

# GOVT NEWS



## **30% of Sindh population without CNICs, CM told**

More than 30% of the above-18 population of Sindh does not have computerised national identity cards (CNICs) which can delay the census scheduled for March 15, the Sindh cabinet was informed on Monday.

The National Database Registration Authority (NADRA) has only issued CNICs to 22.4 million people in the province so far, NADRA representative Sohail Ahmed told the cabinet members during a meeting chaired by Sindh Chief Minister Syed Murad Ali Shah at CM House. "Apart from this, 3.3 million people are registered as under 18 years old," he added.

Since this discrepancy can delay the upcoming census, Shah directed NADRA officials to send mobile CNIC processing vans to rural and urban areas and register the remaining population.

"We are told that Karachi has over 20 million people," pointed out Pakistan Peoples Party parliamentary minister Nisar Khuhro, adding that it seems like a large number of people will not be covered in the census.

NADRA's Ahmed shared that they have 30 mobile vans to process CNICs and they will send 13 of them to areas where people do not have their identity cards. However, most of the ministers and advisers present at the meeting demanded more vans, pointing out that 13 vans will not be able to cover the leftover population within the next two months.

Local government minister Jam Khan Shoro wanted to know how many cards a van can process. "Each mobile van can only process up to 100 CNICs a day," Ahmed responded. At this rate, one van can only make 3,000 cards in a month so please arrange for more van, said the chief minister.

NADRA also informed the cabinet that 15,000 people in Sindh have not collected their CNICs so they will be discarded soon. Shah advised Ahmed to try to deliver these cards to the relevant people. "My divisional and district administration can support you if you provide a list of such cards," he offered.

### **Legal and political impact**

The chief minister shared the legal and political impact of the census, saying that it provides a basis for political representation in the assemblies, delimitation of constituencies, distribution of funds from the divisible pool and determination of quota for recruitment in federal civil service. Therefore, each and every one must be counted, and foreigners and illegal immigrants be excluded, he said.

During his briefing, the provincial census commissioner said the country has had five official censuses – in 1951, 1961, 1972, 1981 and 1998. The next one was due in 2008 but kept getting delayed until now.

One army personnel will accompany each enumerator and independently record the number of each household, the chief minister was told. The teams will also record the CNIC number of each head of the household for verification.

Vigilance teams formed at the district level will monitor the teams and ensure complete coverage. They will report to the coordination committees formed at the provincial, district and census district level.

### **Missing religions, languages**

During the session, minister Manzoor Wassan pointed out that only six religions and 10 languages are mentioned in the census form – Zoroastrians have been missed and Gujrati, Kathiawari and other local languages have not been included.

Shah pointed out that the mother tongue of Quaid-e-Azam Mohammad Ali Jinnah was Gujarati and should have been included in the form. It would have also helped us count how many Zoroastrians live in Sindh, he said, directing the chief secretary to take up the issue with the federal government.

There is no provision of counting gypsies in the census, pointed out MPA Dr Khatu Mal Jewan. The chief statistician told him that they will be counted as homeless persons.  
(By Hafeez Tunio The Express Tribune 13, 17/01/2017)

## **Raheel Sharif allotted 868-kanal land worth Rs1.35 bn in Lahore**

The land along Bedian Road is about 90 acres of which he got 50 acres as a 4-star general and 40 acres as COAS through Border Area Committee



Former chief of army staff General Raheel Sharif has been allotted 868 kanals and 10 marlas of land (about 90 acres) on Bedian Road Lahore, and not just 482 kanals, through the Border Area Committee, reliable sources have disclosed.

The total value of the allotted land is estimated at around Rs1.35 billion. Sources said that Raheel Sharif has been allotted 50 acres of land under his prerogative as a four-star general, and another 40 acres as the chief of army staff. The land is situated in Mauza Rukh Bathant, located along western side of BRB Canal, adjacent to Mauza Heear.

According to the Fard Malkiat (Record of Rights), the Cantt Revenue authorities received the Mutation (Intiqal) orders from the Border Area Committee vide letter No 17408 on Dec 24, 2014 for allotment of the said lands. After entry of the mutation order, the Cantt establishment officer allowed allotment of the lands on Dec 29, 2014. Under Part (copy of government record) No 140805, Serial No 4, Khata (Holding of a Tenant) No 5/15, 43/15, and 108/15, three hundred and eighty-six (386) kanals of land was allotted. Also, under Part No 140811, Serial No 5, Khata No 15/15, 3/151 and 369/15, four hundred and eighty-two kanals and ten marlas of land was allotted. Collectively, this land measures about 90 acres of land, which has been allotted to ex-COAS General Raheel Sharif.

The process of allotment of agricultural lands, commercial plots, DHA lands and distribution of other facilities among the army officers and officials is carried out directly by the General Headquarters (GHQ) through an adjutant general, whose rank is equal to a lieutenant general. Also, a major-general ranked officer heads the Welfare Directorate at the GHQ, who acts as the director-general (DG) of the Welfare Directorate. He conveys the GHQ orders to the respective chairmen of the Border Area Committees in this regard, and ensures implementation of the orders.

All the Border Area Committees across the country have the record of all lands situated along the borders in different villages (Mauza Jaat). All decisions that how much lands would be allotted to an army officer or official are made at the GHQ, which are directly conveyed to the respective chairmen of the Border Area Committees, after approval from the Welfare Directorate.

There are different border area committees comprising various zones in the border areas. Headed by a brigadier or colonel, the committee has an assistant commissioner as its civil member. A revenue officer (tehsildar) and his staff assist the committee.

The land allotment to Gen Raheel has been executed by the Border Area Committee Lahore. Its chairman, Colonel Tabish Sajid, refused to comment when contacted for information about the land allotment policy. Civil member of the committee, Sardar Farrukh Tufail, also did not say anything.

Commenting on the land allotment policy, a senior official of the Board of Revenue said, requesting anonymity, that the provincial board of revenue does not have any authority in this regard. The revenue board allots land on the records of the provincial government to the military officials on a directive received from the GHQ in the light of a letter issued by the chairman of the border area committee concerned.

It is worth mentioning here that the lands situated along borders are part of the provincial land records, but the establishment officers have no authority over the lands situated up to five kilometers along the border. The revenue officer said that the district collector is conveyed the land allotment orders through

the Board of Revenue. Then the establishment officer concerned, acting as the collector, approves the allotment of lands. The establishment officer is legally bound to implement the orders of Border Area Committee chairman, and thus he confirms the completion of the allotment process.

An estate agent working in the area said that the price of one acre land along Bedian Road in the said village was estimated at Rs10 million to Rs10.5 million.

Another agent, Haji Zahid bin Sadiq, said that the price of lands in border areas depended on location of the lands. He said people demand Rs6-7 million for one acre of land near BRB Canal. However, Imran Ahmad, another estate agent, said the price of one acre land ranges between Rs9 to 10 million.

A property dealer told The News that after development the worth of this land would be about Rs2.5 billion. Another property dealer, however, said the worth of the land after development would be over Rs4 billion.

(By Maqsood Butt & Imran Ehsan The News 01, 24/01/2017)

### **Military and RTI bill**

IN small but important ways, the Senate is distinguishing itself as a legislative forum in which important issues of the state are being debated. On Wednesday, a Senate select committee discussing the federal Right to Information Bill, 2016, made crucial observations about the extension of right-to-information laws to the armed forces. As several senators rightly observed, the military is unjustifiably exempted from disclosures on the grounds of national security and institutional prerogative. Far better, from a democratic, institution-strengthening perspective, for cases involving human rights violations, corruption and embezzlement to be required to be shared with the public rather than remain cloaked in military-mandated secrecy. But will the Senate discussion really lead to a push for change? Part of the problem is the relative weakness of the civilian side of the state in comparison to the security establishment. Even when making a justifiable demand, as wanting the security establishment to put itself up to the most basic and justifiable scrutiny, the civilian leadership backs down rather than pushes for clarity and a legally enforceable definition of national security. Perhaps, even if the several senators who argued for such a delineation were to prevail at the committee stage, the Senate as a whole and parliament are unlikely to push the matter too far.

The question that ought to be asked is, why? Why does the military resist even the most basic of outside scrutiny and why are parliamentarians too timid to push for a modicum of oversight of the armed forces even in the most justifiable of circumstances? From the security establishment's perspective, two factors appear to dominate: a belief that internal checks and balances are adequate and concern that public accountability is a politicised process that can chip away at the hard-earned respectability and public standing of the military. At least one half of the excuse has some merit — the civilian side of the state does not seem interested in accountability per se and is perhaps motivated by a desire to see other institutions implicated in the muck of corruption too. The answer lies in equal, and real, accountability for all. Consider the record of the provincial RTI laws so far. Scarcely have the bureaucracy or the political leaderships found themselves in the dock for any transgression. Indeed, the civilian side of the state has done much to water down the existing provincial RTI laws thwarting their implementation. Equal transparency for all is the correct starting point.

(Dawn 08, 27/01/2017)

### **COAS approves troop deployment for census**

Army chief General Qamar Javed Bajwa on Friday approved the plan to spare 200,000 troops in order to support the sixth population and housing census in the country which starts from the middle of March.

A statement issued by Inter-Services Public Relations (ISPR) said up to 200,000 troops would be employed for the conduct of the census being done for the first time since 1998. The military's media

wing, however, added that the army, despite sparing such a huge number for the national exercise, would continue other security responsibilities.

A military official while speaking on condition of anonymity explained that the deployment of troops for the census would not in any way affect the ongoing Operation Zarb-e-Azb as well as the campaign in Karachi. The official also clarified that the troops would be employed not for security duties but that their main role would be to support the conduct of the census.

The sixth census was due in 2008 but successive governments could not undertake the key national exercise citing logistical problems due to military's preoccupation with the fight against terrorism. The federal government finally had to agree to conduct the census after the intervention of the Supreme Court.

The first phase of the census due to begin from mid-March would be completed in mid-April, while the second phase is likely to be initiated from April 24 and would end in mid-May.

Preliminary results of the national population census would start arriving in June and will be made public accordingly.

For conducting the census, the Pakistan Bureau of Statistics (PBS) has already divided the country's population into 168,120 blocks, each block consisting of about 200 to 250 households, the sources said, adding that over 84,000 enumerators would be involved in the nationwide exercise.

While the census is supposed to occur once every 10 years, Pakistan has not had one since 1998. The incumbent government initially agreed to hold the census in March 2015. However, it cited a lack of preparation and delayed it for another year. The government, then, cited the need for the armed forces to be available as the census could not be held without their help.

(The Express Tribune 01, 28/01/2017)

### **Govt plans to set up rent-a-car authority, Sindh Assembly told**

Opposition lawmaker slams govt for trying to deprive citizens of inexpensive travelling services; transport minister responds saying govt has no intention to cause inconvenience to masses and app-based cab services will not be shut down

Reiterating that app-based cab services Uber and Careem are not being shut down, the transport minister informed the provincial assembly on Wednesday that the government was working on setting up a rent-a-car authority to regulate such companies.

Transport minister Nasir Hussain Shah was responding to a call-attention notice of Muttahida Qaumi Movement MPA Jamal Ahmed.

The minister said the app-based cab services had to fulfil the formalities and procedures of the government laid down for operating commercial vehicles.

Speaking on his call attention notice, the opposition legislator said Uber and Careem were providing inexpensive travelling facilities to the people belonging to the lower- and middle-income groups.

He said drivers operating the cars in the fleet of Uber and Careem were educated and had driving licences. He added that people who wanted to avail the services could easily contact the providers through their cell phone apps.

The MQM MPA said the fare of the new online cab service was as low as Rs6 per kilometre.

He added that the government had never bothered to check the fitness of other vehicles being used in the city, many of which were extremely old.

“There are 1964 model vehicles plying the roads of the city without any fitness check or certificate.”

Responding to the opposition legislator, the transport minister said under the law non-commercial motor vehicles could not be used for commercial purposes and violation of this law authorised the provincial government to take action under the Motor Vehicles Ordinance 1965.

He said vehicles being used for commercial purposes were required to deposit 10 percent tax to the provincial excise and taxation department.

He added that the provincial government was aware of the transportation problems being faced by the people and it would take no such action that lead to the shutting down of the app-base cab services. However, he added that both the companies needed to fulfil the legal requirements.

“Both Uber and Careem have repeatedly been sent notices to ensure that their services complied with the transportation law. “Not a single car belonging to the two cab services has been impounded by the provincial authorities so far.”

The minister said the Punjab government had taken the action against the two cab services in Lahore in late January but the Sindh government was avoiding taking such steps keeping in view the convenience of the masses.

“In fact, the provincial government is also avoiding taking action under its fitness regime against the old black-and-yellow cabs plying in the city,” he added.

The minister said as far as Uber was concerned, he himself had arranged an agreement between the company and the provincial government which was signed at the Chief Minister’s House. He added that the provincial transport department had acted as the liaison authority between Uber and the provincial government. “We will have no objection if Uber and Careem start acting as per the law. They should carry on with their operations as we feel that nobody has the right to withdraw any facility being provided by somebody else until the government can provide better travelling services to the masses.”

### **Liquor shops**

Parliamentary affairs minister Nisar Ahmed Khuhro informed the House that permits issued by the provincial government for operating liquor shops were meant to sell alcohol to non-Muslims only.

He said the provincial authorities were bound to take action when authorised liquor shops were found violating the law.

The minister was responding to a call-attention notice of MQM lawmaker Syed Nadeem Razi who demanded liquor shops in the city operating in Muslim-majority areas should be shut down.

The opposition lawmaker said in certain instances liquor shops were found functional in close proximity of schools and mosques where children and women frequently passed.

Responding to the call-attention notice, Khuhro said he objected to the assertion of the opposition legislator under which he was virtually dividing the city on the basis of Muslim majority and minority population areas as had been the norm during the days of colonial rule in the Subcontinent.

He said the opposition legislator in his speech should not distinguish between the areas of the city on the basis of religious affiliation of the population residing there.

He said the liquor shop in Malir 15 identified by the legislator in his call-attention notice had been shut down on December 9, 2014 by the authorities after receiving complaints and it was still closed.

## **Uproar in House**

Before the adjournment of the session till Thursday (today), a verbal spat broke out between the opposition and treasury benches.

MQM legislator Dr Zafar Kamali raised the issue of the recent firing of 52 employees of the Board of Intermediate and Secondary Education Mirpurkhas. He alleged that these employees were sacked because they belonged to the Urdu-speaking community.

The lawmaker also pointed out the large-scale bogus recruitments in education department during the PPP's previous tenure.

Responding to the allegations, provincial minister Nisar Khuhro said the opposition legislator had wrongly portrayed the issue in an ethnic context. "Such problems can't be viewed on the basis of the supposed divide between the Urdu- and Sindhi-speaking populations in the province," he added.

He said hatred should not be spread among the residents of the province on the basis of language. He noted that it was also the stated policy of the MQM that the followers of the party were Urdu-speaking Sindhi population of the province.

Acting speaker Shehla Raza intervened to calm down the lawmakers.  
(By Azeem Samar The News 20, 02/02/2017)

## **Call for due representation of marginalised groups in parliament**

Rights activists have demanded adequate representation of marginalised groups in the parliament by fixing a mandatory quota in seat allocation during general elections.

Addressing a consultation on the draft law about electoral reforms, the activists said that in the existing electoral system the poor could not even think of running in the polls because of hefty campaign costs.



During the discussion, organised by the Pakistan Institute of Labour Education & Research (Piler) at the Arts Council, the activists suggested amending the constitution to provide proportionate representation to labourers, peasants, non-Muslims and women.

Piler Executive Director Karamat Ali said the forthcoming census was an important exercise, as it would determine the share of provinces in the National Finance Award and fix the number of seats in the respective legislatures.

"The issue of internal migration in Sindh and headcount of people from other provinces may affect the representation of locals in the assemblies," he said.

"It is feared that Sindhis would be turned into a minority when the census results are announced."

He stressed on the need to learn from the experiences of other countries, "where there is participatory democracy at the grassroots level".

Referring to Nepal, he said the country's new constitution allowed 50 per cent seats to be filled on constituency basis and the remaining by proportionate representation of marginalised groups.

"Why does this not happen in Pakistan?"

Arts Council Karachi President Ahmed Shah said the census in March was crucial from the viewpoint of Sindh, where significant polarisation existed among the indigenous people.

"People who have settled in Karachi should be clearly identified in the census and should not be included in the population of Sindh," he said. "Sindh also demands that the other provinces contribute to its

development budget in accordance with the proportion of people from the respective provinces settled in Sindh.”

Urban Resource Centre’s Zahid Farooque said the minorities were braving hardships because they were incorrectly counted in past censuses.

“Despite increasing seats of Muslims members in the national and provincial assemblies, the number of seats of minorities remains the same, which is a clear discrimination.”

Senior columnist and analyst Muqtida Mansoor said the government had decided against counting overseas Pakistanis in the forthcoming census. “A large number of family heads working in Gulf countries fear of being excluded in the census.”

University of Karachi history department head Dr Taha claimed that the census beneficiaries would be the state institutions, “which are already grabbing the resources and precious lands in all parts of the country”.

Awami Awaz Editor Dr Ayoub Shaikh said that even the National Database & Registration Authority had admitted that 30 to 40 per cent people in rural Sindh had not acquired their computerised identity cards. “A large number of people would be deprived of being counted in the census.”

Indus Resource Centre’s Sadiqa Salahuddin, Now Communities’ Farhat Perveen, Sindh Labour Solidarity Committee Convener Habibuddin Junaidi, Shaheed Zulfikar Ali Bhutto Institute of Science & Technology social sciences head Dr Riaz Shaikh, Karachi University’s Dr Tauseef Ahmed, advocate Paryal Mari and others also shared their views during the meeting.  
(The News 13, 06/02/2017)

### **IGP wants 1861 law replaced**

Inspector General of Police (IGP), Sindh, A.D. Khowaja has said that the Police Act, 1861 is the root cause of poor performance of police force, which needed better and updated laws.

He was addressing businessmen at the Karachi Chamber of Commerce and Industry on Tuesday. The police chief said Police Act, 1861 was enforced by the British to suppress the people but this law was still prevailing in Pakistan.  
(Dawn 18, 08/02/2017)

### **'Politics to separate Karachi from Sindh has been crushed'**

Politics to separate Karachi from Sindh has been crushed. The issue is dead now.

Haris Gazdar, who works with the Collective for Social Science Research as a director and senior researcher, said this while discussing the political cleavage between Sindh and Karachi at a session, titled ‘Karachi: Is Pakistan’s Boom Town still Booming’, on the third day of Karachi Literature Festival (KLF). His statement was followed by a roar of crowd in Beach Luxury’s Jasmine hall.



