

# GOVT NEWS



## MQM-P again seeks Centre's intervention in Sindh's affairs

The Muttahida Qaumi Movement-Pakistan has once again sought federal government's intervention in Sindh, saying that the prime minister can exercise his authority under Article 149 of the Constitution if a province deliberately targets a segment of society in violation of the Constitution.



Senior MQM-P leaders made this demand while speaking at a demonstration organised by the party outside the Karachi Press Club on Monday in protest over a severe water crisis in the metropolis. One of the speakers went as far as to say that Sindh would be "ruined" if the Pakistan Peoples Party's government continue to rule over the province.

It is not the first time that the MQM-P has asked the PM to exercise the federal government's power under Article 149 (directions to provinces in certain cases) of the Constitution.

Earlier, Federal Law Minister Dr Farogh Naseem, an MQM-P senator, hinted that the federal government can intervene in the provincial affairs under the said constitutional clause. Then on April 13, senior party leaders held a press conference and demanded federal government's intervention in Sindh.

*Khalid Maqbool Siddiqui says city's people forced to 'beg' for water*

A large number of MQM-P workers, including women, reached the KPC to participate in the protest. They were carrying banners and placards inscribed with demands like 'Give water to Karachi', etc, and shouted anti-government slogans.

Addressing the protesters, MQM-P convener Dr Khalid Maqbool Siddiqui said that despite the fact that Karachi contributed 70 per cent of the total revenue of the federal government and 92pc of Sindh's revenue, its citizens were still "begging" for water.

He said that the Greater Karachi Water Supply project, known as K-IV, was to be completed in 2011, but the "corrupt" government in Sindh did not complete it on time and now its cost had increased manifold.

He said that a petition filed by the MQM regarding implementation of Article 140-A of the Constitution was still pending before the Supreme Court and the problem of water in Karachi could be solved if the apex court gave its decision on it.

Karachi Mayor Wasim Akhtar claimed that the PPP government in Sindh did not even give Karachi 10 buses in its 11-year-rule.

"I am the elected mayor of Karachi and I have the city's mandate. I appeal to the president and prime minister to solve the problems of the people of Karachi. I have no hope with the Sindh government and the PPP," he said, adding: "Sindh would be ruined if PPP government continues."

He also wanted the federal government to exercise Article 149 of the Constitution.

He said that he had evidence that the Karachi Metropolitan Corporation was being ignored intentionally and it was not given funds, affecting the payment of salaries to its employees.

He warned that protests would spread across the whole city if problems were not solved soon.

MQM-P lawmaker and senior leader Khwaja Izharul Hasan said that the PPP had provided 300,000 jobs without any merit but whenever MQM-P demanded water for the people of Karachi, the ruling party started "targeting" the city's youths employed in water board or other municipal organisations.

He said that the local government minister had failed to improve the water board despite the fact that his party controlled the utility for the past one decade.

Senior MQM leaders Kanwar Naveed, Nasreen Jalil, Karachi Deputy Mayor Arshad Hasan and others were also present.

Later, the participants of the demonstration dispersed peacefully.  
(By Azfar-ul-Ashfaq Dawn, 15, 02/07/2019)

## National Assembly has 10 declared billionaires: ECP

As many as 10 out of the total 342 members of the National Assembly have declared that they own assets worth over a billion rupees, according to a statement of assets held by MNAs for year 2018 released by the Election Commission of Pakistan on Tuesday.

They include four members from the ruling Pakistan Tehreek-i-Insaf (PTI), two from its ally Pakistan Muslim League-Quaid — both sons of the Chaudhrys of Gujrat — two from the PML-N and one each from Pakistan Peoples Party and Awami National Party.

According to the statement of assets and liabilities of the MNAs, Ihsan Bajwa, PML-N MNA from Bahawalnagar, is the richest among the lawmakers having total assets worth more than Rs3 billion, excluding liabilities of Rs1.18bn in the UAE. He has huge

business capital of Rs56.4 million dirhams, nine houses and one building in the UAE. The value of his agricultural property in Pakistan comes to Rs249.5m. He also owns commercial and residential properties valuing Rs92.5m.

*List includes names of four PTI MNAs, two sons of Chaudhrys of Gujrat & Bilawal*

Arbab Umar Amir Ayub, PTI MNA from NA-28 (Peshawar), owns assets the worth of which comes to over 2.56bn. He owns 28 properties including plots and poultry farms valuing Rs2.41bn and holds Rs12.49m in seven bank accounts.

