



**GOVERNMENT OF SINDH
INFORMATION DEPARTMENT**

Karachi dated the 25th February, 2021

NOTIFICATION

No.SOI(INF)RULES/ST&RTIA/2020/2021:- In exercise of the powers conferred by section 18 of the Sindh Transparency and Right to Information Act, 2016, the Government of Sindh are pleased to make the following rules to regulate the conduct of business of the Sindh Information Commission:-

**CHAPTER-I
PRELIMINARY**

1. **Short title and commencement.** (1) These rules may be called the Sindh Information Commission (Conduct of Business) Rules, 2020.

(2) They shall come into force at once.

2. **Definitions.** (1) In these rules, unless the context otherwise requires –

- (a) "Act" means the Sindh Transparency and Right to Information Act, 2016 (**Sindh Act No.XV of 2017**);
- (b) "business" means the business of the Commission under the Act;
- (c) "Chief Information Commissioner" means the Chief Information Commissioner appointed under sub-section (5) of section 12;
- (d) "Commission" means the Sindh Information Commission established under section 12 of the Act;
- (e) "Committee" means a committee appointed by the Commission for a particular matters under these rules;
- (f) "Executive Director" means the Executive Director of the Commission;
- (g) "section " means a section of the Act.

CHAPTER-II MEETINGS OF THE COMMISSION

3. **Transaction of Business.** All business of the Commission shall be disposed of in a meeting which may be held in accordance with the provisions herein contained.

4. **Meetings.** (1) There shall be held ordinary meetings and special meetings.

(2) An ordinary meeting shall be held as often as may be necessary but at least once in three months.

(3) A special meeting shall be convened as soon as may be on receipt of requisition in writing by atleast three or more members and such meeting shall be convened after giving at least three days' notice within a period of not exceeding fifteen days of receipt of such requisition.

(4) The Executive Director under the instructions of the Chief Information Commissioner shall convene meetings on such date and time as fixed by the Chairperson.

(5) A special meeting shall have priority over an ordinary meeting.

5. **Notice of meeting.** (1) Seven days clear notice shall be given for an ordinary meeting and not exceeding twenty four hours clear notice for an emergency or special meeting.

(2) The Executive Director shall cause a notice to be served on the members and a copy thereof be pasted at the office of the Commission.

(3) The notice shall inter alia specify the place, date and time of the meeting and be accompanied by an agenda.

6. **Agenda of meeting.** (1) The agenda for a meeting shall be prepared by the Executive Director with the approval of the Chief Information Commissioner.

(2) The agenda for an ordinary meeting shall be prepared in the following order:-

- (a) confirmation of the minutes of the previous meeting;
- (b) all matters deferred in previous meeting including direction of Government, if any;
- (c) reports of the committee or sub-committee;
- (d) any other business with the permission of the Chief Information Commissioner.

(3) The agenda for special meeting shall be prepared in the following order:-

- (a) consideration of the matter for which the meeting has been convened;
- (b) any other business approved by the Chief Information Commissioner;

(4) Subject to the availability and the orders of the Chief Information Commissioner, the members shall be provided copies of documents or information relating to the matters on agenda.

7. **Adjournment of meeting.** No meeting shall be adjourned until the agenda thereof is disposed of or a resolution of adjournment is passed or the Chief Information Commissioner or Presiding Member of the meeting for any reason to be recorded in writing.

8. **Consideration of business.** The business shall be considered in the order prepared under rule 6 but the Chair of its own or on the motion of atleast two members may change the order.

9. **Chief Information Commissioner to preside.** The Chief Information Commissioner shall preside over every meeting and in his absence, the member elected by the members present at the meeting from amongst themselves and the person so elected shall exercise all the powers of the Chair under these rules during a meeting.

10. **Quorum.** (1) The quorum for a meeting shall be one-half of the total number of members, fraction being counted as one.

(2) The quorum shall be necessary throughout the meeting.

