new provision in Section 11 should require that the head of each public body actively facilitate the PIO in the discharge of functions under the Act. This establishes senior leadership accountability for RTI compliance.

2.12. Introduce Whistleblower Protections

RTI laws function most effectively when individuals within public bodies can report non-compliance and wrongdoing without fear of retaliation. Balochistan's legal framework currently contains no such protection. A dedicated whistleblower provision may be inserted, protecting persons who, acting in good faith and in the reasonable belief that information was substantially true, disclose evidence of wrongdoing, corruption, failure to comply with legal obligations, miscarriage of justice, or serious maladministration in a public body.

2.13. Strengthen Commission Independence – Appointment and Removal

The Balochistan Information Commission's enforcement effectiveness depends on its independence from the executive branch. In this regard, following structural changes are required:

- **Appointment process:** The appointment of the Chief Information Commissioner and commissioners should follow a bipartisan parliamentary process, similar to the one provided for appointment of the

rights-based commissions such as National Commissions on Status of Women and Human Rights in the federation, ensuring broader consultative mechanisms through a committee of the Provincial Assembly of Balochistan with representation from both treasury and opposition benches.

- **Continuity provision:** A new sub-section should provide that the Chief Information Commissioner and commissioners continue in office until their successors assume charge, but for no more than six months beyond term expiry. The appointment process for successors should commence at least 90 days before term expiry, with new appointees notified within 30 days before the existing term ends.
- **Removal process:** The Act should require a reference for removal of a commissioner to the Balochistan High Court, which must inquire and report that grounds for removal are established.

2.14. Empower the Commission to Inspect and Issue Binding Directions

The Act should be amended 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 proactively disclosed;
- Insert a new provision – Assistance to the Commission – requiring all provincial executive authorities to assist the commission in the performance of its functions.

2.15. Establish Financial Independence for the Commission

Section 21 of the BRTI Act provides limited financial scope. The Act should be amended to establish a dedicated Balochistan Right to Information Fund vesting in the commission, sustained by government grants-in-aid, donations from provincial, national, and international agencies, and the commission's own investment income. The Chief Information Commissioner should serve as the principal accounting officer. Annual accounts should be audited by the Auditor General of Pakistan and tabled in the Balochistan Assembly, with the Assembly required to act on audit findings. A special audit mechanism should also be available to the government. The Act should further specify that salaries, allowances, and conditions of service shall not be varied to commissioners' disadvantage after their appointment in order to protect commissioners from executive pressure through financial means.

2.16. Require a Five-Year Strategic Plan Tabled Before the Assembly

A new provision in Section 13 should require the commission to lay a five-year strategic plan before the Provincial Assembly of Balochistan, setting out objectives, priorities, proposed methods of achievement, a timetable, and cost estimates. The plan should be prepared in consultation with the Assembly's standing committee, public bodies, and civil society. Mid-term revision should be permitted. This provision brings institutional transparency to the commission itself and embeds parliamentary oversight into the commission's planning cycle.

2.17. Mandate Standardised Disclosure Formats and a Digital Tracking System

The commission should be required to develop standardised information formats tailored to the specific functions of each category of public body, in consultation with those bodies. These formats should be mandatory, updated annually, and published on a central government information portal.

The commission should also be required to introduce a digital tracking system that notifies RTI applicants by email or SMS at each stage of request processing. Given that 94 percent of public bodies currently provide no PIO contact information, building digital access into the Act rather than leaving it to administrative discretion is essential to making the law functional for Balochistan's citizens.

Conclusion

Balochistan enacted its Right to Information law five years ago, building on a constitutional guarantee that dates from 2010. A 48 percent digital disclosure rate – the lowest among four provinces – demonstrates the institutional architecture to support the intent of the law is not yet in place. Fifty-two percent of the information the BRTI Act requires public bodies to publish remains inaccessible to the 14.89 million citizens the Act was designed to serve.

The information that is most absent – how the budget is spent, who receives government subsidies, who obtains licences and concessions, and how to file an information request – is precisely the information that citizens most need to evaluate government performance and to resist disinformation about it. The remedy is not to criminalise the disinformation that fills this void. Instead, the remedy is to remove the void by making the Act's existing requirements operational and enforceable.

The amendments proposed in this brief are targeted and achievable. They require the Act to be given the enforcement mechanisms, the institutional independence, and the definitional precision that transform a transparency law from an aspiration into a governance reality. As Pakistan's youngest RTI province, Balochistan has both the urgency and the opportunity to lead on what implementation should look like. FAFEN urges the Provincial Assembly and Government to act on that opportunity.



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 Government 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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