Karachi always remains in your blood: Omar Shahid Hamid  
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According to Gazdar, major elites continue to rule the city and the political cleavage remains unsettled despite the crushing of politics on the issue. Lots of class struggle, he said, is around katchi abadis and the revival of the Karachi Circular Railway will open up further class struggles of the sort. Meanwhile, Urban Planner Arif Hasan termed politics extremely important in the growth of the city and that Karachi is not the only city facing this issue.



“Karachi is now a non-Sindhi speaking capital city of a Sindhi-speaking province,” he said, adding that the Sindhi population wants to control the city through a centralised form of government whereas the Urdu-speaking population of the port city wants to control it through a highly decentralised form of government. “This tension would need a solution of some sort,” he said, adding that Bombay has the same problem where local population is in minority. When asked about a solution to this issue, he said that there is a theoretical literature available on this. In Thailand, he pointed out, the issue was almost resolved with negotiations but army intervened and negotiations ended.

Shaikh Ayaz: The voice of the people

To this, diplomat Najmuddin Shaikh pointed out that Bombay has a metropolitan corporation with lots of municipal powers as compared to that of Karachi’s. Orangi Pilot Project’s Aquila Ismail said that the issues of the city won’t resolve until powers are decentralised. When asked if the capital of Sindh could be moved to defuse the tensions, Hasan responded that Karachi has a relation with Sindh as the capital city. He asked what happened when Islamabad was made the federal capital. “In my opinion, Karachi is Sindh’s capital and it should be,” he said. Gazdar further explained Karachi is a very unique city of Pakistan, where issues are resolved politically and through market forces. However, he pointed out, in cities like Islamabad and Lahore, issues are resolved administratively. The politics and market forces bring equilibrium solutions to this city’s issues, he said.

### **Is Karachi booming?**

In Karachi, Hasan said, there are a plenty of empty plots and at the same time hundreds of high-rise buildings being constructed. “Is this a boom or extremely damaging for [the] city’s future?” he asked.

He further mentioned that the port city had 28,000 mini-buses in 2011 and it had less than 9,000 in 2016. “Is this a boom?” he again asked and the audience laughed. “I can go on [about] this disparity,” he said with a smile, adding that if these all are booms, one must know at what cost.

(By Oonib Azam The Express Tribune 13, 13/02/2017)

## **Call for proportional representation-based electoral mechanism**

Activists slam parliamentary committee on electoral reforms for not including their recommendations



Following the parliamentary committee on electoral reforms (PCER) recently proposing recommendations on electoral reforms that are likely to be presented to parliament next month for discussion, civil society activists have expressed their severe concerns for not taking their suggestions into consideration in the draft bill.

Addressing a press conference at the Arts Council on Wednesday, Karamat Ali of the Pakistan Institute of Labour Education and Research said after the formation of the PCER in 2014, the civil society activists of Karachi had sent their recommendations after holding a series of meetings to discuss electoral reforms and the forthcoming census.

“The committee acknowledged the recommendations sent by us. But unfortunately, it did not include a single point we had recommended in the draft bill,” he added.

“The parliament should be constituted in a manner that ensures fair and adequate representation of all people of all federating units. Similarly, fair and adequate representation must be guaranteed to the marginalised and disadvantaged sections and groups including workers, peasants, women and non-Muslims.”

Ali said 342 seats in the National Assembly were not in proportion with the country’s population.

“We had recommended that total number of seats should be increased to at least 500 and in same proportion, the number of seats in the provincial assemblies should be also increased.”

Recommending that the percentage of national assembly seats for Punjab should be 45 percent, Ali said the civil society believed that Punjab held the majority of seats in the National Assembly because of constituency elections based on population, and therefore created imbalance of power at all levels.

“It has happened in the past. In the united Punjab, the Muslims, despite constituting 55 percent of the population, voluntarily settled for 45 percent share of seats in the legislature in the interest of inter-communal harmony in the province,” he observed.

“It is also noteworthy that the former Punjab province [after its merger with the One Unit of West Pakistan] had agreed to accept 40 percent of the total seats in the then West Pakistan Assembly,” he added.

Referring to Nepal, he said the country’s new constitution allowed 50 percent seats to be filled on a constituency basis and the remaining by proportionate representation of marginalised groups.

Muqtida Mansoor said civil society activists had also recommended that elections for 50 percent of the total seats should be constituency-based and to facilitate the participation of people with limited or no means - the marginalised sections of society - the polls for the remaining 50 percent seats should be conducted on the basis of proportionate representation.

He further said the formula of 33 percent for labourers and peasants and 33 percent for women in all elections and elected bodies should be ensured.

“Otherwise until the necessary constitutional, legal and administrative mechanisms are put in place, the political parties committed to a democratic political order should voluntarily ensure that their nominated candidates will comprise 33 percent labourers and peasants and 33 percent women,” he added.

Zahid Farooq of the Urban Resource Centre complained that seats reserved for non-Muslims had not been increased in the parliament in the past four decades.

In 1970 the National Assembly seats were 145, which were increased to 210 in 2008 and 342 in 2013. But the seats for non-Muslim communities remain at 10,” he added.

“The Muslim seats increased because of the increase in population. Have non-Muslim communities in the country stopped giving birth to children?”

Farooq also pointed out that there was not a single non-Muslim in the 33-member PCER.

The 1998 census notes that Punjabis and Pashtuns form 13.9 percent and 11.42 percent of the total population of Karachi respectively. To make amends for the demographic disorientation of Sindh caused by the incessant inflow of migrants from other parts of the country as well as other countries overrunning Sindh population numerically, the civil society activists also recommended that 55 percent of the seats from Sindh in the National Assembly and a similar percentage of seats in the Sindh Assembly should be allocated to indigenous Sindhis,. Besides, the government should take effective steps to regulate or control the migration.

They also recommended that no candidate should be allowed to contest from multiple constituencies and parties should nominate only those candidates who resided in that constituency.

Dr Syed Jaffar Ahmed of the Pakistan Study Center, University of Karachi, Habibuddin Junaidi of the Sindh Solidarity Committee, Ahmed Shah of the Arts Council, Mahnaz Rahman of the Aurat Foundation, Sheema Kirmani of the Tehreek-e-Nisawan, social activists Nazim F Haji, Naghma Sheikh, and Naeem Sadiq were also present at the press conference.

(By Zia Ur Rehman The News 13, 16/02/2017)

## Judicial commission submits report after six-week-long fact-finding mission

A judicial commission investigating allegations of non-supply of clean drinking water and deteriorating sanitation conditions in Sindh has submitted its report to the Supreme Court (SC), judicial sources told The Express Tribune on Saturday.



They said Justice Muhammad Iqbal Kalhoro of the Sindh High Court, who was appointed as inquiry commissioner, had sent the report to the apex court for perusal of the two-judge bench, which had formed the commission.

The judicial commission's report is likely to be discussed during the hearing of the case, expected to be held in the first week of March at the Karachi Registry, said petitioner Shahab Usto, on whose proposal the commission was set-up.

### Judicial commission to probe water scarcity

The apex court's bench, comprising justices Amir Hani Muslim and Mushir Alam, had formed the commission on December 27 last year while hearing a petition regarding non-supply of clean drinking water, deteriorating sanitation conditions and its impact on the environment in the province at the SC's Karachi Registry.

It had set up terms and conditions for the inquiry for the commission, which was directed to conduct day-to-day proceedings and complete the same within six weeks.

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### Terms of reference

According to the terms of reference, the commission was to record its findings regarding provision and supply of clean water to the residents of Sindh besides the condition of sanitation in the province.

The commission was also supposed to examine the statutory role played by the Sindh Environmental Protection Agency on the issues mandated by the Sindh Environmental Protection Act, 2014.

The commission was also supposed to examine the officials or material from relevant agencies or organisations inclusive of all the civic and land-owning agencies. The federal government, Sindh government or any organisation under their control was directed to cooperate with the said commission.

### Environmental hazard: Judicial commission inspects toxic water disposal in Kotri

The commission was formed to look into the aforesaid issues and record its findings in detail in the proposed report within six weeks from the date of its notification. It was supposed to hold the inquiry on a day-to-day basis and would exercise all the powers of a high court judge, inclusive of the powers conferred under the Code of Civil Procedure.

### Proceedings and inspections

The sources said the commission had initiated proceedings on January 2 but it could not complete the same within the deadline, adding that the SC extended its time by one week at the request of its head.

During the proceedings, Justice Kalhoro sought, through the district and sessions judges, the details of the development schemes or projects launched by the Pakistan Peoples Party-led provincial government in the last five years, their budgetary allocations, expenditures and the current status of such projects.

### Have your say: Judicial commission issues notice to the public

The commission had also sought details such as the audit of hundreds of reverse osmosis plants installed by the government to overcome the water shortage, the solid waste management system, the sanitation

staff and finances of all the district municipal corporations in the province and workout plan to dispose of solid waste as well as hazardous and toxic industrial waste.

The inquiry commissioner had also visited different cities to inspect the factual position at the main water sources, including rivers, canals and sewage filtration plants. During the proceedings, the commission had taken on record the details submitted by the federal and provincial functionaries, the industries owners' associations, the provincial environmental protection agency, Karachi Metropolitan Corporation, all the district municipal corporations, Karachi's water and sanitation authority's chairperson, Sindh Building Control Authority's director-general and others.

(By Naeem Sahoutara The Express Tribune 13, 26/02/2017)

## **Sepa serves notices to cantonment boards,KMC and other bodies**

Environmental watchdog says 28 major roads of Karachi illegally commercialised by these authorities



The provincial environmental watchdog issued notices to military and civilian housing, development and building authorities on Sunday over the commercialisation of 28 major roads in Karachi in violation of environmental laws.

Roads cannot be commercialised without conducting an environmental impact assessment (EIA) there.

The military authorities include the Malir, Faisal, Korangi Creek, Karachi, Clifton and Manora Cantonments. The civilian ones are the Karachi Development Authority, the Karachi Metropolitan Corporation and the Sindh Building Control Authority. The Defence Housing Authority, a semi-military body, too has been served a notice.

In separate letters to the six cantonment boards and development and building control authorities, the Sindh Environmental Protection Agency (Sepa) not only demanded that EIA reports be submitted but sought traffic plans of the 28 roads to ascertain whether or not their commercialisation was causing traffic jams and pollution.

The Sepa director general said the environmental watchdog was not taken on board while commercialising the city's roads, allowing construction of high-rises and skyscrapers. He added that as per the Sindh Environmental Protection Act 2014, any change in land use must be preceded by an environmental impact assessment in which the cumulative impact of all alterations in land use needed to be clearly evaluated.

Furthermore, the watchdog's director general Naeem Mughal added, no development could proceed with any alteration unless an approval was granted by Sepa.

Mughal said Sepa's role had been ignored as and the densification of roads had been undertaken without a master plan.

"Most plots on commercial roads are being converted into multistor3y buildings and high-rises," he added.

He maintained that the policy adopted for strip commercialisation was against environmental sustainability principles and neither socially nor environmentally acceptable.

"For each environmental impact assessment document submitted to Sepa, we accept the plan with a number of conditions to suit to the requirements of environmental and social considerations. We wouldn't have been required to do this if the master plan department had done its job by keeping the sustainability principles in view and evaluating the environmental and social impacts of densification and commercialisation."

He regretted that traffic congestion had already become a major problem in Karachi and with the densification of roads, thousands of more vehicles will ply on them further degrading air quality..

“What was needed at the outset was to have a meaningful traffic management plan that could accommodate the parking of the vehicles into the parking plazas,” the Sepa DG observed. “In the absence of a traffic management plan, buildings have been constructed that leave the parking issue to the owner of the vehicles causing frequent traffic jams on roads and tremendously increasing the woes of the general public.”

(By M. Waqar Bhatti The News 13, 06/03/2017)

### **Sepa has never used its lab equipment: judicial commission**

Says in its report there's nothing to back environmental watchdog's achievement claims; observes Sepa is confined to office files, writing letters and issuing notices



The Sindh Environmental Protection Agency (Sepa) has never used the chemical, analytical and microbiological laboratories at its head office for the last many years and all the expensive equipment there seems “untouched and unused”, a judicial commission has noted in its report submitted to the apex court on Monday.

“It appears that Sepa’s initiatives are mainly confined to office files, writing letters and issuing notices. It is obvious that Sepa, at least in the present situation and in the present set-up, is unable to deliver and perform, in spite of having ample powers under the 2014 Act,” the commission wrote in its 130-page report.

The commission, headed by Justice Muhammad Iqbal Kalthoro, was formed by the Supreme Court to probe looking into the issues of potable water and sanitation conditions in Sindh and the statutory role played by the environmental watchdog on the issues mandated by the Sindh Environmental Protection Act, 2014.

The judicial commission revealed in its report that Sepa did not employ any scientific methodology to monitor ecological degradation caused by direct inflow of untreated effluent in sea and no exact data of all the industries functioning in Sindh was available with it.

The state-of-the-art air monitoring system to evaluate air pollution installed on the roof of Sepa’s office appears to have never been put into use, the judicial commission found during its visit there.

Sepa started its latest drive against industries generating toxic effluent and discharging it into water bodies only after the judicial commission asked about the data about it. During the proceedings of the commission, Sepa officials produced “incomplete figures”.

“The factories are directly discharging untreated effluent in water bodies, but Sepa did not appear to be concerned about it, and it did not seem to have an idea as to how and to what extent the untreated effluent is destroying the flora, fauna and biodiversity of coastal waters,” the judicial body noted in the report.

Besides, Sepa is unaware of how factories are generating toxic effluent.

“Sepa was reminded that the majority of the industrial units have not installed wastewater treatment plant in compliance with 2014 Act, but it has not acted beyond issuing some notices and in some cases referring the matter to the tribunal constituted under 2014 Act.”

The commission said the environmental watchdog’s claim that because of its efforts 75 industrial units in Karachi division and 34 in rest of the divisions of the province had installed wastewater treatment plants could not be established authentically.

Sepa technical director Waqar Hussain Phulpoto also conceded before the judicial commission that Sepa officials did not randomly check and test the effluent of the units where treatment plans had allegedly

been installed, and if ever any inspection of the unit was carried out, its information was conveyed to the management of the unit in advance almost a week earlier.

“There is no credible record of any visits paid by Sepa officials to factories to monitor and check if the environmental provisions were being complied with or not.

During the inquiry, Sepa officials maintained that because of their actions many changes had occurred including installation of wastewater treatment plants in factories, legal action against factories which did not install pre-treatment plants, stoppage of burning of old batteries in Hyderabad and Karachi, prevention of dumping and burning of solid waste in Karachi, management of hospital waste, monitoring of cement industries in Sindh, stone crushing units, prohibition on non-degradable plastic products and compliance with environmental laws in sugar mills.

But the commission said it had neither seen the effects of these actions, nor was Sepa able to produce any authentic record showing tangible results achieved so far.

The factories are still discharging waste water without treatment, hospital waste is in disarray and is mostly being burnt inside hospital premises, and sugar mills do not seem to be bothered about complying with environmental laws and are discharging waste without treatment in water bodies.

The coast is constantly experiencing degradation due to constant inflow of untreated effluent and spill-over of oil from ships, yet Sepa is making claims of a good performance, the judicial commission report revealed.

Despite having ample powers under 2014 Act, which gives extraordinary powers to Sepa, the authority is not functioning as per its mandate and taking cosmetic measures to improve environmental conditions in the province, the judicial commission report concluded.

(By M Waqar Bhatti The News 13, 08/03/2017)

### **Sindh Assembly passes bill to establish food authority**

The Sindh Assembly on Wednesday unanimously adopted a government bill to establish a food authority in the province to ensure provision of safe and hygienic food to the people.

The Sindh Food Authority Bill, 2016, which will turn into an act once the Sindh governor gives assent to it, carries prison term and fines for those found involved in making/selling adulterated food or soft drinks.

The Sindh Food Authority, to be headed by the food minister, will comprise 16 members — seven bureaucrats, three provincial lawmakers nominated by the speaker, one representative each of the Karachi Chamber of Commerce and Industry, food operators, food industry and consumers, a food technologist and any other member/respective commissioner as co-opted by the government. The secretary of the food department would act as convener.

According to the bill, a food safety officer can initiate action against any person who manufactures, stores, sells, distributes, imports or exports any food item which is not of standard or misbranded. The said person shall be liable to imprisonment for a term up to six months and/or fine, which may extend to Rs1 million, or with both.

The law would also apply to those who manufacture or process or keep any food under unhygienic or unsanitary conditions. Such persons shall also be liable to imprisonment up to six months and fine up to Rs1m or both.

But in case of false warranty, the person shall be liable to six-month imprisonment or fine up to Rs500,000 or both.

In case of injury or death of a consumer due to unsafe food, the court, in addition to any other penalty under this law, shall direct the food operator to pay compensation to the consumer or, as the case may be, the legal heirs of the consumer an amount which is not less than Rs1m in case of complete disability or death; or not exceeding Rs500,000 in case of partial disability or injury.

MPA Dr Mahesh Malani, the chairman of the standing committee on food, presented the report on the law in the assembly and Senior Minister Nisar Khuhro piloted the bill for clause-by-clause consideration.

Syed Sardar Ahmed, the parliamentary party leader of the Muttahida Qaumi Movement, suggested a few amendments in certain clauses, which were accommodated accordingly.

The bill was unanimously passed after its third reading.

Later, the assembly was adjourned at 2.30pm to reassemble on Thursday (today).

#### **Four resolutions on Women's Day adopted**

The house was called to order by Speaker Agha Siraj Durrani at 11am. After the Question Hour, the house adopted four resolutions with consensus on the International Women's Day.

The resolutions — read out by Ghazala Sial of the PPP, Naheed Begum of the MQM, Nusrat Sahar Abbasi of the PML-Functional, Dr Seema Zia of the Pakistan Tehreek-i-Insaf and Sorath Thebo of the PML-N — paid rich tributes to the women of Pakistan, particularly Fatima Jinnah, Raana Liaquat Ali Khan, Benazir Bhutto, Nusrat Bhutto, mothers of the slain students of the Army Public School, Peshawar, and all those women who, despite challenges, had contributed bravely to nation-building and community services.

In their brief speeches, the women lawmakers demanded that all political parties give more representation to women, more representation in the government institutions and equal rights. They also resolved to stand against all discrimination towards them and for equal opportunity and social protection.

Earlier, in response to the call-attention notice of PTI's Dr Zia about non-payment of salaries to non-gazetted and gazetted staff, including senior doctors, of the Abbasi Shaheed Hospital, Local Government Minister Jam Khan Shoro said that all regular staff and non-gazetted employees were being paid regularly.

However, he said that he would consult the administration and then submit a reply about specialist trainee doctors who were serving on stipends.