(3) A meeting shall be adjourned for want of a quorum but no quorum shall be necessary at a meeting held after the meeting which was adjourned for want of quorum.

11. **Decisions.** (1) All matters in the agenda shall be decided by the majority of votes of the members present in the meeting.

(2) The voting shall be by show of hands.

(3) The result of the voting shall be declared after the voting by the Chair and such declaration shall be final and conclusive.

(4) In the case of equal voting, the Chair shall have a second or casting vote.

12. **Minutes of the Proceedings.** (1) Minutes of the proceedings of each meeting shall be drawn up by the Executive Director.

(2) The minutes shall comprise of only the names of members present at the meeting and the number of items brief notes and decisions taken.

(3) The minutes shall be submitted to the Chief Information Commissioner for approval and signed by the Chairperson and thereafter a copy thereof shall be supplied to every member.

(4) A copy of the minutes of the proceedings of each meeting duly confirmed shall be recorded in the minutes book maintained for the purpose.

13. **Place of Meeting.** The meetings of the Commission shall ordinarily take place at the headquarters of the Commission, unless the Chief Information Commissioner decides otherwise.

(2) The place of meeting will be communicated in the meeting notice.

14. **Commission to coopt expert or adviser.** The Commission may coopt any person as an expert or adviser for a particular issue but such person shall not have right to vote.

CHAPTER-III
POWERS AND DUTIES OF
FUNCTIONARIES OF COMMISSION

15. Functions of Commission. Without prejudice to the functions entrusted to the Commission under section 13, the Commission shall for the purpose of the Act and these rules, shall also have the powers -

- (a) to sponsor, steer, encourage research to generate information, analysis and studies and maintain a data base relating to information issues;
- (b) to develop and maintain interaction and dialogue with non-governmental organizations, experts and individuals, association in society with similar commissions and institutions in other countries for collaboration to achieve the object of the Act;
- (c) to seek and receive, on complaint, an information from public body;
- (d) to call for information on report from any public body and for the purpose inspect such public body for receiving information;
- (e) to appoint and hire members of staff upto grade 15 in accordance with section 14 through the Selection Committee constituted by the Commission; provided that the officers of grade 16 and above shall be appointed by Government by way of transfer from Government Departments;
- (f) to appoint advisors, consultants and experts, if necessary;

16. Powers and duties of Chief Information Commissioner.

(1) The Chief Information Commissioner shall be the Chief Executive Officer of the Commission, and all other officers and members of staff of the Commission shall be subordinate to him.

(2) In addition to any other duty assigned to him under the Act, or any other law or rules for the time being in force, the Chief Information Commissioner shall -

- (a) work as the Principal Accounting Officer of the Commission;
- (b) assist and advise the Commission, Committees, and sub Committees in proper discharge of their duties under the Act and these rules;
- (c) ensure timely, effective and efficient implementation of Commission's policy and decisions;
- (d) supervise and control officers and members of staff of the Commission and to coordinate and synergize the work of all offices of the Commission;
- (e) exercise the financial and administrative powers and to maintain discipline to ensure that the business is carried out strictly in accordance with the provisions of the Act, these rules and other laws for the time being in force;
- (f) enter into and manage all contracts on behalf of the Commission;
- (g) undertake all procurements on behalf of the Commission;
- (h) maintain records pertaining to the functions of the Commission;
- (i) observe general policy and any specific direction of the Government.
- (j) act for and on the behalf of the commission in every action or other legal proceedings whether instituted by or against the Commission;
- (k) perform such other duties as are assigned to him by Government or Commission.

17. Functions of the Commissioner. The Commissioner of the Commission shall have the following powers and functions:-

- (I) to assist the Chief Information Commissioner to coordinate and support the work of Commission;
- (II) to assist the Commission in its mandate and functions particularly in the planning, implementation, monitoring and networking roles with all stakeholders

including Government, civil society and the international community;

- (iii) to liaise with members of other similar Commissions, Provincial Secretariat and regional offices;
- (iv) to perform such other duties and functions as may be assigned by the Chief Information Commissioner.

