

PUBLIC INFORMATION DISCLOSURE OVERSIGHT BY THE EAST KALIMANTAN PROVINCIAL INFORMATION COMMISSION: A CASE STUDY OF THE LAND OFFICE OF KUTAI KARTANEGARA REGENCY

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Abstract. This study aims to analyze the oversight conducted by the East Kalimantan Provincial Information Commission regarding the implementation of public information disclosure at the Kutai Kartanegara Regency Land Office, as well as to identify the supporting and inhibiting factors influencing its implementation. This study employs a descriptive qualitative approach using in-depth interviews, observation, and documentation as data collection techniques. The analytical framework is based on T. Hani Handoko's (2020) oversight theory, which encompasses four elements: setting standards, measuring performance, comparing results, and taking corrective action. The findings indicate that oversight has been carried out formally and procedurally in accordance with Law No. 14 of 2008, but has not been substantively effective. Although standards have been established, public bodies' and citizens' understanding of them remains inconsistent; performance measurement remains administratively focused and fails to capture citizens' actual complaints, as reflected in the 13.14-point decline in East Kalimantan's Public Information Disclosure Index (IKIP) score in 2025; a comparison of results reveals a multidimensional gap between regulations and on-the-ground practices; and corrective action remains persuasive rather than coercive due to limited institutional enforcement capacity. Supporting factors include a comprehensive regulatory framework and the Commission's mediation and adjudication authority, while inhibiting factors include limited competence of PPID staff, a weak organizational culture, low public literacy, and suboptimal follow-up mechanisms. The study recommends strengthening public outreach, accelerating the digitization of documentation, and reinforcing compliance instruments to make oversight of public information disclosure more effective.

Keywords: Public Information Disclosure, Information Commission, Oversight, Land Affairs

I. INTRODUCTION

Public information disclosure is a key principle of *good governance* that demands transparency, accountability, and active public participation. Transparency means that the government is obligated to provide open access to information so that public policies, processes, and service outcomes can be known and monitored by the public, while accountability requires that every government action be justifiable, thereby fostering public trust and preventing corruption (Wijaya & Saleh, 2025). To ensure these principles are upheld, Indonesia has legal instruments in the form of Article 28F of the 1945 Constitution, Article 14 of the Human Rights Law, and Law No. 14 of 2008 on Public Information Transparency, which also established the Information Commission as the oversight body for its implementation (Widya & Lestari, 2026).

National Public Information Openness Index (IKIP) data shows a consistent upward trend from 2021 (71.37) to 2024 (75.65), but experienced a significant decline in 2025 to 66.43 (Central Information Commission, 2025). This decline occurred simultaneously across the political, economic, and legal dimensions, indicating structural issues in the

implementation of public information transparency. A similar situation occurred at the regional level, where East Kalimantan Province experienced a 13.14-point drop in its IKIP score in 2025 (from 82.25 in 2024 to 69.11), even though this region holds a strategic national position as a buffer zone for the National Capital (IKN), which demands a high level of transparency and public accountability (Muchsinin, 2022).

At the local level, preliminary observations indicate that public and government agencies' understanding of the role and operational mechanisms of the Information Commission remains low, while the fulfillment of the public's right to access public information has not been optimal. This situation has led to an increase in public information disputes, particularly in the land sector, which involves high complexity regarding ownership data, location maps, and administrative documents. The Kutai Kartanegara Regency Land Office was selected as the research site due to its crucial role in managing land data—which is frequently the subject of information disputes—and because empirical evidence indicates that land agencies often face obstacles in providing access to information due to data limitations, administrative

procedures, and weak inter-agency coordination (Febriyanti et al., 2024).

The lack of transparency in public information within the land sector is not merely a technical-administrative issue but stems from several intertwined root causes: (1) normative ambiguity in Law No. 14 of 2008 regarding the distinction between information that must be disclosed and that which is exempt, which even led to the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) rejecting a Supreme Court ruling regarding the disclosure of data on Land Use Rights (HGU); (2) the lack of transparency in land information, which is intertwined with weak public oversight of land mafia practices; and (3) a pre-reform bureaucratic culture of power and “” that makes officials tend to be defensive toward requests for information. These three root causes underpin the need for effective oversight by the Information Commission, rather than merely institutional formalities (Fudin & Rahayu, 2021; Radjak et al., 2025).

This oversight can be analyzed through Fain & Haryadi's (2026) oversight theory, which encompasses four main elements: setting standards, measuring performance, comparing results, and taking corrective action. This framework provides a basis for assessing the extent to which the Information Commission's oversight is able to promote public agencies' compliance with their obligations regarding public information disclosure. Based on this discussion, this study aims to: (1) analyze the oversight conducted by the Information Commission in the implementation of public information disclosure at the Kutai Kartanegara Regency Land Office; and (2) identify the supporting and hindering factors in this oversight. This study is expected to provide a theoretical contribution to the development of the theory of independent institutional oversight, as well as a practical contribution to strengthening the role of the Information Commission and optimizing the performance of Information and Documentation Management Officers (PPIDs).