Kamran Akhtar of the MQM raised the issue of 'unjust' police raids and harassment. However, Senior Minister Khuhro said that police and other law-enforcement agencies were discharging their responsibility and they deserved encouragement, not criticism.

In response to the call-attention notice of PPP's Ghazala Sial about posting of only one teacher for 200 students of the Government Primary School Younusabad, Minister Jam Mehtab Dahar said that there were three teachers and two of them had resigned.

However, he said he had asked the deputy commissioner concerned to hire two more teachers so that students should not suffer.

In response to the call-attention notice of PTI's Khurram Sherzaman about non-availability of water in Clifton, the LG minister said that only 550 million gallons daily of water was being supplied to Karachi against the demand of 1,100 mgd. This was causing shortage of water for tail-enders, he added.

He said that the government had closed down illegal hydrants and was also taking other measures to improve water supply.

MQM's Heer Soho raised the issue of holding of a jirga of Swand and Sabzoi communities. Senior Minister Khuhro informed the house that 'arbitration', and not a jirga, between the two communities was held in Shikarpur, where clashes were recurring in the two communities over theft of animals for the past several years in which over 104 persons had been killed. He said the arbitration was held to settle their dispute and save precious lives.

He said the concept of out-of-court settlement was not new to the world and such issues were also being resolved through arbitration.

(By Habib Khan Ghori Dawn 17, 09/03/2017)

## **SC warns of summoning premier and chief minister if issue not resolved**

The Supreme Court has directed the federal and provincial governments to interact on the issue of completing the Right Bank Outfall Drain (RBOD) project to protect Manchar Lake from contamination, warning that the court could summon the prime minister and the chief minister if the issue was not resolved.



Hearing the suo motu case of the lake's contamination due to effluents from the RBOD, the SC's three-member bench headed by Justice Amir Hani Muslim took exception to the federal government's report that requested the court to direct the Sindh government to pay its share for completing the drain project.

Finance Secretary Tariq Bajwa said the matter of completing the RBOD project was deferred in the Executive Committee of National Economic Council (ECNEC), as the provincial government withdrew its stand for paying its share to complete the project.

Advocate General Zamir Ghumro said that since the project was initiated by the federal government, the Sindh government was not required to pay the outstanding amount.

Taking exception to the Centre's report, the court asked how it could direct the provincial government to pay the outstanding dues of Rs28 billion when the federal and provincial governments had the appropriate forums to resolve their disputes.

The bench asked what the role of the federal and provincial assemblies was in settling these issues and why they ran their respective governments when they could not even govern or outsource the functions of the government.

The SC directed the federal and provincial governments to interact with each other and decide the issue within a month, saying that the court did not want Manchar Lake to be polluted through contamination, adding that it would go to any lengths to protect the lives of the citizens and even summon the PM and the CM if the issue was not resolved.

The court took notice over the appointment of the director general of the Sindh Environmental Protection Agency (Sepa) as member of the task force constituted to make suggestions for minimising the pollution in Manchar Lake, despite the observation of the judicial commission on the working and mandate of the watchdog.

The bench said the Sepa chief was incompetent, who did nothing for activating the watchdog's laboratory in the past several years or demonstrate his commitment to enforcing environmental laws.

Sepa DG Naeem Mughal said the laboratory was non-functional due to lack of funds on the part of the provincial government, adding that the watchdog had a staff of 205 employees and an annual budget of Rs168 million.

The court asked him why the taxpayers' money was being misused when the watchdog did nothing to carry out its responsibilities, saying the lives of millions of people were at stake due to the incompetence and underperformance of Sepa and its chief.



The bench asked the advocate general why the irrigation secretary was not nominated in the task force and directed him to reorganise the team as well as submit a relevant notification on Thursday.

In the previous hearing, the SC had directed the chief secretary to form a task force by consulting not only experts within the government but from the private sector as well and submit a report on the means by which Manchar Lake's pollution would be minimised.

(By Jamal Khurshid The News 13, 14/03/2017)

## **Sindh Assembly passes transparency, right to information bill**

The provincial assembly on Monday carried The Sindh Transparency and Right to Information Bill, 2016, as amended by a select committee comprising 10 lawmakers belonging to all parliamentary parties in the house, providing transparency and access to information to every citizen in matters of public importance.

The assembly also constituted a body to monitor the performance of K-Electric and question its management about 'fleecing' people by not installing 'Time of Usage' (ToU) meters for billing and similar other complaints.

The report of the Sindh Transparency and Right to Information Bill, 2016, was presented in the house by chairman of the 10-member committee, Senior Minister for Parliamentary Affairs Nisar Ahmad Khuhro.

The bill — which will become an act with its assent by the governor — will repeal The Sindh Freedom of Information Act 2006. The act will provide every citizen transparency and access to information under Article 19-A of the Constitution in all matters of public importance, which are essential principles of democracy. This will not only enable the populace to hold the government and its institutions accountable but also help in improving the system of governance.

Speaking on the general principles before its consideration clause by clause, Mr Khuhro termed it a historic measure by the assembly that, besides providing access to information to a common man, will also contribute towards good governance and elimination of corruption. According to the bill, if any officer fails to provide information in a given period, he or she could be given punishment of imprisonment and fine.

He said the committee, before finalising the bill, had held a number of meetings and gone through similar laws as prepared by other provinces. The government — which is often accused of bad governance, corruption and violation of laws — after the adoption of the law would be accountable to every citizen.

MQM parliamentary leader Syed Sardar Ahmad and PTI lawmaker Samar Ali Khan praised the senior minister for accommodating all positive suggestions to make the law effective, as well as the contribution of Dr Hasan Raza Gardezi of NGO Shehri.

Under the law, if the officer failed to respond to the applicant within 15 days and after informing the applicant of the delay could take another 10 days for providing information. But refusing information with mala fide intention or providing misleading information could lead to a fine of up to 10 per cent of the officer in question's basic pay.

After the commencement of the act, the government would establish a Sindh Information Commission within 100 days.

### **KE monitoring body**

Meanwhile, Speaker Agha Siraj Durrani, who called the house to order at 11.10am, constituted the Coordination Committee to Monitor and Implement K-Electric issues, comprising representatives of every parliamentary party in the house.

The step was taken on the motion by Senior Minister for Parliamentary Affairs Nisar Khuhro who recalled that a few days back one of the members had complained against KE for violating Nepra's directive by not installing ToU meters across the metropolis for billing as per ToU tariff. KE was charging peak hours' rate and thus 'fleecing' people, the lawmaker said.

Mr Khuhro said the house represented the people and as such if lawmakers could monitor performance of schools, prisons and hospitals, why could they not inspect KE's performance. It is the privilege of lawmakers to question the KE management regarding public complaints and its performance.

The minister suggested that the names of Javed Nagori, Sajid Jakhio and Shaheena of the Pakistan Peoples Party, Saifuddin Khalid and Nishat Mohammad Zia of the MQM, Shaharyar Mahar Khan of the Pakistan Muslim League-Functional and Sorath Thebo of PML-N, and Khurram Sherzaman of the PTI for the proposed committee. The terms of reference of the committee could be framed by the committee itself in consultation with the speaker of the assembly. The suggestion was approved and the committee was formed by the chair.

After formation of the committee, the chair entertained points of order from Minister for Minorities Affairs Khattumal Jeewan, Deewan Chand Chawla of the MQM and Pessumal of the PPP who greeted the people of Pakistan in general and the Hindu community living in Sindh in particular on the Holi festival.

The assembly session, which was summoned on March 6 after eight-day proceedings, was prorogued on Monday by Speaker Agha Siraj Durrani who, after conclusion of the agenda at 1.45pm, read out the order from Sindh Governor Mohammad Zubair to prorogue the house sine die on the completion of business.

Earlier, in response to the call attention notice of MQM lawmaker Kamran Akhtar about allotment of 100-acre land to Haji Adam Jakhio on the basis of a 'fake' ledger causing a loss of Rs60 billion to Rs70 billion to the government, Mr Khuhro said the land had been in the possession of Haji Adam Jakhio since 1914-15 inherited from his ancestors, which was cancelled by the Malir deputy commissioner without any legal basis and without any powers, which lay only with a civil court or a member of land utilisation of the Board of Revenue.

Responding to the call attention notice of MQM lawmaker Naheed Begum pertaining to the shortage of lady medico-legal officers in Ghotki, causing fear of loss of evidence in sexual harassment cases, Sindh Health Minister Dr Sikander Mandhro admitted that there was a shortage of doctors at government hospitals and claimed that the government was making all-out efforts to meet the shortfall of 6,000 to 7,000 doctors. But he added that a lady doctor be available at every tehsil headquarters hospital to be able to discharge MLOs' responsibility in their absence.

Sindh Local Government Minister Jam Khan Shoro in response to the call attention notice of MQM lawmaker Deewan Chand Chawla about sanitation issues of Sukkur informed the house that a foreign-funded programme was being executed by Nespak in Sukkur to lift garbage and his department had no concern with the sanitation problem in that district.

In response to the call attention notice of MQM legislator Syed Nadeem Razi, the local government minister suggested to him to get the number of ADP schemes corrected as ADP No 144 of 2015-16 did not pertain to road construction but to a school, as such the education department could answer his notice.

Ameer Haider Shirazi of the PML-N through his call attention notice drew attention of the house to the closure of over 350 schools in Thatta. Mr Khuhro said it was surprising that the people who had been district nazim for years in Thatta failed to open hundreds of closed schools. However, as far as one school, namely Ibrahim Pitafi school, was concerned, it would be opened soon after filling vacancies of teachers.

(Habib Khan Ghori Dawn 17, 14/03/2017)

## **Sindh Assembly sanctions Right to Information Act**

The Sindh Assembly on Monday passed the Sindh Transparency and the Right to Information Bill 2016 after Pakistan Peoples Party MPA Nisar Ahmed Khuhro tabled it before a standing committee for approval.

Khuhro later briefed the media on the objectives of the bill, saying the law had been passed to ensure transparency and access to information for citizens.

He added that this is the cornerstone of the democratic values that it enable citizens to hold elected officials and public institutions accountable.

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### **Balochistan to introduce new right to information law**

Khuhro said that the law would improve the governance system in view of Article 19A of the Constitution.

He said that every citizen would now be able to access information in matters of public importance.

According to the new law, the government must designate and notify an officer to act and serve the requester.

This must be done within a 45-day time period starting from the date the request has been lodged.

Furthermore, the government shall establish the Sindh Information Commission along with its relevant offices at a district level to regulate matters pertaining to the issue.

In case the assigned officers refuse to provide the needed information, the government is to penalise them. The penalties can be as high as 10 per cent of their basic salaries.  
(By Hafeez Tunio The Express Tribune 13, 14/03/2017)

## **Right to information**

The Sindh Assembly is praised for passing the Sindh Transparency and Right to Information Bill, 2016 on March 14. The Bill will replace the Sindh Freedom of Information Act 2006 and provide better facilitation to citizens in their quest for information, which is a requirement of democratic states. The requirement is also highlighted in Article 19A of the Constitution of Pakistan. Although a bit late to the party when it comes to access to information, Sindh's lawmakers are commended on their sound decision-making, at last.

A basic tenet of democracy is accountability. Additionally, throughout the existence of this country, citizens have been brainwashed and made to follow what they are exposed to in the mainstream. It is rare that they are given the confidence to inquire and demand facts and figures from the leaders who pressurise naive men and women to vote for them. Ergo, citizens are finally being given power, as they should rightfully wield in a democracy, to demand answers and seek out the truth from the government.

Time and again, we have heard cases of people being silenced or mysterious kidnappings after they asked questions that made others uncomfortable. While the new bill can give citizens confidence to also speak up and demand accountability, there should also be some provision for the protection of those who come forth. This is to say that one should feel secure in requesting access to information, free from the fear of subsequently receiving threats. One note that is appreciable about the Right to Information Bill 2016, especially when it comes to the operations of government in this country, is that it places a time cap and outlines consequences for officials if requests are not responded to within 15 days. Now, the government should consider using the Internet to swiftly disseminate requested information.  
(The Express Tribune 06, 15/03/2017)

## SC orders govt to sack chief of environment watchdog

Apex court observes that not only is the incumbent DG not eligible for the job, but he has also failed to fulfil statutory mandate of environmental laws



The Supreme Court ordered the Sindh government on Tuesday to sack the provincial environmental protection agency's director general, not only because he did not qualify for the job, but also because despite being on that post for several years, he had failed to fulfill the statutory mandate of environmental laws.

Issuing an interim order on a petition seeking the provision of clean drinking water and a safe environment to the citizens of Sindh, a three-member bench of the apex court headed by Justice Amir Hani Muslim observed that the Sindh Environmental Protection Agency's state-of-the-art laboratory was not functioning because there were not enough funds to run it and in its absence, the watchdog could not carry out its functions as stipulated in the Sindh Environmental Protection Act, 2014.

The court observed that the Sepa director general was a cadre post of basic pay scale (BPS) 20. However, the person currently holding the post did not meet the requirement.

The court directed the provincial government to appoint a cadre BPS-20 officer as the Sepa director general post immediately and also make its laboratory functional without any further loss of time.

The court observed that a judicial commission that had probed into the issue had in its report depicted an alarming state of affairs which was affecting the lives and health of the citizens across the province.

The court noted that the Sindh government, the Karachi Water and Sewerage Board, the Sindh Solid Waste Management Board, Sepa, SITE, and other departments concerned had failed to fulfill their statutory duties.

The court observed that the commission headed by Justice Mohammad Iqbal Kalhoro should continue with the task assigned to it by the court.

The court directed that all stakeholders concerned should periodically report to the judicial commission to ensure that matters which had been highlighted in the report were addressed.

The court observed that every ministry, department, agency, authority and trust including any organisation under their administrative control would assist the judicial commission, answer its questions and bring the requisite improvements as may be deemed necessary.

The court observed that judicial commission would exercise all powers vested in it in terms of the apex court orders as well as all powers of a high court judge inclusive of the powers conferred under the Civil Procedure Code.

The court asked the SHC chief justice to ensure that judicial commission's member Justice Mohammad Iqbal Kalhoro had requisite time to undertake this important assignment.

The court observed that commission may also seek assistance and information from successful non-governmental organisations including the Orangi Pilot Project and the Urban Resource Centre.

The court observed that the commission could document, photograph and record the prevailing state of affairs and the improvements brought in a systematic manner. The court directed the advocate general Sindh to submit a report on the last portion of the commission's remarks on the sand being removed from the Malir River bed and its conduits.

The court observed that SITE must inspect all industries periodically and develop a transparent mechanism to gather data and take samples of effluents from every factory to determine whether or not

they contained any “dangerous, poisonous or objectionable” material and if found, take remedial measures as per the law.

The court said that samples of the effluent taken from factories must be sealed and photographed before being sent to the laboratory for testing. The court directed the industries secretary to adopt a similar methodology for the factories in Korangi, Landhi and Federal B Area and submit a compliance report within a month.

The court was informed by the representative of the Karachi Port Trust that the harbour was polluted by industrial effluent, sewerage and solid waste. The court was informed that plastic bags and other solid waste was also a hazard for the propellers of boats and ships. The court observed that the KPT, KWSB and SSWMB were public agencies and must ensure that the harbour was not polluted.

The court directed the heads of the KPT, the KWSB and the SSWMB to personally examine all the water channels and drains that brought and discharged effluent and solid waste into the harbour and the Karachi coast and devise practical, inexpensive and immediate measures from their existing budgets to prevent the pollution of the harbour and the Karachi coast. The court directed them to submit their separate reports along with photographs and videos recordings within a month.

The health secretary submitted that there was only one incinerator that was functioning for all government hospitals in Karachi and the rest were not functioning for which he could not offer any plausible explanation. The court directed the health secretary to rehabilitate and activate all incinerators installed in the province’s hospitals within a month and submit a compliance report.

(By Jamal Khurshid The News 13, 15/03/2017)

### **Only few KMC and KWSB surplus employees work, claims Murad**

Sindh’s chief minister has claimed that thousands of surplus employees are on the payroll of the Karachi Metropolitan Corporation (KMC) and the Karachi Water & Sewerage Board (KWSB), but only a few of them carry out their responsibilities.



CM Murad Ali Shah made the observation while talking to journalists after addressing a round-table conference organised by the American Business Council of Pakistan and US Consul General in Karachi Grace W Shelton at a local hotel on Thursday.

The meeting discussed taxation and the relevant role of the Sindh Revenue Board (SRB), the overall security situation, the relations between the federal and provincial authorities and the infrastructure for local industries.

Shah said the local bodies across the province had adequate authority to serve the people. “They have plenty of funds, but what some of the newly elected leadership lack is the ability to take initiative.”

He said that besides providing the KMC with its due share in the octroi & zila tax, the Sindh government released Rs500 million every month to the municipal body to disburse salaries. “It’s not my duty to rationalise the KMC. The new leadership of the local bodies should bring the employees back to work and mobilise all their resources.”

He added that he had disbursed billions of rupees to the district municipal corporations, but they had failed to deliver on sanitation and the government was forced to outsource some of their responsibilities.

On the subject of traffic congestion in the city, the chief executive said that almost all the major roads were being reconstructed. “This is my city, and I shall turn it into a city of peace, lights and jobs.”

He said the first and foremost task was law and order, adding that after its restoration, reconstruction of dilapidated residential and industrial infrastructure had been initiated, which had restored the confidence of international investors.

“This is the new face of Karachi: a peaceful place where investment opportunities are abundant, the government is investment-friendly, the infrastructure is being developed, work on water supply and drainage schemes is under way and all the stakeholders, including the industrialists, architects and civil society, are on board.”

Shah said his government had been trying to set up a single provincial revenue collection body with a one-window operation, adding that the SRB had collected Rs61 billion in the previous financial year and that its target this year was Rs71 billion.

He said an investment to the tune of \$100 million for Karachi was in the pipeline, adding that he would talk to Federal Finance Minister Ishaq Dar to resolve taxation and revenue issues of businessmen and investors, and also directed the SRB chairman to resolve their tax and revenue collection issues.

The CM said he was working to improve health and education services through public-private partnership. As examples, he cited the construction of Sir Aga Khan Bridge, the longest bridge on Indus River at Jhirk-Mulakatiar, Hyderabad-Mirpurkhas Road and some other important projects. He added that the infrastructure of the industrial zones needed to be improved for expediting the pace of business activities across the city.

(The News 13, 17/03/2017)

### **Supreme Court comes down hard on Sindh government**

The Supreme Court (SC) said on Thursday that it will issue a ‘deterrence’ order in the province, as the Sindh government was testing the court’s ‘patience’ on the issue of non-transparent disbursement of a \$140 million foreign loan meant to improve water supply and sanitation conditions in Sindh.