18. Functions of the Executive Director of the Commission. Subject to the provisions of the Act, the Executive Director of the Commission shall have the following powers and functions:-

- (i) to prepare, under the directions of the Commission or Chief Information Commissioner, three years strategic plan, annual work plan and annual budget for the approval of the Commission and forward to the concerned authority.
- (ii) to carry out administrative orders and decisions of the Commission;
- (iii) to perform such other duties and functions as may be assigned to him by the Commission or Chief Information Commissioner.

19. Correspondence to be conducted by the Executive Director through Chief Information Commissioner. (1) All correspondence of the Commission with Government or any authority or person shall be conducted by the Executive Director through Chief Information Commissioner.

(2) The Executive Director shall be responsible for day to day affairs of the Commission and shall perform such functions as may be assigned to him by the Commission or Chief Information Commissioner.

CHAPTER-IV **APPOINTMENT, PROCEEDINGS AND REMUNERATION** **OF COMMITTEES AND SUB-COMMITTEES**

20. Appointment of Committees/Sub-committees. (1) The Commission may appoint such number of committees and sub-committees as may appear to it to be necessary for technical and other advice on matters referred to it, such as -

- (a) experts on information under the Act;
- (b) liaising and networking between Commission, Government Departments and stakeholders;
- (c) budget and finance.

(2) The business of every committee and sub-committee shall be conducted in such manner as it may decide.

(3) Every committee or sub-committee shall be headed by a convener appointed by the Chief Information Commissioner.

(4) The convener, if present, shall preside at the meeting of the committee.

(5) In the absence of the convener, the members of the committee shall elect one of its Member to preside and the member so elected shall exercise all powers of the convener under these rules.

(6) The proceedings or report of the committee or sub-committee shall be submitted to the Chief Information Commissioner as early as possible for placing it before the Commission.

(7) The Commission may, at any time, revoke the appointment of Committee/Sub-Committee and may also revoke or vary anything delegated or any restrictions or condition imposed or any matter assigned to such Committee or sub-committee under these rules.

21. Remuneration for committee or sub-committee. The members of the committee or sub-committee shall be honorary members and shall not be paid any remuneration except the expenditures which may include travelling, boarding and lodging costs, their rates may be determined by the Commission.

CHAPTER-V

DISPOSAL OF PETITIONS, APPLICATIONS AND COMMUNICATIONS

22. Petitions, applications and other communications. (1) All petitions, applications, emails, faxes or telephonic information addressed or communicated to the Commission, Chief Information Commissioner or Executive Director either by name or designation

shall be entertained and registered by the Commission in the register meant for the purpose.

(2) A register shall be maintained by the Commission for entering in, serial wise, the petition, application, communication and shall be placed before the Chief Information Commissioner or Commissioners for preliminary consideration, as expeditiously as possible but not later than three days from the date of its receipt:

Provided that the petition, application, communication which requires urgent consideration shall be placed before the Chief Information Commissioner as far as possible within twenty four hours of its receipt.

(3) No fee shall be chargeable on such petitions, applications, or other communications.

(4) The petition, application or other communication shall disclose the facts leading to the violation of the provisions of the Act.

(5) The Chief Information Commissioner or Commissioners may issue notice applicant or petitioner for personal hearing or to any other person who in the opinion of the Chief Information Commissioner or Commissioners should be heard for appropriate disposal of the matter.

(6) The Commission may seek further information or affidavit as may be considered necessary.

(7) The Commission upon consideration of the report and personal hearing of applicant or petitioner shall call comments from the concerned authority, institution or department and thereafter the remedial measures including action to be taken against the person involved in the violation of the Act.

23. Dismissal of petition, application or other communication. The Commission may dismiss in-limine the petition, application or other communication of the following nature:-

- (i) illegible;
- (ii) vague, anonymous, pseudonymous;
- (iii) matter is sub-judice before court or tribunal;

- (iv) the matter is outside the purview of the Commission on any other grounds.