II. RESEARCH METHODS

This study employs a descriptive qualitative approach aimed at providing an in-depth explanation of the phenomenon of oversight of public information disclosure through data in the form of words, documents, and observational findings (Adil et al., 2023; Rofiah, 2022). The research locations were set at the Kutai Kartanegara Regency Land Office and the East Kalimantan Provincial Information Commission Office, given that both institutions play strategic roles in managing and overseeing public information disclosure in the land sector, which is prone to disputes.

The research focuses on the indicators of the oversight theory proposed by Sari et al. (2022), namely standard-setting, performance measurement, comparison of results, and corrective actions, as well as the identification of supporting and inhibiting factors. Data sources consist of primary data obtained through in-depth interviews and direct observation, as well as secondary data in the form of official documents such as SOPs, activity reports, and Information Commission Regulations. Research informants included key informants (the Chairperson/officials of the Information Commission

responsible for resolving information disputes, and representatives from the Kutai Kartanegara Land Office) as well as supporting informants (commissioners of the Information Commission, service users, and representatives from the East Kalimantan Provincial Office of the National Land Agency).

Data collection techniques included literature review, observation, interviews, and documentation. Data analysis utilized the interactive model proposed by Miles, Huberman, and Saldana (2014), which involves simultaneous data condensation, data presentation, and drawing conclusions throughout the research process. Data validity was tested through source, method, researcher, and theoretical triangulation to ensure the credibility and consistency of the research findings.

III. RESULTS AND DISCUSSION

Oversight of Public Information Disclosure by the Information Commission

The Kutai Kartanegara Regency Land Office has established Standard Operating Procedures (SOPs) that refer to Law No. 14 of 2008, Government Regulation No. 61 of 2010, and regulations from the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN), while the Information Commission has established a regulatory framework through Information Commission Regulation No. 1 of 2021 on Public Information Service Standards. Normatively, the adequacy of these standards aligns with Terry's (1958) view that the establishment of effective standards must be based on clear and measurable norms (Chairunnisa et al., 2023).

However, the adequacy of these de jure standards has not yet translated into de facto standards understood by all stakeholders, particularly service users (Azka & Najicha, 2022). The most significant finding in this dimension is the paradox between the availability of fairly comprehensive information channels—including SP4N-LAPOR!, a WhatsApp hotline, email, four social media platforms, and the official website—with a target of resolving requests within 10 business days, and the public's lack of awareness regarding the existence of these channels. All community informants stated that they were unaware of the official standards and procedures for information services through public outreach and obtained information through informal channels. This situation illustrates the phenomenon of information asymmetry, which weakens the public's bargaining position, while also indicating that the obligation to actively disseminate information in accordance with Article 9 of Law No. 14/2008 and Article 14 of Perki No. 1/2021 has not been effectively implemented. This finding is consistent with the results of a study by Aswaruddin et al. (2024) at the Central Java Provincial Information Commission, which also found that the public has limited knowledge regarding public information service institutions and procedures.

Performance Measurement

The East Kalimantan Provincial Information Commission has conducted annual Monitoring and Evaluation (Monev),

which produces a ranking of public agencies based on indicators of information availability, service quality, procedural compliance, and response speed. However, this instrument relies heavily on the verification of documents and PPID reports, and thus tends to provide a picture of administrative performance rather than the substantive quality of service as experienced by the public. This phenomenon can be explained through the concept of “decoupling”—that is, formal compliance with standards without substantial implementation aligned with the actual objectives (Iskandar & Pranoto, 2026).

Empirical evidence of this gap was found in the case of a community informant who experienced a delay in the resolution of an information request lasting more than 30 working days—far exceeding the 10-working-day target stipulated in Article 22(7) of Law No. 14/2008—without being detected by the formal monitoring and evaluation (Monev) system. This situation suggests that the validity of existing performance measurements must be questioned, as valid measurements should be able to capture the reality of actual performance, not merely the reality reported by the parties being measured (Kartono & Wirawan, 2024). This finding aligns with the results of a study by Rahimallah & Ricky (2023), which found that the monitoring and evaluation instruments of the Central Java Provincial Information Commission measured administrative compliance more than the substantive quality of information services.

Comparison of Results

A comparison between established standards and actual practices on the ground reveals multidimensional gaps, including temporal gaps (exceeding response time limits), procedural gaps (denial of information without adequate written justification), accessibility gaps (the public is unaware of complaint procedures), and responsiveness gaps (public complaints are not followed up on). Information disputes between the public and the Kutai Kartanegara Regency Land Office—including the absence of public agencies from court hearings—are a clear manifestation of the accumulation of these gaps, which also underscores the weak inter-agency coordination in providing complete and consistent land data (Ulumiyah & Gati, 2024).