The apex court ordered a forensic audit into the \$140 million spent by the Sindh government-owned North Sindh Urban Services Corporation (NSUSC) on schemes to supply potable water, improve deteriorating sanitation conditions and solid waste management in the province.

A three-judge bench, headed by Justice Amir Hani Muslim, cautioned to refer the matter of the shady disbursements to the National Accountability Bureau (NAB) for investigation. The bench, which also comprised justices Qazi Faiz Isa and Faisal Arab, was hearing a case relating to supply of water and sanitation to people in Sindh at the SC’s Karachi Registry.

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#### **Judicial commission: 16 civic bodies to submit details on potable water supply**

Provincial Advocate-General Barrister Zamir Ghumro said the provincial government was ready to withdraw two districts from the NSUSC, following reservations regarding fairness in disbursement of the loan acquired from the Asian Development Bank (ADB).

The bench observed it had serious reservations over the terms and conditions in which the corporation had signed agreements with the ADB for a \$500 million grant as a loan.

The judges said the matter will be referred to NAB and in the meanwhile the provincial government should transfer municipal functions to the local government bodies, which were supposed to perform such duties.

Ghumro and Chief Secretary Rizwan Memon informed that on Wednesday the chief minister held a meeting with the stakeholders, including the ADB’s country director. The top bureaucrat said the ADB officer had said they will halt the funds if municipal powers were transferred from the NSUSC to the administrative bodies, therefore, they pleaded to not to refer the matter to NAB.

### **Judicial commission to probe water scarcity**

This, however, irked the judges who observed that funds' disbursement by NSUSC should be accounted for. The court said the foreign lending agency could not dictate the government on the utilisation, as the amount acquired by the government was a loan that will be returned from the public money.

The chief secretary and AG again requested the court not to refer the matter to NAB, as the ADB will also stop giving funds for future schemes in the province. Justice Hani asked them whether the government had conducted an audit of the \$140 million of the \$500 million loan.

The bench members expressed shock when informed that a former MPA was chairperson of the board of the corporation, while two of its members were nominated by the provincial government and three were independent.

### **Verifying claims: Judicial commission inspects water supply, drainage disposal stations**

The petitioner, Shahab Osto, said the government had also nominated him as an independent member of the corporation but he had resigned, as the authorities had refused to conduct an audit of the funds' utilisation.

The bench came down hard on Ghumro for trying to paint a rosy picture of the body, which was never an independent body, and questioned why the matter should not be sent to NAB straight away.

Memon said that the Sindh government was owner of the body.

Justice Hani observed that everyone was making money, instead of electing a body to run the affairs of the corporation.

A former internal chief auditor of the corporation, Amjad Hussain Durrani, disclosed that he was removed for detecting irregularities in funds' utilisation in 2013. An elected board of the corporation was also illegally removed for seeking accountability of the funds, he alleged.

### **Judicial commission submits report after six-week-long fact-finding mission**

The bench told Memon and Ghumro that people were being killed by the supply of polluted water and the whole province had been turned into ruins. Justice Isa noted that the company was running headless, as no managing-director or internal auditor had been appointed for two years, which itself was as violation of the Securities and Exchange Commission of Pakistan (SECP) Act, 1997.

Acting MD Mehmood Abbas said three projects – provision water supply, procurement of machinery for solid waste management and designing of the entire project – were under way and at this stage the lender will stop funds if municipal functions were transferred to the local bodies.

He maintained that the company's board was removed in December 2013 and ever since the post of the MD was advertised three times, but no one had applied in the three years.

The bench members wondered how the government failed to find an eligible person among the 200 million population of the country. Abbas said the company's internal chief auditor was away performing Umrah.

### **Supreme Court seeks details of security plan, if any, for judges**

At this stage, the Sukkur mayor said the corporation was functioning efficiently and was going to execute projects to improve water supply and sanitation conditions.

Justice Hani asked who was actually running the company, but all the officers remained silent. "Do you want the people, who are outside and have lost their jobs, to lose their liberty?" he questioned.

He observed that the government should immediately change the present board of the company and appoint a new one before the court passes an order adverse to the interest of the provincial government.

Justice Isa remarked that since there were serious allegations against the company and the acting MD, who was nobody in the eyes of the law, had no answer, the matter should also be referred to the SECP to take over the company.

### **Blasphemy suspect granted bail by Supreme Court after three years**

Memon said he was trying to protect the government's interest but the government was ready to transfer all functions of municipal bodies back to the local bodies, as the NSUSC had failed to perform its functions of supplying clean drinking water, improve sanitation conditions and properly manage waste.

He said the government was also ready to wind up the company on account of it failing to achieve the prime objective it was created for. However, he clarified that all the employees hired by the NSUSC on contractual or daily wage basis will be the sole responsibility of the corporation. The government will not regularise them, he said.

Memon requested that some schemes, including supply of pumps for the water supply scheme and machinery for the solid waste disposal scheme, should be allowed to be completed by the NSUSC under monitoring by the public health engineering department.

Allowing the request, the bench directed the public health engineering secretary to submit a report to the judicial commission, which will also independently monitor these schemes either through the concerned deputy commissioners or the district and sessions judges.

### **Commission wants five-year records of water, sanitation schemes**

Meanwhile, the court ordered the provincial government to conduct forensic audit of the NSUSC through private auditor company AF Ferguson. It ordered that the amount it had received through the ADB, the Sindh government or any other agencies will be accounted for.

The bench ordered that the audit report should be submitted to the judicial commission and the SC, while the government will pay for the audit charges. The auditing firm was directed to complete the forensic audit within two months from the date it was notified as auditor.

The court also ordered the NSUSC's acting MD to appear on Friday to submit complete details, including minutes of the board meetings conducted so far, funds spent by the corporation on development schemes and progress on such schemes made so far.

(By Naeem Sahoutara The Express Tribune 13, 17/03/2017)

## **SC seeks details of foreign-funded Sindh govt projects**

The Supreme Court (SC) directed on Monday the provincial chief secretary to submit details about how many foreign-funded projects were under way in the province through the Sindh government.

A three-judge bench, headed by Justice Gulzar Ahmed, called for such details while hearing a case relating to the non-regularisation of contractual employees hired by the provincial education and population welfare departments to run foreign-funded projects in the province. Also comprising justices Maqbool Baqar and Faisal Arab, the bench was hearing the case at the SC's Karachi Registry.

The petitioners said they were hired on a contractual basis for different projects, which the provincial education and population welfare departments had launched using foreign funds. The court was informed that following expiry of their contracts, the departments concerned were not regularising their employment, despite the fact that they were entitled to job regularisation after having served for a three-month period.

### **Advertisement**

Justice Ahmed inquired from Chief Secretary Rizwan Memon about the nature of the foreign funding for the projects. "Is this a loan or something else?" Justice Ahmed asked.



### **Unsatisfactory work: Supreme Court seeks replies on functioning of NSUSC**

Justice Arab remarked that the directors of the projects were performing duties that government departments were supposed to exercise. He was referring to the exercise of municipal functions by the Sindh government-owned North Sindh Urban Services Corporation (NSUSC) to execute projects with \$500 million funding from the Asian Development Bank.

During hearing of that case last week, the chief secretary had admitted that the NSUSC had failed to perform, resulting in the government's willingness to wind-up the private company and transfer municipal functions back to the local governments.

The bench members noted with serious concerns that such projects, which were launched in the province with foreign funds, had apparently yielded positive results. Justice Ahmed observed that while projects were launched with foreign funds in 2006, they seemed useless as nothing has been done.

The bench members remarked that a system parallel to the government could not be allowed in the province. The judges told Memon and the advocate-general that they would pass an order to end such projects and order their execution by the government.

### **NSUSC comes under fire for proposed increase in water charges**

Justice Ahmed further observed that a government department is ignored and people is appointed as a project director as a reward.

Justice Baqar noted that employees are hired on contractual basis for the projects and later are fired upon completion of the projects. "Millions of rupees are being minted," he remarked.

The judges came down hard on the provincial top bureaucrat over the state of affairs in the province vis-à-vis projects being executed with foreign funding and financial irregularities being committed in those projects.

They asked the chief secretary to submit complete details, reflecting why the project in question was launched and what positive results were achieved from it. He was also directed to explain the ratio of foreign and local funds involved in the project. The hearing was adjourned till Friday.

(By Naeem Sahoutara The Express Tribune 13, 21/03/2017)

### **Judicial commission gets high court powers to implement its orders**

The Supreme Court (SC) has conferred high court powers upon the judicial commission to get its orders implemented by the relevant authorities to improve the supply of clean drinking water and deteriorating sanitation conditions in Sindh.

It has also restrained the Sindh government from transferring any of the nine members of the task force set-up to ensure the implementation of the commission's recommendations without completing their three-year of service on their current posts.

The government can only appeal against any direction or order passed by the judicial commission to the apex court, while the transfer of the task force's members can only be done with the permission of the SC.

These directives and orders were contained in a 64-page interim order issued by the apex court on Friday. A three-member bench, comprising justices Amir Hani Muslim, Qazi Faiz Isa and Faisal Arab, passed the order after hearing a weeklong hearing on a petition regarding non-supply of clean drinking water, deteriorating sanitation conditions and its impact on the environment at the SC's Karachi Registry.

### **Judicial commission seeks reports on solid waste management**

In its verdict, the apex court expressed concern over the state of affairs in the province in regards to the functioning of the public departments and agencies, which were supposed to perform their duties in the supplying clean drinking water to the masses, improving deteriorating sanitation conditions and reducing the impact on the environment.

Therefore, it directed the office to send copies of the 64-page interim order to the speaker of the Sindh Assembly with a CD containing petitioner's evidence and the observations made in order.

"We are clear in our mind that the commission comprising Justice Muhammad Iqbal Kalhoro appointed pursuant to our direction by the chief justice of Sindh High Court shall continue to work with all such powers conferred on it by this court in terms of the order dated December 27, 2016 as the issues in these proceedings have direct impact on the life and health of the public of Sindh," observed the judges in the order.

The apex court ordered that the commission will ensure compliance of the directions contained in its interim order and will also take steps to see that the task force constituted by the Sindh government in pursuance of the court's March 14 order will comply with its recommendations contained in the report.

### **Potable water and sanitation: Judicial commission finds fault with reports**

It further ordered that the commission will be at liberty to pass orders as a high court judge, whenever necessary in the interest of the public for achieving the objective for which it has been constituted. All the provincial and federal government departments and statutory bodies, agencies, companies under their patronage will be bound by the directions and orders issued by the commission.

The commission, in addition to the task force or committee, may seek information or any details regarding water or sanitation problems in any part of the Sindh.

All the persons and authorities concerned were directed to periodically submit their reports to the commission to ensure that the matters highlighted in the commission's report are addressed.

The apex court said the provincial chief justice may ensure that Justice Kalhoro has the requisite time to undertake this important assignment. The commission will also document, photograph and film the prevailing state of affairs and improvements brought thereto in a systematic manner.

Any expense borne by the commission to undertake the task will be borne by the Sindh government, the SC ordered.

"Since the issues dealt with by the commission under the orders of court pertain to life and health of the common people of Sindh, therefore it is imperative that the power of the commission be ensured without being impugned by procedural technicalities," the SC observed.

### **Environmental hazard: Judicial commission inspects toxic water disposal in Kotri**

Therefore, it held that any order of the commission cannot be appealed before any forum except the SC and would be binding on all the provincial and federal government departments and agencies under their control unless reversed or reviewed by the SC.

In its order, the SC recorded its appreciation for the hard work undertaken by Justice Kalhoro in conducting the proceedings of the commission and compiling a report.

### **Task force**

The court, in view of the tendency of frequent transfers and postings in the Sindh government in defiance of the service rules, restrained the Sindh government from posting out either the chief secretary and/or any of the members from his office, as reflected in the notification, without prior approval of the SC, unless a member's three years tenure was completed, as any other intervention by way of transfer by the Sindh government will hamper the functioning of the task force.

It ordered the task force to directly report to the commission, which will be at liberty to hold proceedings in order to examine improvements in the departments/organisations on the issue of water.

Adjourning the hearing for four months, the apex court directed the commission to submit its report on the directives to the court.

(By Naeem Sahoutara The Express Tribune 13, 25/03/2017)

### **Commission slaps fine on official for not sharing info with applicant**

Ordering deduction of two-month salary of an irrigation executive engineer as fine, the Punjab Information Commission has asked the department to proceed against him under the PEEDA (Punjab Employees Efficiency and Discipline Act) for not sharing information with an applicant and also ignoring the commission's warnings.

The commission has also asked irrigation department's Faisalabad EXEN (Excavator Division) Abid Rashid to provide the requested information to the complainant latest by April 12, failing which it (the commission) may impose further (harsher) penalties in accordance with the information law.

The Faisalabad Accounts Office has been directed to deduct amount of the fine from the EXEN's salary, deposit it in the relevant account and furnish a compliance report by May 3.

The action has been taken on a complaint filed by one Muhammad Shafiq. Referring to at least eight letters sent to the official, the commission has stated that the complaint remained unresolved, despite its directions and the fact that each information request should (have to) be decided within 14 working days in accordance with the (Information) Act.

#### **Advertisement**

It says that the EXEN did not appear before the commission on eight dates of hearings fixed in the past despite the fact that the PIC ensured service of these notices through the offices of the irrigation secretary and Faisalabad deputy commissioner.

It says the EXEN failed to respond to multiple show-cause notices whereby he was required to explain why he had not provided the requested information to the complainant, despite the letters, why he had repeatedly failed to appear for hearings, and why it (the commission) should not proceed against him for delaying or obstructing access to information. He also ignored the repeated warnings to the effect that, in case of non-appearance, the commission might pass ex-parte order in the matter and proceed against him under the law, it adds.

The commission says it was evident from the record that the official neither provided the requested information to the complainant, nor transferred the application to the relevant PIO in accordance with the law. He also ignored the letters which effectively meant refusal to submit any explanation to the commission about the delayed access to information, it adds.

"The overall perusal of the record makes it amply clear that you have acted in the instant matter with mala fide with the aim of delaying and obstructing access to information. Here it may also be noted that the requested information includes certified copies of cash book, logbook of machinery, MB cheque books, vouchers of petrol pumps, tenders register, stock register, work charge roll, and newspaper advertisements.

"This kind of information is essentially about the records relating to use of public resources, procurements and recruitment and its disclosure is not exempt under the law. People have a fundamental right to know how public funds or resources are maintained and utilised, and how official authority is exercised in the course of discharging public functions," the commission concluded.

(By Intikhab Hanif Dawn 02, 29/03/2017)

## **Sindh receives Rs76.2b less than its share from divisible pool**

Chief Minister Murad Ali Shah has directed the planning and development and finance department teams to prepare proposals for the new Annual Development Programme (ADP) and the next year's budget so that a true uplift programme and public-welfare budget could be prepared.

He said this while presiding over a joint meeting of the planning and development and finance departments on Thursday. Planning and Development Chairperson Mohammad Waseem and Finance Secretary Hassan Naqvi attended the meeting with their respective teams.

Naqvi briefed the chief minister on the federal transfers during the current financial year and said that the Centre had committed to providing Rs493.2 billion against revenue assignments to Sindh. The last eight months' releases add up to Rs328.8 billion, against which the provincial government has received only Rs252.8 billion, indicating a shortfall of Rs76.2 billion, said Naqvi.

He said that the federal government had committed to providing Rs54.7 billion in straight transfers to Sindh. Sindh's eight-month share comes to Rs36.4 billion against which the receipts are Rs36.6 billion.

### **Sindh Engro Coal Mining: Thar villages get free WiFi**

Talking about the Octroi Zila Tax share of Rs13.3 billion, Naqvi said Sindh's eight-month share is Rs8.8 billion but the Centre has released only Rs6.8 billion. The chief minister said the provincial government was duly providing necessary funds to its local bodies and directed the finance secretary to speak to the federal finance secretary to get the remaining funds released.

He directed him to collect the provincial receipts and target so that necessary preparation for the next budget could be made.

Giving guidelines for the next budget, the chief minister said that it should be public-friendly and priority should be given to education, health, irrigation and public health engineering. Ongoing schemes would be given more funds so that they could be completed.

Waseem said that special education has an allocation of Rs213 million for its various schemes, against which the government has released Rs47.993 million but the expenditures are zero. Similarly, the forest and wildlife department has also failed to utilise its Rs330.9 million allocation. Information technology and some other departments have also failed to spend their allocated funds, Waseem told the chief minister.

Shah directed the chief secretary to seek explanations from the departments that have failed to utilise their allocated funds.

(The Express Tribune 13, 31/03/2017)

## **Civil society slams Sindh govt for 'illegal' transfer of police chief**

Terming the transfer of Inspector General of Police, Sindh A. D. Khowaja "illegal and unconstitutional", members of the civil society stressed the need for implementing police reforms.

Speaking at a press conference at the Karachi Press Club on Sunday, the executive director of the Pakistan Institute of Labour Education and Research, Karamat Ali, said that the Sindh High Court recently gave a stay order on the IGP's transfer.

The SHC's decision was based on a petition filed by a civil society group, through their counsel Advocate Faisal Siddiqi. Soon after the IGP's transfer on April 1, Advocate Siddiqi sent a legal notice to the Sindh government representatives for their alleged contempt of court.

The petition pertaining to the "attempt of illegally removing A.D. Khowaja posted as IG Sindh" was filed in the SHC in December 2016.

The petitioners — Nazim Haji, Shehzad Roy, Karamat Ali and Aquila Ismail as well as institutions such as Urban Resource Centre, Piler and Orangi Pilot Project — had demanded abolishment of the Police Act of 1861 and to implement the Police Order of 2002 in its place.

Activist Mahnaz Rahman told the press conference that the Police Order-2002 was passed by the National Assembly and was still legally enforced across the country. “No provincial assembly has the power to challenge its efficacy.”

Three months back, in its first ruling, the SHC dismissed the transfer orders of the IGP and issued a stay order, which meant the IGP could not be transferred. But a day ago, Mr Khowaja was sent packing and replaced by a grade-21 police officer.

Mr Ali said: “The Sindh government went ahead with the decision to transfer the IGP even after writing to the federal government.

The provincial government did not even wait for the response to their letter which speaks volumes.”

In the contempt of court notice sent by Advocate Siddiqi, IGP Khowaja was also reminded that if he left his position, that, too, would count as an illegal act and consider as contempt of court.

Mr Haji, one of the petitioners who is also the chairman of the Citizen’s Trust Against Crime, was also present at the press conference.