24. Disposal of petitions, applications and communications.

(1) Each Commissioner shall be assisted by the Executive Director or any other officer authorized in this behalf, when Commissioner takes up for consideration the case assigned to him for final disposal. It shall be the duty of the Executive Director or authorized officer to study and present the cases and render such other assistance as may be required for consideration and disposal of the cases.

(2) If on consideration of the petition, application or communication, the Commission dismisses the petition or application in-limine, the said order shall be communicated to the petitioner or applicant and the case shall be treated as closed.

(3) If on consideration of the petition, application, other communication, the Commission admits and directs the issuance of notice to any authority calling upon it to furnish information or report or comments, a notice shall be issued enclosing copy of the application, petition or other communication and notice shall be signed by the Executive Director.

(4) On receipt of the information or report or comments called for, a detailed note in the form of a synopsis shall be prepared or caused to be prepared by the Executive Director or authorized officer, whereupon the case shall be treated as ready for being placed before the Commission for final disposal.

(5) When the Commission upon consideration of the information, report or comments finally disposes of the case without any recommendation, the case shall be treated as closed.

(6) If the report, information or comments is not received from the concerned authority within the given time, the case shall be placed before the Commission for further directions.

**CHAPTER-VI
MISCELLANEOUS**

25. Functions and Duties of the officers and staff of the Commission. (1) The functions and duties of the officers and members of staff shall be as determined by the Commission.

(2) The official work distribution or re-distribution among the officers and members of the staff of the Commission may be ordered by the Chief Information Commissioner.

26. **Amendment of Rules.**- The procedure for amendment to these rules shall be the same as to the framing of these rules.

27. **Delegation.**- (1) The Commission may delegate any of its powers or functions to the Chief Information Commissioner, Committee or its or member or Executive Director.

(2) The Executive Director may delegate such of his powers, not being the powers delegated to him, to any officer or committee of the Commission subject to such conditions as he deems fit.

28. **Ambiguities and Interpretation.** Where any difficulty arises in the implementation or interpretation of these rules, or where no specific provision has been made in these rules, the decision of the Commission shall be final and conclusive.

29. **Transmission of records.** (1) The records of all cases finally disposed of shall be transmitted to the Record Section after completing the entries in the register with regard to each such case.

(2) Unless otherwise directed by the Chief Information Commissioner, the entire records of disposed of cases shall be destroyed after the expiry of a period of two years from the date of final disposal. However, register containing detailed information regarding such cases shall be retained permanently.

**(RAFIQUE AHMED BURIRO) PAS
SECRETARY TO GOVT. OF SINDH**

Karachi dated the 25th February, 2021

No.SOI(INF)RULES/ST&RTIA/2020/2021

A copy is forwarded for information to:-

1. The Secretary to Government of Sindh, Law Department, Karachi.
2. The Secretary (I&C), SGA&CD, Government of Sindh, Karachi.
3. The Chief Information Commissioner, Sindh Information Commission, GoS, Karachi.
4. The Director General (PR), Information Department, Govt. of Sindh, Karachi.
5. The Director Information (A&A), Information Department, Govt. of Sindh, Karachi.
6. The Additional Secretary (Reg), SGA&CD, Government of Sindh, Karachi.
7. The Additional Secretary (SR/Admn.), Finance Department, Govt. of Sindh, Karachi.
8. The Section Officer (General), Information Department, Govt. of Sindh, Karachi.
9. PS to Minister Information, Government of Sindh, Karachi.
10. PS to Secretary, Information Department, Government of Sindh, Karachi.
11. The Superintendent, Sindh Government Printing Press for publishing in the next issue of Sindh Government Gazette and supply 60 copies thereof to this Department immediately.
12. Master file / Office Order File.

**(MAJID HAMEED SHAIKH) PMS
SECTION OFFICER-I**