Corrective Action

The East Kalimantan Provincial Information Commission provides two avenues for corrective action: issuing recommendations and resolving disputes through mediation and non-litigious adjudication pursuant to Articles 37–38 of Law No. 14/2008, with adjudication decisions being final and binding under Article 47. Nevertheless, the effectiveness of corrective actions is limited because the Information Commission lacks direct enforcement authority to compel compliance by public bodies, making its role more persuasive than coercive. This situation is consistent with the findings of Paruntu & Silalahi (2025) and Yuono (2023), who identified the lack of enforcement power as a structural weakness of information transparency oversight institutions in various regions.

Another weakness is the absence of a structured follow-up monitoring system after recommendations are issued, which creates room for “ceremonial compliance”—formal

acknowledgment of recommendations without substantive implementation. From the perspective of the Plan-Do-Check-Act quality management cycle, the Information Commission’s oversight tends to stop at the recommendation stage (Act) without systematic verification (Check) of changes in public agencies’ behavior. On the other hand, members of the public who have successfully accessed the Information Commission have experienced tangible benefits in the form of fairer resolutions and greater legal certainty compared to filing complaints directly with the Land Office—which often go unaddressed—confirming that this mechanism is potentially effective but requires strengthening in terms of enforcement and monitoring (Alvioni et al., 2022).

Supporting and Hindering Factors

Supporting factors in the oversight of public information transparency include:

1. A comprehensive regulatory framework through Law No. 14 of 2008 and the Information Commission Regulations;
2. The availability of a fairly complete information infrastructure at Land Offices, including SOPs, a seven-step complaint process, PPIDs, and various digital channels;
3. The Information Commission’s formal authority in mediation and non-litigious adjudication, whose decisions are final and binding;
4. Tangible benefits experienced by the public who have successfully accessed the Information Commission, in the form of fair dispute resolution with legal certainty.

Meanwhile, the hindering factors include:

1. Limitations in the competence of PPID staff in understanding and consistently implementing information service standards;
2. A weak organizational culture and low internalization of the value of information transparency within the land administration apparatus;
3. Limitations in the documentation system that hinder the verification and tracing of data related to information requests;
4. Low public literacy regarding the right to public information and the mechanisms available to exercise it;
5. Limitations on the Information Commission’s enforcement powers and the absence of a structured follow-up monitoring system.

This pattern of obstacles, concentrated in the dimensions of implementation, organizational behavior, and public participation, reinforces the view of Arifin et al. (2022) that the effectiveness of oversight depends heavily on the sustainability of the entire oversight cycle; when one link—in this case, the competence of field-level implementers—is weak, the results at the end of the cycle will also be compromised even if the initial stages have proceeded formally well. Similar patterns of obstacles have also been identified in different research contexts, such as in Wibawa’s (2020) study in Cikande Village, Serang Regency, which demonstrated that low public literacy is a structural issue inherent in the implementation of public information transparency in Indonesia as a whole, rather than merely the negligence of a specific public agency.

The Root Causes of the Lack of Public Information Transparency

The various technical obstacles identified are, in fact, merely surface symptoms of a more structural problem. Further investigation reveals that the root of the problem lies at three interrelated levels. First, at the normative level, the vague distinction between information that must be disclosed and that which is exempt under Law No. 14 of 2008 grants public agencies broad discretion to withhold information. Second, at the cultural-organizational level, the land administration bureaucracy has inherited a pre-reform mentality of power and a culture of secrecy, making officials defensive toward public oversight. Third, the lack of transparency in land data contributes to the proliferation of land mafia practices, as weak public oversight of land ownership data creates loopholes for manipulation and overlapping land certificates (Maisarah, 2021).

Regulatory ambiguity provides formal legitimacy for this secrecy; organizational culture justifies such behavior; while hidden interests offer material incentives to maintain it. Consequently, reform efforts that focus solely on the technical level—such as training for Public Information Disclosure Officers (PPIDs) alone, without clarifying the boundaries of exempted information and strengthening the enforcement powers of the Information Commission—may fail to address the root of the problem.

IV. CONCLUSIONS

The oversight conducted by the East Kalimantan Provincial Information Commission regarding the implementation of public information disclosure at the Kutai Kartanegara Regency Land Office has proceeded procedurally and formally, but has not been substantively effective in bringing about changes in the quality of services as perceived by the public. Standards have been established normatively but have not yet reached the public's understanding; performance measurement remains administratively oriented, thus failing to detect actual violations; a comparison of results reveals multidimensional gaps between regulations and implementation; and corrective actions are persuasive in nature due to the limitations of the Commission's institutional enforcement powers. Factors supporting oversight include a comprehensive regulatory framework, adequate information infrastructure, and the Information Commission's mediation and adjudication authority. Hindering factors include limitations in the competence of PPID personnel, a weak organizational culture, limitations in the documentation system, low public literacy, and suboptimal follow-up mechanisms for oversight. The root causes of the lack of transparency in public information are multi-layered, including normative ambiguity, a culture of bureaucratic secrecy, and the Information Commission's weak enforcement power; therefore, improvements made solely at the technical level without addressing these three root causes risk being unsustainable.

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