Speaking about the legal notice sent to the government, he said: “We’ll pursue the case in court if the notification of March 31 for the IGP’s removal is not taken aback.”  
(Dawn 15, 03/04/2017)

### **SHC restores AD Khowaja as IG Sindh**

The Sindh High Court on Monday suspended the Sindh government’s notifications regarding the transfer of IG Sindh AD Khowaja and the appointment of Sardar Abdul Majeed as acting IG and restored Khowaja as the IG Sindh till further orders.



The Sindh High Court also suspended the Sindh Local Government’s notification on handing over the possession of Bagh Ibne Qasim from the Karachi Metropolitan Corporation to a private builder till further orders.

The interim orders came on a petition of Karamat Ali and other rights activists and non-government organisations against the repeal of the Police Order, 2002, purportedly through the Sindh (Repeal of the Police Order, 2002 & Revival of the Police Act, 1861) Act, 2011, lack of implementation of the Police Order, 2002, and the illegal action of the Sindh government to interfere and make ineffective IG Sindh AD Khowaja.

The petitioners’ counsel, Faisal Siddiqui, submitted that the SHC in its December 28 last year order had directed the provincial government that the issue regarding the transfer or removal of IG Sindh A.D Khowaja shall not be dealt with in violation of the Supreme Court’s judgments that protects the tenure of federal and provincial police heads for three years.

He submitted that the provincial government, in violation of SHC’s order, had surrendered the services of IG Sindh AD Khowaja to the federal government and later relieved him from the post of IG Sindh and appointed Sardar Abdul Majeed Dasti as the acting IG Sindh in addition to his own duties. He sought action against the alleged contemnors for violating the court orders and restoration of A.D Khowaja as IG Sindh.

Advocate General, Sindh, Zamir Ghumro, strongly opposed the applications of the petitioners without prejudice to his right to file appropriate reply to the same. He submitted that the provincial government's chief secretary and others did not violate the court orders and in any case matters relating to transfer/posting of officers were particularly within the provincial domain and, therefore, the provincial government had appropriately exercised its powers in this regard by issuing the order and notification.

To a court query, the AG Sindh submitted that legal power with regard to the police force of the province in general and in particular in relation to the IG Sindh vested in the provincial government in terms of sections 3 and 4 of the law currently in the force being the Police Act.

He submitted that the impugned order and notification regarding the transfer of A.D Khowaja has not been issued as a result of decisions taken by or in the provincial cabinet. The SHC's division bench headed by Justice Munib Akhtar observed that the Supreme Court has held in specific context of the exercise of statutory powers that if such powers are conferred on the government concerned, they can be exercised in the cabinet and by the Cabinet Division and not otherwise.

The court also inquired the petitioner's counsel that in an interim order, reliance has also been placed on the Sindh government rules of business with regard to continuation of IG Sindh for which he accepted that this plea did not appear as such in prayer clause of the petition although such ground had been taken. The court observed that such ground does sound on the constitutional plane and in any case is a legal point and decision will be taken later as to whether this point will be entertained when the petitions are taken up on merits directing the counsel to come prepared on such point.

The court observed that prima facie case of further relief is made out and suspended the impugned notification on surrendering the service of AD Khowaja to the federal government and appointment of Sardar Abdul Majeed Dasti as the Acting IG.

The court observed that Acting IG Sardar Abdul Majeed, if at all has taken over the charge of IG Sindh, shall restrain from acting in such charge and restored AD Khowaja to his position as IG Sindh till further orders. The court directed that identical petitions will be decided at katcha peshi stage on April 6.

The petitioner's counsel, Faisal Siddiqui, had earlier submitted in the petition that the Police Order 2002 was repealed by the Sindh government in 2011 by reviving the Police Act 1861 though the Police Order 2002 has been protected under Article 142(b) of the Constitution, which confers concurrent jurisdiction of parliament and the provincial assembly to make law with respect to the criminal law and criminal procedure and the evidence. The counsel contented that there was no specific entry in the concurrent list to confer the jurisdiction either on parliament or the provincial assembly to legislate the laws for the police and such laws were legislated on the basis of entry 1 and 2 available in the concurrent list.

The provincial home department, however, submitted in the comments that the Police Order 2002 has been validly repealed and a legislated statute through the Sindh (Repeal of the Police Order, 2002 & Revival of the Police Act, 1861) Act, 2011 has replaced it.

The home department submitted that police were a provincial subject and it has not any relevance to concurrent jurisdiction of parliament and provincial assembly.

The provincial home department had submitted that police were neither part of the federal legislative list nor the concurrent list and was a subject entrusted to the provinces adding that 18th Amendment did not disturb or change the position. The home department's secretary submitted that the police law was not a criminal law but organization law, therefore, mixing up the Police Act with criminal law was nothing but lack of legal understanding of the petitioners of constitutional position. The home department secretary said that legislature was the competent authority to amend, alter or repeal the law governing police force including the police order.

On the tenure of IG Sindh for three years, the home department mentioned that none of the IGs Sindh who were appointed from 2005 to 2011 completed their three-year tenures even when the Police Order 2002 was in field. It was submitted that IG Asad Jehangir remained as IG Sindh for 10 months, Jehangir

Mirza 15 months, Niaz Siddiqui two months, Ziaul Hasan Khan seven months, Azhar Ali Farooqi four months, Dr. Shoaib Suddle two-and-a-half months and Fayaz Leghari five months from 2005 to 2011.

Meanwhile, the Sindh High Court on Monday suspended the Sindh local government's notification regarding handing over the possession of Bagh Ibne Qasim from the Karachi Metropolitan Corporation to a private builder till further orders.

The interim order came on the petition of Mayor Karachi Waseem Akhtar who challenged the local government's notification in which 130 acres Bagh Ibne Qasim in the Clifton area was taken over from the KMC and handed over to a private builder M/s Bahria Town for adoption as per an agreement executed on March 30. According to the notification, the existing staff deployed at Bagh Ibne Qasim and aquarium will continue to serve at the same place and the salary of such staff will be paid by the KMC.

The petitioner's counsel, Sameer Ghazanfar, submitted that the park was the property of KMC while the provincial local government department unilaterally and without taking the KMC into confidence or having done consultation had issued the impugned notification and letters, including the agreement. He submitted that under Section 74 of the Sindh Local Government Act, 2013, it is only the institution or service maintained by a council which can be transferred to the government whereas the park in question neither falls in the definition of institution nor service.

The counsel submitted that in terms of Schedule II part I of the SLGA 2013, it was the responsibility of the KMC to perform the functions of controlling the land owned by it. He contended that parks and gardens are exclusively the domain of the KMC to maintain and create any recreation for convenience of the public. He submitted that the agreement between the local government and private builder was commercial arrangement whereby they have settled certain terms and conditions according to which the management of the park was handed over to the private builder but the government will still pay the salaries of the staff and would allocate budget.

He pointed out the Supreme Court's judgment which also relates to the portion of the park wherein commercial activity was initiated and the court came to the conclusion that no commercial activity can be carried on an amenity plot.

The SHC's division bench, headed by Justice Mohammad Junaid Ghaffar, after preliminary hearing of the petition, issued notices to secretary local government, Bahria Town and others and called their comments on April 18. The court in the meantime suspended the impugned notification whereby the KMC was directed to hand over the possession of the park to Bahria Town till further orders.

(By Jamal Khurshid The News 01, 04/04/2017)

## **Sindh governor approves Right to Information bill**

Sindh Governor Mohammad Zubair on Monday signed into law the Sindh Transparency and Right to Information Law 2016 that was passed by the provincial assembly last month.

On March 13, the assembly had unanimously passed into law the Sindh Transparency and Right to Information Bill-2016 that would build a proper mechanism with defined timelines for citizens to get information related to any public authority in the province. The law also proposes a system of penal action against an official withholding or obstructing due release of such information, barring it to become public property.

A number of concerned sections of society, including journalists, media organisations, civil society activists and NGOs, had been eagerly awaiting the introduction and passage of the right to information bill by the Sindh Assembly.

The legislature adopted the bill in the light of a report of a 14-member select committee of the house. The legislation was referred to the body on November 23 last year for considering it clause by clause as well as proposing amendments. After incorporating the amendments proposed by the select committee, the

final draft introduces the proposed law “as a bill to provide for promoting transparency in the working of every public authority by setting out a practical regime for every citizen to secure access to information in a rapid and low-cost manner under the control of public authorities”. It also envisages forming a Sindh Information Commission to achieve the aims and objectives of the law.

The bill defines “information” as any datum held by a public body and includes any memo, book, design, contract, representation, pamphlet, brochure, order, notification, document, plan, letter, report, accounts statement, project proposal, photograph, audio, video, drawing, film, electronically prepared instrument, machine-readable document and other documentary material, regardless of its physical form or characteristics.

The legislation defines “public body” as a department, attached department, or autonomous or semi-autonomous body of the government, or a company of the government or a special institution created by the government. The local government, secretariats of the Sindh governor or chief minister, the Sindh Assembly, any court, tribunal, office, board, commission, council or any other body functioning in the province also comes under the definition.

The draft states that every public body should disseminate information as widely as possible and wherever possible, including on the internet, so that all the citizens could have easy access to them. “Every public body, within a period of 45 days from the commencement of this Act, should designate and notify any appropriate number of officers to act and serve as a designated officer(s) not below the grade of BPS-16 with whom the request for information under this Act may be lodged.”

The designated official will be bound to respond to each application as soon as possible, but not take more than 15 working days. In case the required information is not readily available, the designated official will intimate the applicant and take another 10 working days for responding to the application. However, information needed to protect the life or liberty of any individual should be provided within two working days. The section dealing with complaints reads: “Anyone who believes that his request has not been dealt in accordance with the provisions of this Act has the right to lodge a complaint with the [Information] Commission.” The commission will decide every complaint within 45 days.

A designated official or public body could refuse an application for access to information if they believe the disclosure could cause harm to sovereignty and national integrity, including national defence, security, public, order and international relations. Further sub-sections provide a number of other conditions, including affecting the private sector’s interests or fundamental rights of a citizen, or revealing the identity of a confidential source.

The bill says the government will, within a period of 100 days from the commencement of the Act, establish an information commission to be known as the Sindh Information Commission. The body will comprise three members appointed by the government and will be headed by the chief information commissioner, who should be a retired senior government servant not below the rank of grade 20.

(The News 14, 11/04/2017)

## **IGP breaks silence on his strained relations with Sindh govt**

For the first time since the beginning of a tug of war between the provincial government and the office of the inspector general of police, IGP A.D. Khowaja appeared to speak his mind on Friday when he cited “powers” as the key issue that had brought the situation to a level where DIG traffic was appointed and retained by the government against his consent.

IGP Khowaja’s remarks about the DIG traffic’s appointment during an informal talk with journalists after the inauguration of a police reporting centre at the Ferozabad police station came more than a month after he had recommended his transfer from the post in line with the defined merit and rules, as the officer in question’s recent demotion by the federal government left him “no more eligible to hold the post of DIG”.



“The whole issue is about powers,” he briefly replied when asked by a reporter to comment on reasons behind the Sindh government’s “dislike” and then cited the appointment of DIG traffic in Karachi as an example to explain the background of the strained relations.

“Traffic in Karachi is one of the biggest challenges and a key segment of law-enforcement. But here DIG is appointed without my consent. I am an IG, not a clerk.”

There were reasons that IGP Khowaja chose to highlight this example out of many to lend strength to his stance, experts and senior officials believed. They said there was a history of his ‘disliking’ the officer, as IGP Khowaja before being sent packing had approached the provincial government to get the DIG traffic transferred. It was in the second week of March that he proposed to the provincial authorities to transfer the DIG traffic who had been demoted by the federal government. A few days later the police chief was removed but the Sindh High Court stayed his removal.

(By Imran Ayub Dawn 17, 15/04/2017)

### **Bilawal promises peace and prosperity in city**

The reconstructed Tariq Road and remodelled Baloch Colony flyover were reopened on Sunday. Pakistan Peoples Party (PPP) Chairman Bilawal Bhutto Zardari unveiled the plaque to inaugurate the two projects.



“Reconstruction of Karachi is a gigantic task,” Bilawal told the media. He said the PPP-backed Sindh government was successfully carrying out its responsibilities for the betterment of the city and its people.

The party chief said the provincial administration had launched a 10-billion-rupee Karachi Package, under which important schemes for roads, flyovers, underpasses and water & sewerage had been initiated.

He added that the government’s priority was to complete the projects by June so that another 10-billion-rupee package could be announced for the people of the city.

“I have already issued instructions to the chief minister for the purpose, and we are committed to restoring Karachi as the city of lights, peace, employment and investment.”

He lauded CM Syed Murad Ali Shah and the team executing the Karachi Package for doing quality work in the stipulated timeframe.

“I am thankful to the Sindh government and also appreciate the traders’ community of Tariq Road who cooperated and supported the execution of the scheme.”

In response to Bilawal’s question, Tariq Road Traders’ Welfare Association President Bashir said that during the past three decades he had never seen such quality work on Tariq Road or anywhere else in the city.

“When the work on Tariq Road was in progress, I used to be there even late into the night, and other traders and shopkeepers also witnessed the quality of work that has been carried out here,” he said, adding that the team behind it deserved applaud and appreciation.

He said the quality works under way across the city were bound to change the face of the city. “I am thankful to PPP chief Bilawal Bhutto Zardari, CM Syed Murad Ali Shah and Local Government Minister Jam Khan Shoro for doing a wonderful job.”

The reconstruction project of Tariq Road to Shahrah-e-Quaideen cost around Rs570 million. Under the scheme the road has been provided with a proper drainage system and a storm water drain, while the pavements have also been reconstructed.

Later, the PPP chairman and CM Shah went to Sharea Faisal to inaugurate the remodelling project of the Baloch Colony flyover, which was completed within four months and cost around Rs120 million.

Under the scheme the up and down ramps of the flyover were demolished, and on that portion a service road of 1.4 kilometres has been constructed.

Bilawal lauded CM Shah for his “untiring efforts and service to the people of Karachi”. He urged the chief executive to ensure that all the remaining development projects were completed on time.  
(The News 13, 17/04/2017)

### **‘Negligent’ power ministry officials earn PM’s wrath**

As electricity shortfall crossed a record 7,000MW, an angered Prime Minister Nawaz Sharif ordered action against officials who failed to make advance planning for the season, causing problems to people.

“Why didn’t they plan in advance keeping in mind low water availability in dams and severe weather conditions,” an official statement quoted the prime minister as saying when he was informed about the closure of a number of power plants for maintenance.

He was presiding over a special meeting of the Cabinet Committee on Energy — second in less than 10 days.

Informed sources said the power shortfall actually fluctuated between 9,000MW and 10,000MW as maximum demand went past 21,500MW against peak generation of 12,700MW for only 35 minutes by ramping up water discharges from dams. Excluding peak, power generation averaged 11,000MW, but the electricity actually reaching the consumers was less than 9,000MW after accounting for transformational, transmission and distribution losses.

As a consequence, duration of loadshedding increased to 14-16 hours in urban areas and most of the time loadshedding was unscheduled in view of system challenges. Loadshedding in rural areas was even worse, rising to 20 hours. The situation aggravated as one of the largest load centres — Lahore — entered peak levels at 46 degrees centigrade and joined the league of Multan, Faisalabad, Bahawalpur and Dera Ismail Khan.

However, official sources claimed the maximum gap at 7,000MW on the basis of 19,500MW of demand and 12,500MW of production. They said hydropower generation peaked at 2,500MW, along with 1,900MW production from public sector companies and about 7,000MW from independent power producers.

While reviewing the situation, the prime minister expressed “dissatisfaction over the negligence of departments concerned” over the latest power situation that has put the government in an awkward political position at one of the most challenging times and ahead of the Panama Leaks case judgement.

The meeting reviewed factors behind lower power generation. The Ministry of Water and Power explained that an unexpected surge in the intensity of hot weather suddenly increased the demand having an impact of more than 2,500MW while dams did not have required water level. The ministry expressed the hope that the rise in temperature would result in improved river flows, which would lead to an increase in hydropower generation.

This did not satisfy the prime minister. He expressed displeasure over the explanation of the ministry and “directed that responsibility be fixed on officials for not planning proactively so that the situation does not re-surface”, without realising that the chief architect of power sector planning had already been eased out a few days ago.

Mr Sharif said all resources should be set in motion to reduce current shortfall and provide maximum relief to people through as much reduction in loadshedding as possible. “The discomfort caused to people

should be rectified at the earliest and steps should be taken on war footing to maximise power generation”, he said.

Official sources said the former secretary of water and power had stopped circulation of energy data about six months ago and switched off television screens in the ministry and field formations showing real time generation and consumption patterns.

Informed sources said it was strange that a number of power plants were allowed by the ministry to go on ‘scheduled maintenance’ in April when weather advisories had already been issued by the Meteorological Department, instead of planning their maintenance during lean days.

They said the most crucial challenge for the operational staff of the power sector was to switch power supply from south to north mainly because of transmission system deficiencies.

For example, a critical transmission line for evacuation from two power plants at Uch at a time is still missing though the prime minister was misled into inauguration of Uch-II plant three years ago.

A power sector expert said the power ministry had focused its attention on media management and article writing over the last three years as it benefited from the historically low oil prices, non-notification of tariff determinations and levy of a series of surcharges to charge around Rs5 per unit higher rates to consumers over those approved by the power regulator. On top of that, weather conditions over the last three years remained normal. Even then the recoveries could not pick up and line losses remained generally unchanged.

(By Khaleeq Kiani Dawn 01, 19/04/2017)

### **‘Sindh to allocate Rs270 million for 10 environmental protection centres’**

The Sindh Environmental Protection Agency (SEPA) has been allowed to establish 10 satellite environmental protection centres in different districts of the province. In this regard, the Sindh Finance Department has agreed to allocate Rs270 million in the next fiscal budget, The News has learnt.

“We had sought Rs711 million from the Sindh Finance Department for the establishment of SEPA satellite centres in 29 districts of Sindh but the finance department has asked us to establish these centres in three phases. In the first phase, we have been asked to establish 10 centres, for which around 270 million rupees would be allocated in the provincial budget for 2017-18,” the newly-appointed director general of SEPA, Baqaulah Unnar, told this scribe at his office on Thursday.

Unnar, an officer of BPS-20, was appointed the SEPA director general by the Sindh government a couple of weeks back after removing previous director Naeem Mughal, who had been declared an incompetent officer by the Supreme Court of Pakistan on the recommendations of a commission of inquiry.

Establishment of each environmental protection centre would cost around Rs27 million and would be comprised of five to 10 staff members, including environmentalists, administrators and field officers. These satellite offices would keep an eye at district levels over activities detrimental to environment and take action against violators of the Sindh Environmental Protection Act, Unnar said.

“In the first phase, these district environmental protection centers would be established in far-flung areas of the province, including Mithi and Ghotki where previously no official of the environmental watchdog ever dared to visit,” he said.

“Ghotki has the second largest number of industrial units after Karachi in Sindh but nobody ever tried to look into its impact on the local environment,” Unnar maintained.

#### **Water testing lab**

Within a week of assuming charge of his office, a water quality testing lab that was non-functional for the last six years at the SEPA head office in Karachi, has also been made functional and now it is testing and

analysing water samples being collected from different areas of Karachi, Baqaullah Unar said, adding that earlier these samples used to be sent to private labs for analysis, for which the environmental agency used to pay heavy amounts to laboratories.

“Provision of safe drinking water is my first priority as this is the basic human right and the most important environmental issue in the province. If clean drinking water is not being delivered to people in Karachi and rest of the province, we have no right to talk about environmental degradation,” the SEPA DG said, adding that the Karachi Water and Sewerage Board (KWSB) and other water supply bodies in Sindh would be held accountable for providing tainted, contaminated water supply to people.

The environmental watchdog chief claimed that samples of water from different areas were now being tested at the SEPA lab for turbidity, TDS, microbiological and chemical contests, pH level and chlorine.

He said that results of these tests would be sent to the KWSB for improving its system and provision of safe drinking water to people.

“A commission of inquiry appointed by the Supreme Court of Pakistan recently declared that 85 percent of water being supplied to Karachi is not fit for human consumption,” he said, and vowed to improve the situation at the earliest.

“Similarly, an air quality analysis unit that was not made functional since its installation at SEPA headquarters some six years back, has also been made functional and now it can monitor the quality of ambient air around the SEPA head office in Korangi Industrial Area round the clock,” he said.

“We invited the JICA experts from Lahore and they made out air quality analysis unit functional. It can now monitor the air quality and pollution in the air,” Unar said.

#### Effluent treatment plants

The new chief said his third priority was to install a sewage treatment to treat the sewage before its dumping into the sea that had turned into a large pool of dirty water. “Discharge of industrial effluent into the sea and freshwater bodies is unacceptable. These industries would be asked and persuaded to install effluent treatment plants,” he vowed.

The Sindh environmental agency chief said preventing unplanned high-rise buildings in Karachi, establishment of the Sustainable Development Fund (SDF) as per environmental protection act and creation of an advisory council were some of the other steps that would be taken in the days to come.

(By M. Waqar Bhatti The News 13, 05/05/2017)

### **0% utilisation of funds in 346 education, health schemes in Sindh**

With the planning and finance department officials busy finalising the upcoming budget for 2017-2018, official documents available with The Express Tribune reveal 0% utilisation of 346 schemes' funds in the education and health departments in the last nine months.



According to the budget execution report released by the finance department, there are around 396 development schemes in the education department pertaining to the construction of schools, colleges, renovation of buildings and providing missing facilities but not a single penny has been spent on as many as 270 schemes even after the passage of three quarters.

“The government has allocated Rs650 million for the establishment of preschool education in all the divisions of Sindh. The finance department released Rs340 million but there is 0% utilisation on these schemes,” an official in the department said, sharing data that states that Rs35 million has been earmarked under this scheme for Hyderabad division and the finance department has also released Rs25 million but, again, there is 0% utilisation.

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### **SMIU activates Endowment Fund for scholarships after 84 years**

“In terms of utilisation of funds, there is poor performance in all the government departments. The total annual development budget of the province is Rs250 billion but the government has spent barely Rs85 billion so far,” revealed sources in the finance department.

According to a finance department progress report, the education department was to introduce computer education at primary school level in various districts of Sindh but has not. “Around Rs70 million is available in the budget books and the finance department has released Rs25 million, but no one dared utilise the funds,” said sources, adding that millions of funds for the upgrade of schools from primary to secondary education levels are available but these funds will again remain untouched.

The report further revealed that the government had to initiate work on Shaheed Benazir Bhutto Girls Cadet College in Larkana at an estimated cost of Rs427 million and released Rs10 million this year, but nothing has been spent.

### **Funds’ embezzlement: Five policemen face suspension**

In the education department there are around Rs13 billion development budget funds. A senior official requesting anonymity said that ill planning in the schemes and fear of being arrested by the National Accountability Bureau (NAB) is another factor behind the lack of fund utilisation. “There are major lacunae in drafting the schemes, if officials execute any project then NAB or other agencies take action, so fear prevails in the ranks of government officials who are avoiding initiating these schemes,” explained an officer. He added that in many cases the finance department adopts delay tactics in releasing the funds, which also causes problems.

“I think the government should assign responsibility and take action against those who are held responsible for not releasing or using the available funds,” another official suggested.

The data also said that out of 153 total development schemes in the health department, 76 schemes are stagnant, as not a single penny has been spent on them. The upgrade of maternity hospitals, construction of basic health centres and establishment of laboratories are among other schemes for which millions of rupees have been allocated but not utilised.

### **Dar, Gen Qamar discuss army’s development projects**

Opposition members in the Sindh Assembly call this the government’s incompetency and allege that the finance department is promoting a commission system in the release of funds. “The Pakistan Peoples Party government’s main motive is to mint money rather than spending it on public schemes,” Pakistan Muslim League – Functional Parliamentary Leader Nand Kumar told The Express Tribune.

He said that in the finance department, funds are not released until people grease the palms of bureaucrats.

The spokesperson for the education department justified his department’s role and said that some schemes are in the process, as government has awarded tenders and work has not been initiated yet. Meanwhile, Chief Minister Murad Ali Shah has told the media that the government has used around Rs90 billion of the total Rs225 billion development budget in the past nine months and this amount was more than the last financial year. “We are making efforts to release and utilise the funds as much as we can do,” he claimed.

Despite repeated attempts, the health minister and secretary could not be contacted for their version. Meanwhile, Health Director-General Dr Mohammad Tafeeq said budget utilisation could be accurately measured after June, as normally documents and the tender process take time to be completed. “There were some legal hitches in a few projects, which is why the development work has not been started,” he said

(By Hafeez Tunio The Express Tribune 13, 07/05/2017)

## **Top departments reluctant to give information under RTI law**

KP Assembly, HEC stand out by releasing information

ISLAMABAD: Khyber Pakhtunkhwa (KP) Provincial Assembly has released the details of MPAs who availed themselves of medical facilities from the public exchequer; however the same information sought under the Freedom of Information Act 2002 is still awaited from National Assembly and Senate despite passage of almost a month.

This scribe sent an information request to the National Assembly, the Senate and all the four provincial assemblies on April 18, 2017. The information request was sent to all the assemblies on the same date. However Khyber Pakhtunkhwa while once again leading from the front in providing certified information under the Right to Information Act 2013 has released the required information on May 10, 2017.

On April 18, this scribe sent an information request to the National Assembly and Senate Secretariat for the provision of certified information about total number and names of the MNAs and Senators who availed themselves of health facilities on public money during last two tenures i.e. from 2008-13 and 2013 till today.

Similarly this scribe also requested for certified Information about total amount sanctioned to each of the MNA and Senators who availed themselves of health facility from abroad (name of the MNA, total amount sanctioned to him, from which country he received health treatment).

The same information request was also sent to all the four provincial assemblies but only Khyber Pakhtunkhwa Provincial Assembly responded to this query whereas remaining assemblies chose not to answer. This scribe has registered a complaint on the relevant forums against the authorities concerned and requested to ensure the provision of required information. Though, the performance of Information Commission of Khyber Pakhtunkhwa is not exemplary but the same is the case with other information commissions as well.

On August 16, 2016, this reporter sent an information request to the Pakistan State Life Insurance Corporation (PSLIC) for providing him with certified information about the number of unclaimed benefits cases.

However, despite passage of almost two months the PSLIC management gave no response after which the matter was brought to the Federal Ombudsman. Despite repeated attempts through phone calls and official correspondence, no official appeared before the Federal Ombudsman.

The ombudsman then issued its verdict for providing this correspondent with the required information and take action against the authorities concerned. However, even after long time, the verdict is yet to be implemented.

Another RTI request was sent to the Capital Development Authority (CDA) on September 30, 2016 for providing detailed information about its project of installing ferris-wheel. However, despite passage of almost four months no response came from the CDA.

This correspondent filed another RTI request to Ministry of Defence on October 14, 2016 for providing information about the total amount spent on the pension of retired security forces personnel in last three years and the details of perks and privileges given to them. The Defence Ministry refused to provide the information and termed it a matter of national security.

On October 14, 2016 this correspondent also filed an RTI request with the Establishment Division and the provincial government for providing him with information about the total number of MP scale appointees in public sector enterprises during last three years and the perks and privileges given to them. However, despite passage of almost four months no response came from any provincial government or Establishment Division.

The State Bank of Pakistan was sent an RTI request by this scribe on October 13, 2016 for providing certified information about the total money sent abroad from Pakistan in last three years. However, after almost two months the SBP refused to answer the query terming it against its policy.

This reporter also sent an RTI request to all the High Courts for providing him with information about the total number of pending cases, related to Anti-Terrorism Act and pending appeals against the death penalties. Only the Lahore High Court replied that their annual report till 2014 had been uploaded on the LHC website.

Another RTI request was sent to Ministry of Defence for proving information about the total number of projects being carried out by its entities like FWO, Fauji Fertilizer, NLC etc, their total annual income and the tax paid by them in last three years. But the ministry refused to provide information seeking refuge under Section 8 of the Freedom of Information Ordinance 2002.

This scribe sent another RTI request to all provincial home departments and Interior Ministry for providing information about the total number of people whose name is in the fourth schedule and their affiliation with any political or religious party. However, no response came from any government department yet.

The Higher Education Commission is the only institution which has provided information about the Prime Minister's Laptop scheme as well as the details about scholarships awarded to students in the last five years.

(By Fakhar Durrani The News 04, 11/05/2017)

### **Govt suspends work on Zulfikarabad city, PA told**

Land-related issues and lack of concrete information regarding number of years required for project's completion cited as major reasons



The Sindh Assembly was informed on Monday that the provincial government had suspended work on the proposed Zulfikarabad city near Thatta largely because of land-related issues.

The assembly was told that the government could not currently predict with any authority as to how many years it would take for the project to be completed.

Health Minister Dr Sikandar Ali Mandhro made the revelations during the legislature's question hour on the services, general administration & coordination department (SGA&CD). He said that it might take another five to 10 years to complete such a large-scale project.

He admitted that the government was yet to construct the fundamental structure of the road networks as well as basic utilities for Zulfikarabad because of land issues. "Whatever public land was available in the area [earmarked for Zulfikarabad] was being used to develop small-scale residential colonies for on-site officials."

The minister said the government had planned to develop the province on socio-economic basis, for which it had decided that Zulfikarabad should have its own sea harbour that had nothing to do with the federal government. "Efforts would also be made to revive the Keti Bandar harbour."

He added that a feasibility report was being prepared for the proposed harbour, as a fishing city would also be developed there because a large number of locals were fisher folk.

Responding to different queries by lawmakers, he said the Zulfikarabad Development Authority (ZDA) had two offices: one in Karachi's Shireen Jinnah Colony and the other in Thatta. "The monthly rent for the Karachi office is Rs550,000."

The legislators asked why the government was paying such a large amount for maintaining a single office of a project that had shown no visible progress.

Mandhro clarified that the government had not officially allocated funds for the ZDA in its annual budget, and the project's requirements were being met through umbrella schemes.

Responding to another query, he said the Provincial Disaster Management Authority would be devolved further to the district level to provide faster relief to the people.

The minister also informed the House that the auditor general's report for the financial year 2014-15 had identified fiscal irregularities to the tune of Rs1.8 billion in the audit of the SGA&CD's accounts.

He said 50 per cent of the audit paras had been disposed of while the remaining would also be amicably settled.

He denied the claim of Muttahida Qaumi Movement-Pakistan (MQM-P) lawmaker Muhammad Dilawar Qureshi that the AG's report had detected financial irregularities to the tune of Rs7 billion.

#### Firefighting in city

Local Government Minister Jam Khan told the House that the government would purchase a 104-metre snorkel for the fire department of the Karachi Metropolitan Corporation (KMC).

He was responding to Pakistan Muslim League-Functional legislator Nusrat Sehar Abbasi's calling attention notice on inadequate arrangements for firefighting, especially in the case of high-rises, in the city.

Khan said the government would buy the snorkel even though the opposition had objected to it and moved the court against the proposal, adding that the court would be satisfied before making the purchase.

The minister said the government used to provide only grants to the KMC, which already had three snorkels, adding that the municipal body would be responsible for the new snorkel as well.

He said that if the KMC was unable to carry out its obligations, the LG department was prepared to assume charge of the municipal body's responsibilities.

#### Free textbooks

Speaker Agha Siraj Khan Durrani ruled that MQM-P lawmaker Sabir Hussain Qaimkhani's adjournment motion against delay in providing free textbooks to students of public schools in the province was out of order.

The motion stated that the students were yet to receive their textbooks despite the fact that Rs1.6 billion had been reserved for the initiative.

Parliamentary Affairs Minister Nisar Ahmed Khuhro said the budget allocation for the proposal had increased to Rs2 billion, adding that the government was prepared to take due rectification measures if a particular public school whose students were yet to get the free textbooks had been identified in the motion.

Meanwhile, the legislature unanimously adopted a resolution to pay homage to Sufi saint Lal Shahbaz Qalandar in connection with his Urs.

The House also unanimously adopted a bill to accord the Institute of Business Administration in Sukkur the status of a university.

(By Azeem samar The News 13, 16/05/2017)

### **Sindh government to establish its own port**

The Sindh Assembly was informed on Monday that the government has stopped work on Zulfikarabad city, a proposed modern city in Thatta district, and will now establish a port near Keti Bunder.



During the question and answer session, Health Minister Dr Sikandar Mandhro said the plan to develop the modern city of Zulfikarabad was envisaged by the Pakistan Peoples Party government in 2010 but due to a land issue, the government was forced to stop development. "We have not yet laid down the infrastructure such as roads. It could take five to 10 years to complete the city but so far we cannot predict when it will be finished," Dr Mandhro said, adding that government land is available in areas where the modern city would be established with different colonies with economic zones.



"The government will establish its own port, which will remain under the domain of the provincial government," he told members, adding that there was once a bustling town in the area named Keti Bunder but it is no more.

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#### **Uproar in Sindh assembly: Opposition members not allowed to speak on Sehwan attack**

"The Sindh government intends to revive Keti Bunder as a port city," he said, adding that the government has conducting a study on this project. "We are also planning a fishing city in this area because the area is mostly populated by fishermen," he said.

Responding to a question, Dr Mandhro said that this city was being developed by the Zulfikarabad Development Authority but the government has not made any allocations for it.

Controversy has arisen due to this project, as many opposition political parties and civil society organisations are up in arms against the project. They are supporting the local residents of the area who claim their land records have been tampered with and that the government has usurped their land for the project. Many Sindhi nationalists fear that with establishment of this city, the Pakistan Peoples Party government will invite 'outsiders' to the province, turning the local residents into a minority.

#### **IBA University**

The assembly passed a law upgrading the Sukkur Institute of Business Administration (IBA) to a university. The 'Sukkur IBA University Bill, 2017' was moved by Parliamentary Minister Nisar Ahmed Khuhro. "Keeping in view the growth and future needs of higher education and research, it is expedient to upgrade this institution to a university," he said.

#### **Opposition continues protest against non-provision of development funds in Sindh Assembly**

According to the law, Sukkur IBA was earlier only offering a business administration degree but after its upgrade to a university, other faculties such as the faculty of management of science, faculty of science and information technology, faculty of engineering and technology, faculty of agriculture business, faculty of education, faculty of mathematics and related studies and faculty of natural science will be established. The university will also require all Muslim students to an Islamic education course, while non-Muslims will have the option to take an ethics course.

The law states that the syndicate of the university will consist of the vice-chancellor, who will be its chairperson, pro-vice-chancellor, deans of faculties, three university teachers from different departments, principals of the constituent colleges, the registrar, the treasurer and controller of examinations.

#### **100 parliamentary days**

Monday also marked 100 days of the Sindh Assembly's parliamentary year, which ends on May 29. After the 18th Amendment, it is mandatory for every provincial assembly to complete 100 days by summoning various sessions.

#### **Give us safe food: Sindh Assembly passes law to regulate eateries**

The assembly also adopted a resolution paying tribute to Lal Shahbaz Qalander on his urs. The members demanded research be conducted on the Sufi saint and his poetry.

The session was later adjourned till today (Tuesday).  
(The Express Tribune 13, 16/05/2017)

## **MPAs give themselves a raise of over 100pc**

Khuhro says emoluments now on par with other provinces



The Sindh Assembly has approved increasing the salaries of the chief minister, deputy speaker, ministers and other MPAs by more than 100 per cent to ensure that the “emoluments are on a par with other provinces” and to “encourage punctuality”.

The April 13 meeting of the selection committee constituted by the provincial legislature had reviewed the MPAs’ remunerations and allowances. On Thursday the body submitted its recommendations seeking a hike in the salaries. The assembly passed the Sindh Law Amendment Bill in this regard and it was approved with consensus of everyone present in the House. The law, termed the Sindh Law Amendment Act, will be applicable at once and be deemed to have taken effect on July 1, 2016.

Each MPA will now draw a monthly salary of Rs50,000 with Rs10,000 sumptuary allowance, Rs10,000 telephone allowance, Rs15,000 office maintenance allowance, Rs45,000 house rent, Rs15,000 utility allowance, Rs1,000 conveyance allowance and Rs5,000 accommodation allowance as well as Rs200,000 travelling voucher per annum.

For attending the sessions and meetings of the legislature, each MPA will get Rs1,000 per day and Rs20 per kilometre transport allowance for their arrival and departure.

The CM’s monthly salary will now be Rs150,000 with Rs20,000 sumptuary allowance, Rs70,000 telephone allowance, Rs2,000 house rent, Rs50,000 daily allowance and one-time Rs1 million equipment allowance as well as discretionary grants per annum among other allowances.

Parliamentary Affairs Minister Nisar Khuhro, who headed the selection committee, said the hike was designed to bring the emoluments and benefits on a par with other provinces. “If the lawmakers are getting a raise, they should come to the House on time.”

**Security companies**

Replying to the MPAs’ questions on behalf of the CM, Khuhro said a police force of 35,000 to 40,000 personnel was not enough for a mega city such as Karachi, adding that the government was compelled to seek the Rangers’ help to tackle target killings and terrorism.

He said there were 265 registered private security companies with a workforce of 69,000. He said the government had received no complaints against the firms on whose basis their licences could be cancelled.

He said that there was a comprehensive law for issuing licences to the security companies, adding that only the firms that fulfilled all the legal requirements were issued licences. He was responding to Nusrat Sehar Abbasi’s concern that private security guards were found to be involved in criminal activities. She asked if the guards’ domicile and CNIC were checked before their hiring.

**Weapons licences**

Sardar Ahmed suggested taking measures to rid the entire country of weapons, to which Khuhro said that such a thing could happen only under ideal circumstances, adding that given the current law and order situation, the Sindh administration was obliged to issue arms licences so the people could protect themselves.

He reminded Ahmed that the provincial government had imposed a ban on issuing arms licences, which showed its desire for a weapons-free society. He said they were trying to computerise all the manual licences.

### Water shortage

Local Government Minister Jam Khan assured the House that adequate arrangements were being made to overcome water shortage to facilitate the citizens during summer.

Kamran Akhtar had pointed out that Baldia Town was braving acute water shortage since many years, saying that he had contacted the Karachi Water & Sewerage Board several times but to no avail.

Khan said his department had disconnected dozens of illegal water hydrants across Karachi, adding that now every district of the city had only one hydrant.

He added that major operations had been carried out in the industrial areas, where many illegal water connections were disconnected and pumping stations closed.

Khurram Sher Zaman said there was acute water shortage in his constituency since the past many months, claiming that the water board "mafia" was involved in corruption of Rs220 million.

He said 10,000 tankers were filled with water in collusion with the water utility, fetching it Rs800 per tanker, adding that there were also reports of leakage in his constituency. Khan assured him that the government was taking all possible measures to overcome water shortage.

Meanwhile, Speaker Agha Siraj Khan Durrani rejected Seema Zia's adjournment motion on environmental pollution in Karachi, terming it "not maintainable". He said that it was an old reference and that the pollution issue was an old one.

On Sabir Hussain Qaimkhani's privilege motion to accord Hyderabad's Kali Mori College the status of a university, Khuhro requested him not to press the motion and assured him that the government was keen on granting the college the status of a university because many important personalities of the province had been educated there. Qaimkhani then withdrew the motion.

### 'Unpopular' police

Nusrat said the common man still did not trust the police, but they had full confidence in the paramilitary Rangers. She complained that the province was yet to get a proper home minister.

Khuhro said that both the police and Rangers were working for law and order, adding that terrorism was a major issue not just for Sindh but for the entire country.

He pointed out that nine labourers from Sindh were murdered in broad daylight in Balochistan, saying that the people who discussed the operation in Sindh never asked for an operation in Balochistan or the entire Pakistan.

(By Fasahat Mohiuddin The News 13, 19/05/2017)

## **Sindh PA passes bill raising salaries, allowances of lawmakers**

The Sindh Assembly on Thursday passed a bill increasing the salary, allowances, perks and privileges to each legislator from Rs72,600 to Rs145,000 per month with effect from July 1, 2016.

The increase was recommended by the house select committee keeping in view the price hike over the past four years. Last time salaries of lawmakers were revised was in 2013.

The overall impact of the increase in salaries and allowances of the legislators, speaker, deputy speaker, chief minister, ministers, advisers, etc, would be about Rs516 million inflating the bill from Rs584m to Rs1.1 billion. The lawmakers will also be paid Rs600m on account of one-year arrears from July 2016 to June 2017.

However, when compared to the salaries and allowances of the lawmakers of other three provincial assemblies, the revised amount is on the lower side as these in Balochistan are Rs440,000, Khyber Pakhtunkhwa Rs153,000 and Punjab Rs83,000 per month.

A clause was also included in the Sindh Laws (Amendment) Bill, 2017, for compensation of Rs5m to the bereaved family of a lawmaker in case of accidental death.

Under the bill, salaries of the speaker and deputy speaker have been increased to Rs150,000 and Rs140,000, respectively, from Rs80,000 and Rs70,000. The chief minister will now draw Rs150,000 per month against Rs35,000 and Rs20,000 as sumptuary allowance against Rs13,000.

The salary of a minister has been increased to Rs75,000 from Rs30,000 and that of an MPA to Rs50,000 from Rs24,000.

Besides salary, a sum of Rs1,000,000 in a year will be placed at the disposal of the chief minister and 500,000 at the disposal of a minister for making discretionary grants.

The chief minister, speaker and deputy speaker will be entitled to unlimited petrol while a minister and adviser will get 400 litres per month.

A minor amendment was introduced to the bill stating that the legislation would be effective from July 2016, instead of January 2017 as recommended by the house select committee. The annual travelling allowance of an MPA in Punjab, Sindh and KP is Rs120,000 and in Balochistan Rs500,000, but after revision it will be Rs200,000 in Sindh.

Earlier, Senior Minister Nisar Khuhro informed the house that the select committee had made recommendations in the light of the salaries and allowances structure in other provinces. He also pointed out that the leader of the opposition had been given status of a minister and also had an amount for discretionary grant at his disposal.

Speaking on the occasion, Leader of the Opposition Khwaja Izharul Hasan said that grade-19 officers were getting more than the revised salaries. "In fact this honorarium and allowances are not perks of an MPA as this amount will be utilised in setting up offices and staff in the respective constituencies which will contribute to increasing their efficiency," he said.

After the bill was passed, Speaker Agha Siraj Durrani read out the order of Sindh Governor Mohammad Zubair that after completion of the business the session stands prorogued sine die.

After Question Hour, the chair took up call attention notices. In response to a notice of Kamran Akhtar about water crisis in Baldia Town, Local Bodies Minister Jam Khan Shoro assured him that as proposed by the elected representatives, besides other necessary measures, a new line is being laid to provide relief to the people.

Minister Manzoor Wassan, in response to a call attention notice, assured Sabir Kaimkhani that the work is in progress of laying a 24-inch water pipeline which would be completed by August.

In reply to a call attention notice of Khurram Sherzaman, the local bodies minister said the government had taken measures to ensure water supply to every locality and demolished all illegal hydrants in every district.

(Habib Khan Ghori Dawn 17, 19/05/2017)

## **Sindh govt terms petition against IG removal 'collusive'**

The Sindh government argued before the Sindh High Court on Wednesday that the petition against the removal of the provincial police chief was filed "collusively by the original petitioners, Inspector General of Police A.D. Khowaja and the federal government, to show the provincial government in a bad light".

A two-judge bench, headed by Justice Munib Akhtar, was hearing the concluding arguments of Advocate General barrister Zamir Ghumro on the pleas against the removal of Mr Khowaja from the post of IG.

The provincial government's chief law officer contended that the petition was not maintainable because the SHC did not have the jurisdiction to hear the matter.

He requested the court to vacate its stay order on transfer of the IG and dismiss the plea against provincial government's decision to remove Mr Khawaja from his post.

But the bench maintained its interim order restricting the government from removing the IG and put off the hearing to Thursday when petitioners' counsel advocate Faisal Siddiqui would file rejoinder to the advocate general's arguments.

Civil rights campaigners had earlier approached the SHC for contempt proceedings against the provincial government after it 'surrendered' Mr Khowaja's services to the federal government and appointed Additional IG Sardar Abdul Majeed Dasti, a grade-21 officer, as acting IG on April 1.

The issue emerged in December last year when Mr Khowaja was sent on forced leave by the government reportedly after they developed differences over action against people having connections with Pakistan Peoples Party co-chairman and former president of Pakistan Asif Ali Zardari.

On April 6, the SHC had passed an interim order directing Mr Khowaja to continue his duty as provincial police chief and since then it is being extended by the court.

### **Loadshedding case**

A division bench headed by Justice Irfan Saadat Khan expressed resentment over unannounced loadshedding in the city and directed senior officials of the power utility to explain their position.

The bench hearing a constitutional petition against unannounced power outages in the city also issued notice to the federal and provincial governments' law officers and put off the hearing to May 29.

Civil rights campaigners moved the SHC and submitted that people were facing a great deal of difficulties due to massive loadshedding in the metropolis.

They said the power utility was carrying out unannounced loadshedding despite the National Electric Power Regulatory Authority's clear directives not to do so.

Justice Irfan asked the K-Electric's counsel as to what steps the power utility was taking to overcome the menace.

The counsel said power cuts were being carried out due to gas loadshedding and falling of an electric pole in Jamshoro, adding that the company was facing a shortfall of 600MW at present.

(By Tahir Siddiqui Dawn 17, 25/05/2017)

## **Sindh allocates Rs244 billion for ADP in fiscal 2017-18**

Sindh government on Monday allocated Rs244 billion for its upcoming Annual Development Program (ADP) for the fiscal year of 2017-18, which is 22 percent higher than Rs200 billion earmarked for the outgoing fiscal year.

A sum of Rs30 billion is also set aside for development of districts while Rs27.3 billion is expected under federal public sector development program (PSDP). Moreover, an amount of Rs42.7 billion is expected under foreign assisted projects, provincial budget document of the next fiscal year showed.

Provincial ADP envisages 816 new development schemes for the upcoming fiscal year for which a sum of Rs92.125 billion is allocated, while Rs151.875 billion will be spent on 2,158 on-going development schemes.

The highest allocation of Rs26 billion goes to Works and Services department and Rs13.75 billion is set aside for Thar coal infrastructure development.

In the education department, which includes primary and higher education, the government has allocated Rs21.128 billion, while health, irrigation and local government development projects get Rs15.5 billion, Rs22 billion and Rs25.829 billion respectively.

Interestingly, Rs12 billion is proposed to be spent on mega projects for Karachi in the upcoming fiscal year while a meager amount of Rs2.95 billion will be spend on solid waste management throughout the province.

Sindh government plans to spend Rs20 billion on community development program for sustainable development goals and Rs3.005 billion will be spent on Sindh's energy sector.

The provincial development programs envisages spending of Rs840 million for forest and wildlife while Rs36 million will be spend on schemes relating human rights and Rs600 million is earmarked for population welfare.

As much as Rs15 billion will be spent on lining of new canals during 2017-18 and Rs1.7 billion will be spend on development schemes relating to livestock and fisheries.

The provincial planning and development department will get Rs3.65 billion, Rs5.0 billion is allocated to new development initiatives, while Rs50 million is planned to be spent on mines and mineral development department.

The provincial development envisages schemes worth Rs100 million for Katchi Abadies and Rs120 million for labour and human resources.

A sum of Rs3.195 billion is earmarked for transport and mass transit schemes, Rs2.1 billion for sports and youth affairs and Rs2.5 billion is earmarked for special initiatives.

The Sindh government plans provision of solar water pumps, tube-wells on subsidized rates to farmers in Sindh and a sum of Rs563.858 million is earmarked in this regard.

A sum of Rs1.0 billion is set aside for development of townships in major urban centers while Sindh government plans establishment of comprehensive schools in Sindh, one in each of 25 districts with a cost of Rs600 million.

An amount of Rs700 million is earmarked for village electrification program in Sindh (phase-VII), Rs1.125 billion is earmarked for gas supply to villages in Sindh, while Rs196 million will be spent on improvement of major fishermen's settlements and rehabilitation of flood affected areas in coastal areas of Thatta, Sajawal and Badin.

Sindh government plans development of infrastructure at SITE Nooriabad and a sum of Rs225.22 million is set aside for this project, while Rs1.424 billion will be spent for establishment of five combined effluent treatment plant for industrial areas of Karachi including laying of interceptor sewers.

(The News 15, 06/06/2017)

## **CM claims govt has allocated Rs71b for Karachi in budget**

Clarifying the misconception that Karachi has been allocated the lowest amount in the 2017-18 budget, Chief Minister Murad Ali Shah said on Tuesday that the government has earmarked Rs71 billion for the country's financial hub.

"We have allocated Rs12 billion in Annual Development Programme (ADP) for Karachi but the total development portfolio for the city stands at Rs71 billion," the CM said about the development package for Karachi at the post-budget briefing.

Denying media reports that claimed Karachi received the least funds out of Sindh's six divisions in the budget, the CM asserted that the city has been given a higher allocation than any other division.

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### **Rs1.04tr populist Sindh budget unveiled**

Elaborating on the matter, Shah said Rs15 billion has been allocated for the K-IV drinking water scheme, while Rs5 billion has been allocated for the project's land acquisition. He shared details of various roads, flyovers and underpasses that are being constructed in the city. "We have already inaugurated Tariq Road and will open a portion of University Road by June 10," the CM said, adding that Hub River Road, Sharae Faisal Underpass, reconstruction of Tipu Sultan Road, Lea Market Flyover, Cantt Station Road and the Edhi Bus Rapid Transit Line are among other projects that have been included in the budget.

Regarding the utilisation of funds in the ongoing year, the CM said a total of Rs225 billion was allocated for the ADP in the fiscal year 2016-17, of which the government released Rs210 billion and Rs150 billion has been utilised so far. "By the end of this financial year, we can spend Rs190 billion from the current ADP," he vowed, adding that most of the schemes in the ADP will be finished in a year.

The CM said his government is focusing on the development budget by reducing non-development expenditure. He added that the CM's secretariat has adopted stern austerity measures. "CM House expenses have been pitched at Rs750 million against an actual allocation of Rs2.1 billion," he said, urging other departments and institutions to control excessive expenditure.

### **To woo the working class, Sindh govt to add 50,000 jobs in budget**

According to Shah, an agreement has been signed with a Chinese company to lift garbage from districts South and East. "Work has been started in District South, where Karachi's roads are being washed in a cleanliness drive," he said, adding that he is personally monitoring the development work and cleanliness drive.

"I paid a surprise visit to various areas and found municipal employees washing the roads in Saddar, Clifton and its adjoining areas," the CM said, adding that when he was a child, the roads of Karachi were regularly cleaned with water.

### **DMCs to collect property tax**

Rebutting reports that property tax has been enhanced on 120 square-yard plots, the CM said after collecting property tax, the excise and taxation department hands the amount over to District Municipal Corporation (DMCs). "Now we have decided to strengthen DMCs by allowing them to collect property tax on their own," he announced.

### **Sindh gives top priority to education once again**

He said the government collected property tax of Rs1.8 billion throughout Sindh, which is a meagre amount. He gave an example of Bangalore city in India where Rs40 billion is collected under the head of property tax, whereas from Karachi only Rs1.7 billion is collected.

### **NFC award**

Shah said not presenting the new National Finance Commission (NFC) award is a failure on the part of the federal government.

Speaking about the funds transferred from the federal government, he said Sindh was supposed to receive Rs493 billion from the Centre in the 2016-17 fiscal year but the latter had cut around Rs68 billion from it.

“The federal government has yet to release Rs108 billion [from the amount that is left] by the end of June, but it does not seem likely that they will,” he lamented.

### **Old transport projects announced once again in the budget**

#### **Ramazan package**

Regarding Ramazan Package, the CM said the provincial government has earmarked Rs3.4 billion that will be distributed among 1.7 million deserving underprivileged people registered under the Benazir Income Support Programme. “Each beneficiary will be given Rs2,000,” he said.

The CM held K-Electric, the Hyderabad Electric Supply Company and Sukkur Electric Power Company responsible for the hours-long load-shedding in the province. “All power utility companies have failed to deliver and the situation may get out of control if people take to streets against them,” he warned.

(By Hafeez Tunio The Express Tribune 13, 07/06/2017)

### **Education, health and security top priorities in Sindh budget, says Murad**

Sindh Chief Minister Syed Murad Ali Shah said on Tuesday that his government gave top priority to education, health and security for which it made hefty allocations in the new budget for financial year 2017-18.

In his post-budget press conference, he made it clear that the budget he presented on Monday was tax free as no new tax, or even the property tax on houses measuring 120 square yards, was imposed.

Accompanied by provincial ministers Nasir Shah, Mir Hazar Khan Bijarani and Mukesh Kumar Chawla, he said that his government earmarked Rs202.2 billion for education, Rs100.32bn for health and Rs92.91bn for law and order in the new budget.

In response to a question, the CM claimed that even “the poorest of the poor” were not ignored in the provincial budget as his government had announced an Eid and Ramazan package for them for which a sum of Rs3.40bn had been allocated.

Insists budget for new fiscal is tax-free

He said that under this package Rs2,000 each would be paid before Eid to all 1.7 million people enlisted in the Benazir Income Support Programme.

To another question, Mr Shah said that an inordinate delay in the 9th National Finance Commission Award was actually the failure of the federal government.

He said that the Sindh government had demanded of the federal government that sales tax collection on articles be transferred to the provinces and Karachi be given a special package being the largest contributor to the public exchequer.

#### **‘Karachi not ignored’**

Mr Shah clarified that his government did not ignore Karachi in the budget 2017-18, as it allocated Rs12bn for mega projects, besides earmarking funds for the K-IV water supply project and S-III sewerage scheme.



He regretted that Sindh had always been given step-motherly treatment as it never got its due share.

Giving the example of the current financial year, he said that the federal government had to give Rs480bn but during the last 11 months so far Sindh still had to be paid Rs440bn.

### **Centre accused of loadshedding in Sindh**

Mr Shah once again lodged a strong protest against the federal government for carrying out prolonged loadshedding in Sindh.

He said that the performance of all power distribution companies, including K-Electric, was very poor in Sindh. "We are accused of stealing electricity although we have cleared the outstanding dues of Rs27 billion."

"Who are the real thieves? Are we or those who issue inflated bills," he asked.

He disputed the claim of the federal government regarding producing record 19,000 megawatts. He asked as to why the federal government was committing 'excesses' with Sindh by carrying out loadshedding for 16 to 20 hours on a daily basis.

He said Sindh, despite producing 70 per cent energy, continued to face hardships in the sizzling weather. "We would get our constitutional rights," he declared.

He repeated his warning that if the federal government failed to provide relief to the people from loadshedding, it would not be possible for the Sindh government to keep the masses under control and his government would have no option but to join their protest.

About the upcoming development budget, he said it would be Rs344bn but many non-development expenditures were also part of the development budget.

He said Rs25bn was allocated for maintenance of government buildings.

In reply to a question, he said unlike past when schemes used to be initiated but could not be completed even in a decade, 816 new schemes had been launched under a new strategy which would be taken up for implementation and would be completed within the year.

### **49,000 new jobs**

He said that during the tenure of the PPP government, appointments had been made on a "need basis" and only on merit.

For the next financial year, "we have created around 49,000 posts," he said.

He said over 25,000 employees of the lady health workers' programme would be incorporated in the service of Sindh.

Besides, 10,000 youths would be recruited in the Sindh police, he added.

The chief minister said that during the current financial year Rs60bn was earmarked for local councils in Sindh. "For the next financial year, we propose an allocation of Rs71 billion, including Rs5 billion for development schemes to be undertaken by local councils. Distribution mechanism amongst local councils would be determined by the provincial finance commission which has started its deliberation on a resource sharing formula."

He said another important proposal being considered was the devolution of collection of the urban immovable property tax. "The devolution of collection of taxes at the appropriate levels increases efficiency and transparency. At present, the collection of Rs2bn in lieu of urban immovable property tax is dismally low and has a huge potential."

The CM said that the development portfolio of the local government department for 2016-17 was Rs20.73bn for 422 development schemes. For the next financial year, the government had earmarked Rs28.78bn for 411 development schemes of the LG department, he added.

He said that in 2016-17, a sum of Rs14bn was earmarked for the development of the irrigation sector, including the 'water sector improvement project' and reconstruction projects of embankments and canals.

The chief minister said that a Sindh Growth Strategy had been prepared in line with Vision 2025. "Previously, we have been taking steps to achieve the Sustainable Development Goals (SDGs) but now with a proper road map in shape of growth strategy the government would be able to achieve the broad objects of Vision 2025 and SDGs. At present, amongst other initiatives are three community development plans that are being implemented in Sindh," he added.

He said a Rs3bn community development plan aimed at bridging the gap in areas of health, education, women empowerment, legal aid, water and sanitation and skill development would be launched in the next fiscal year.

About the union council-based poverty reduction plan, he said after the successful implementation of the first phase of the Rs2bn plan, the project had been extended for an additional cost of Rs4.9bn. The programme aimed to reduce poverty, improve the quality of life of poor and marginalised communities especially women, build capacity of households through social mobilisation, asset creation, income generation and social protection, he added.

Mr Shah said that the Chief Minister's Secretariat had adopted stern austerity measures. The revised estimates for the CM Secretariat were pitched at Rs750m against an allocation of Rs2.1bn. For the next financial year, a sum of Rs521m was allocated.

(By Habib Khan Ghorani Dawn 17, 07/06/2017)

### **Culture dept likely to revise allocation for Jufelhurst's restoration**

Like every year, the culture, tourism and antiquities department has made an allocation of Rs30 million in the upcoming year's budget for the preservation, conservation and restoration of the Jufelhurst Government School building. However, the department will have to revise this cost due to the building's recent demolition.



The preservation of the building was part of an approved project of August, 2015 and since then it has been a regular feature of the department's budget. However, the main building of the school, which was the residence of the school's founder, the late Sybil D'Abreo, was demolished by the builder mafia in April this year, allegedly under the supervision of the local police.

#### **Jufelhurst school demolition: Controversy arises over inclusion of home in heritage list**

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Later, the Sindh government announced the restoration of the 86-year-old building, which was opposed by certain architectural schools of thought. However, no money has been allocated specifically for the restoration of the demolished site.

According to the culture department's assistant curator, Zaheer Ahmed Shaikh, Rs30 million was the estimated amount for the project before the building was demolished. After the revised feasibility report is issued, a fresh estimation will have to be made and the cost will most likely increase.

When asked why the estimated amount was not utilised earlier, Shaikh said that Rs4.5 million of the amount was spent on the planning and consultancy components. Since they did not obtain a no objection certificate for the preservation,

construction and restoration of the school's building from the department's technical committee, they could not continue with the project, he explained. According to him, the department has not begun the restoration work of the demolished building because the matter is still in court.

Multiple structures in the area around the Jufelhurst Government School premises were listed as protected heritage sites under the Sindh Culture and Heritage (Preservation) Act, 1994, according to a notification issued by the culture department.

### **Inquiry into Karachi school demolition initiated amid public outcry No future construction**

According to the Sindh Building Control Authority's (SBCA) by-laws, no further construction can ever take place at the school's site after its demolition.

"In case of unauthorised or illegal demolition of a declared protected heritage building, no fresh approval of a building plan on the said plot shall ever be permitted and a fine as permitted by an ordinance, as amended from time to time, shall be imposed by the authority, in addition to any other fine that may be imposed by the department under the provision of the Sindh Cultural and Heritage (Preservation) Act, 1994, or the Antiquities Act, 1975," reads Section 15 of chapter 15, Preservation of Heritage Buildings, of the Karachi Building and Town Planning Regulations, 2002. The section is related to the preservation of heritage buildings.

However, architect Marvi Mazhar claimed to have done proper documentation of D'Abreo's residence. She believes that after a proper analysis of the rubble, the yellow stone used in the construction of the building can be used again.

"We cannot abandon the site [and therefore] encourage the builder mafia," she urged, adding that the damage was done but they will definitely rebuild the structure and the Sindh government will bear the cost.

(By Oonib Azam The Express Tribune 13, 07/06/2017)

### **AG told to submit report on implementation of SC's orders**

The Sindh High Court (SHC) on Thursday directed the Sindh advocate general to obtain specific instructions from the government regarding implementation of Supreme Court's directives on constitution of the Sindh Solid Waste Management Board.

AG Sindh Zamir Ghumro submitted that the matter was pending before the judicial commission constituted by the apex court and sought time to file comments.

The SHC's division bench headed by Justice Syed Hasan Azhar Rizvi directed the AG to obtain specific instructions from the government with regard to implementation of the SC's order for relevant authorities and submit a report on June 19.

The directives came on Muttahida Quami Movement – Pakistan's (MQM-P) leader Farooq Sattar, Mayor Karachi Waseem Akhtar and others' petition in which they maintained that the SSWMB failed to perform its duties of collecting and disposing city's garbage and instead outsourced the work to a Chinese firm.

The petitioners submitted that the staff of the district municipal corporations was inducted in the board and handed over to the Chinese firm instead of using the workforce under the existing structure of DMCs present.

They submitted that constituting the waste management board was illegal in presence of the Karachi Metropolitan Corporation (KMC) and DMC. The board's failure to remove garbage from the city resulted in citizens getting affected by several diseases. They also sought audit of the SSWMB and transfer of its funds to local government.

Petitioner's counsel Farogh Naseem maintained that the SC had also taken exception over SSWMB's role and function, and requested the court to dissolve the board and transfer its powers to the respective DMCs.

He maintained that the apex court had observed that running a parallel organisation to perform the same function leads to bad governance and reflects a lack of responsibility and accountability.

The counsel added that the court had ordered for the 'experiments' to end now and dissolve the non-functional board that has never performed by transferring its functions to the local bodies, in accordance with the rules of business.

The exercise, the court had ruled, would ameliorate citizen's problems and will also save the Sindh government a lot of public money which it is a trustee of.  
(By Jamal Khurshid The News 14, 09/06/2017)

### **Sindh Assembly approves 'tax-free' budget of over Rs1.043 trillion**

With the passage of Sindh Finance Bill, the provincial assembly on Friday passed a 'tax-free' budget of over Rs1.043 trillion for financial year 2017-18 with a deficit of Rs14.32 billion.

In the budget, priorities were given to rehabilitation of the existing infrastructure and development of basic facilities, besides education, health and law and order.

The total receipts include Rs627.3 billion federal transfers, Rs199.626 billion provincial receipts, Rs57.514 billion capital receipts; Rs70.067 billion others and Rs74.349 billion net public accounts and carried over plus miscellaneous came to Rs1,028.865 billion.

The total expenditures have been estimated at Rs1,043.185 billion, including current expenditures of Rs666.474 billion, current capital expenditures of Rs32.643 billion and development expenditures of Rs344.067 billion. This shows a deficit of Rs14.32 billion.

Before adoption of the finance bill during general discussion, Leader of the House Chief Minister Syed Murad Ali Shah said that no new tax was imposed in the budget as certain taxes were rationalised in the province.

However, Leader of the Opposition Khwaja Izharul Hasan said that the opposition rejected the budget as it was against the interest of people.

MQM Parliamentary Party leader Syed Sardar Ahmad said that because of price hike, people could not bear any more burden of any new tax and suggested the need for reducing indirect taxes to provide substantive relief to the people. Keeping in view the increase in wheat price to Rs48 per kg, he suggested to the government to introduce ration system for the less privileged sections of society so that they could get wheat flour, rice and pulses.

MQM lawmaker Dilwar Qureshi said that the budget indicated 93 per cent indirect taxes and only seven per cent direct taxes indicating that the burden of taxes was on common man.

PML-F legislator Nusrat Abbasi said the budget allocations must be utilised properly and tax collection system be improved to bring all the influential people into the tax net.

In the finance bill, two amendments were suggested but as these were not submitted two days back, the chief minister said that he did not have time to get legal opinion regarding the amendment and assured the movers that if they let the bill passed in its original form, after legal opinion, the amendment could be introduced in the next session of the assembly.

After withdrawal of the amendments, the finance bill was taken up clause by clause and after the third reading it was passed into law. Speaker and chief minister greeted all members of the house for passage of the budget.

The chief minister said it was the only assembly, where 100 members took part in the budget discussion.

After the speeches, Speaker Siraj Durrani read out the governor's order for termination of the session sine die with the completion of business.

In the budget, besides law and order and rehabilitation of existing infrastructure, priority was given to the promotion of education as students from the next financial year would be rewarded Rs100,000 for securing A-1 grade in Intermediate and Matriculation exams.

"Rs750 million has been allocated for the purpose. Besides, endowment fund for colleges and universities was created for which Rs1 billion has been kept for 2017-18 for providing financial assistance to students and Rs1 billion has been kept for free registration and board examinations at all levels of education for students of public sector institutions," he said.

In the finance bill, slight amendments were introduced to Stamp Act, Registration Act and Sindh Sales Tax Act with the objective to improve tax net. Besides, there is a proposal to rationalise rate of Sindh Sales Tax on Telecom Services, and bring it on a par with other provinces, by increasing it from 19 percent to 19.5 percent.

Before adoption of the finance bill, the house discussed cut motions submitted by the opposition against demand for grants. A total of 732 cut motions were submitted against 119 demands of the total 153 demands for grants. After consideration of three demands one by one which all were rejected by a majority vote when put to the house.

(By Habib Khan Ghori Dawn 17, 17/06/2017)

### **Auditor general's report declares appointment of SMBB Chair director illegal**

Financial irregularities reportedly committed by KU management, officials managing chair's affairs also identified

The Sindh Director General Audit in his special report declared illegal the appointment of Shaheed Mohtarma Benazir Bhutto (SMBB) Chair's director, claiming the incumbent director did not have the required experience to hold the post.

The chair was established at the University of Karachi in 2008 to conduct researches and publish books concerning the political struggle and vision of slain prime minister Benazir Bhutto.

The report of the audit, conducted in January 2017, was issued from the CM House, on Wednesday. The auditor general (AG) in his report, conducted for the centre for the years 2009 to 2016, found the appointment of the incumbent director, Sahar Gul Bhatti, against the rules.

The report says that an advertisement for the post, dated January 18, 2015, was found but there was no list of number of applicants or shortlisted candidates, neither a notification was issued by the selection committee.

Sahar Gul Bhatti was shortlisted but did not have the 15-year teaching or research guidance experience mentioned in the advertisement. "It seems as an undue favour was given to the candidate, whereas Shuja Ahmed (competitor of Sahar Gul Bhatti) held a Masters and PhD degree from London and had over 15 years experience as required in the advertisement," the report states.

The main objectives of the audit were to review the chair's performance against the intended objectives, to assess whether the chair was managing affairs with due regard to economy and efficiency and to

review compliance of applicable rules, regulations and procedures. The audit was conducted in accordance with the INTOSAI Auditing Standards.

During a review of the accounts of the director, SMBB Chair and convention centre of the University of Karachi for the period 2015-16, it was observed that a construction supervision contract worth Rs7.936 million was awarded to M/s Shahzad Associates.

However, the contract was to cost Rs5.290 million as per phase I, but it was provided at an excess amount of Rs2.646 million without the approval of a competent forum. The AG has recommended conducting a detailed inquiry into the matter.

The audit report further states that funds worth Rs6.150 million were drawn from the assignment's account and deposited into the university's account to avoid a lapse of funds, which is illegal.

An advance payment of Rs1.876 million was made on account of purchase of fixed assets to the suppliers, as a work order was issued on June 14, 2015 without a contract agreement being signed, the report maintains.

Moreover, procurement ID was not displayed on the Sindh Public Procurement Regulatory Authority's (SPPRA) website due to non-compliance of procurement rules, no inspection reports of the items were found to have been audited by the committee.

It was further observed that the director was offered and paid a lump sum package of Rs160,000 per month, totalling Rs1.92 million on account of salary during the period of June 2015 to June 2016 without the approval of the varsity's syndicate/senate. On the other hand, the previous director was obtaining a salary of Rs130,000 per month for which no approval was found.

The report stated the director was appointed on a fixed salary of Rs160,000 per month for a period of two years and claimed to have not been given any other facility, however, contrary to this, Rs0.150 million were drawn on account of personal vehicle and cellular phone use.

The report recommends the expenditure so incurred seems unauthorised and should be recovered.

The audit report found that endowment fund of Rs25.00 million was received by the directorate of SMBB Chair and that investments and expenditure would be made from the profit earned on the investments.

However, Rs3.03 million were utilised from the endowment fund as per the statement submitted to the auditing team which shows a balance of Rs21.968 million out of Rs25.00 million. The auditor recommended recovery of the funds so drawn.

The report further states that construction work worth Rs263 million was awarded to a contractor for the convention centre and other allied facilities meant to be established as part of the chair. The constructor, the report states was an ineligible contractor as per evaluation criteria of the prequalification document.

The report states that NITs of Rs60.759 million was awarded to the consulting contractor but the procurement IDs were withheld due to non-compliance of SPP Rules, 2010. The payment was released without fulfilling the requirements, thus, payment made without fulfilment of procedures of procurement was unauthorised.

Furthermore, an expenditure of Rs0.287 million was incurred on account of printing and publication through splitting up upon the same dates to avoid open tender; expenditure so incurred could not be authenticated.

The audit report says that in the scheme titled 'Construction of Benazir Bhutto Chair and allied facilities', an expenditure of Rs1.86 million was incurred under the head of contingency which included a

professional video camera worth Rs60,000 and other items but no other tender was floated for this, hence, amounted to a breach of rules.

The auditor raised objection over around Rs25 million being drawn and paid to a contractor on account of mobilisation advance, prior to the awarding of the contract and obtaining 10 percent bank guarantee; the 10 percent guarantee was obtained before issuance of mobilisation advance cheque.

The report also states that a vehicle was purchased for Rs788 million during a ban without the approval of the chief minister. Also, approval of external bill for advance payment was not found to have been audited.

(The News 13, 22/06/2017)

## **SMBB Chair director hits out at findings of Sindh AG's report**

Accuses former director of financial misappropriations, having biased audit report issued against her



Holding a presser hours after the AG Sindh's report was issued, the director of the KU's SMBB Chair, Sahar Gul Bhatti, stated that the employees of the institute had for the past two years, specifically since the past three weeks, been facing strong opposition from the university's administration.

"Much information regarding this matter has been released, both in print and electronic media," she stated.

Providing details of the issue, she said that in 2008, the Pakistan Peoples Party's (PPP) government established the SMBB Chair to promote Benazir's vision and ideology and further encourage scholarly research. "Consequently, I took charge of the Chair after being selected by the selection board," Sahar stated.

She claimed that after taking charge of the institute it came to her attention that the old administration of the former in-charge of the chair, Naveed Sheikh - currently working as director Shah Latif Chair at KU and also serving as secretary to CM for Universities and Boards and who also happens to be the brother of director Planning and Development at KU, Saeed Sheikh - was involved in financial misappropriations.

"It should be noticed that even after the selection of the new director, that is me, the former in-charge-director refused to hand over financial affairs of the Chair."

Secondly, she added that despite her presence, he issued cheques worth millions of rupees illegally. He also reportedly released an amount of Rs6.1 million to the university which is illegal and against the rules.

"Upon seeking response to these matters according to the administrative rules, he tried to suppress me," the incumbent director observed.

"Consequently," she stated that, "he started interfering in administrative affairs with the intention to discourage me at my work. Next, a member of a political party was assigned to follow me or stay around the team members who would speak on the phone naming some influential people of the party and the government to harass the director and the team."

This person was also found using crude language several times to threaten the director indirectly, she alleged. This went on for more than six months.

"We have complete correspondence regarding this matter that were sent repeatedly to the university administration. Lack of response and action, despite many complaints through official correspondence shows that the university administration chose to stay silent on this matter."

She added that she initially kept quiet on the matter and refused to talk to the media because she was busy dealing with the matters officially.

“But it is high time that I come forward with the matters openly exposing the old administration of the Chair and university administration’s misappropriations that consists of former acting director, director planning and development KU, vice chancellor, and former director finance.”

Some of these misappropriations taken place included hiring of incompetent and unqualified consultant; payment of additional and illegal amounts to consultants, as well as illegal transfer of money to the university’s account.

The chair’s incumbent director further stated that the former director illegally transferred tender security fees to his own account and that despite the presence of the director, the former director in-charge kept spending the chair’s funds.

The above mentioned misappropriations, she stated, were also observed in the yearly 2015-2016 Audit Report. “Despite spending millions of rupees, practically the project was not under any work or progress when I took charge.”

The serving director observed that despite all these issues and interferences to discourage her, she initiated work at the project site instantly. Based on the exceptional performance, the Advisory Board sent out a request to extend her tenure from two to four years to the varsity’s syndicate, which she said was approved on December 29, 2016. “A copy of the approval is also available,” she added.

Despite the approval, the university’s administration removed the director from her duty on June 6, 2017. As per her account, the problem started when the Chair financial committee decided to remove the consultants after they failed to present required drawings within the time period after a lapse of several meetings and correspondences.

“KU’s VC refused to terminate them on the basis that they knew the consultants personally,” she maintained.

The director Planning and Development misinformed the VC repeatedly regarding the appointment of the project director and the Chair’s financial committee’s decision to terminate the consultants.

“While I, and the Chair team invited the vice chancellor several times to visit the convention centre’s site, he never visited. Moreover, there is a lack of facilities, for instance, car parking, entrance gate, generator etc., in the PC-I. Hence, it is essential that PC-I be revised. When it was sent for revision about one year back, the Secretary Boards and Universities, Mr Naveed Shiekh refused to sign it.”

The matter, she said, has still not been resolved because Mr Naveed Shiekh was the brother of director Planning and Development, Saeed Shiekh.

“The opposition went on, so much so that Mr Naveed Sheikh initiated a biased audit against me. Interestingly, nothing was proved against me, rather accusations of misappropriations against his brother were observed in the audit.”

On June 8, the Sindh High Court released a stay order in the incumbent director’s favour. Despite that, the director claims that varsity’s administration continues to show no cooperation and refuses to sign daily bills and salaries of the employees.

“I have also petitioned against them for contempt of court just recently. I, along with the entire Chair team appeal to the chairman PPP, Bilawal Bhutto Zardari, the Sindh Government and all concerned authorities to take notice, investigate this matter and stop this illegal administration from exploiting this important institute named after Mohtarma Benazir Bhutto.”

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