Chaudhry Salik Hussain of the PML-Q, son of former prime minister Chaudhry Shujaat Hussain, is also on the list, with the worth of his assets put at Rs1.60bn. He holds millions of shares in different industrial groups and Rs410m in bank accounts.

PPP chairman Bilawal Bhutto-Zardari is also on the list of declared billionaires having assets worth Rs1.54bn — most of which are abroad.

He holds over two dozen movable and immovable assets and has extended loans of over Rs1.24bn to four companies out of the money he inherited from his mother Benazir Bhutto. Mr Bhutto-Zardari has shares in two villas in Dubai, one of which is located at Jumairah.

He has also declared owning 10 sets of jewellery and ornaments and seven watches among his assets in Dubai, gifted to him by his mother, but has not mentioned their value.

Najib Haroon, PTI's MNA from NA-256 (Karachi), owns assets of Rs1.54bn. He has business capital of Rs1.34bn and properties worth Rs68.17m. He has Rs36.21m cash in hand and banks and owns four vehicles valuing Rs42.39m.

In addition, one of his wives, Hamida Najib Haroon, owns an apartment in Dubai valued at Rs17.43m and a 1,000 square yards house in DHA Karachi, current market value of which has been shown to be Rs7m. His other spouse Naheed Najib Haroon has a 500 square yards house in a different phase of DHA Karachi.

PML-Q MNA from NA-69 (Gujrat) Moonis Elahi, son of Punjab Assembly Speaker Chaudhry Pervaiz Elahi, owns assets worth Rs1.43bn.

The other billionaires in the National Assembly include Mohammad Yaqoob Sheikh, PTI MNA from Dera Ismail Khan; Amir Haider Azam Khan Hoti, ANP MNA from NA-21 (Mardan); Noorul Hasan Tanveer, PML-N lawmaker from NA-169 (Bahawalnagar); and Minister for Power Omar Ayub, PTI MNA from NA-17 (Haripur).

(By Iftikhar A. Khan Dawn, 01, 03/07/2019)

### **Sindh Assembly session adjourned due to lack of quorum**

The Sindh Assembly session on Friday was adjourned till next week by the deputy speaker, who cited the lack of quorum required to start the session. As the session started with Rehana Leghari in the chair at 3:30pm, there were hardly 10 members in the House that comprises a total of 168 members.

The deputy speaker, casting a glance at the vacant treasury and opposition benches, said, "Despite repeated warnings, members don't come on time. I can't run the session like this."

According to the Sindh Assembly's rules, at least 42 members are required to run the session. In the absence of the required numbers, all items on the agenda were deferred.

The agenda that was listed included call attention notices moved by opposition parties on public interest issues, a privilege motion moved by Pakistan Tehreek-e-Insaf parliamentary leader Haleem Adil Shaikh against excise and taxation minister for leveling false allegations against him, an adjournment motion moved by Pakistan Peoples Party MPA Heer Ismail Soho regarding the devolution of the Pakistani rupee in Asia. The Sindh

Governor Imran Ismail's assent given to the "Revival of Police Order 2002 (Amendment) Bill 2019, question-answers of the local government department and the Sindh budget execution report of the third quarter was also on the agenda.

#### **Demolition of houses in Thar**

Grand Democratic Alliance (GDA) MPA Nand Kumar Goklani submitted an adjournment motion in Sindh Assembly on Friday against the demolition of houses of members of the 'Bheel' community, living in Islamkot, Mithi. In his motion, Goklani requested the Sindh Assembly speaker Agha Siraj Durrani to adjourn the upcoming session of the assembly to discuss this matter, which according to him, was urgent and of public importance. "The PPP government has promised to give shelter, food and livelihood to people, but unfortunately this never happens. Instead, they have deprived people of their homes and jobs," he said, while speaking to media outside the assembly.

(By Our Correspondent The Express Tribune, 05, 13/07/2019)

## Govt is carrying out development work without any political bias, assures CM

Sindh Chief Minister (CM) Syed Murad Ali Shah has said that Ghotki's district administration has the capacity to provide security during the upcoming by-polls, to be held in the NA-205 constituency, but the final decision regarding the deployment of security forces and other security arrangements on the polling day rests with the Election Commission of Pakistan.

He said this while talking to media during surprise visits to different parts of Karachi. He was accompanied by Sindh Local Government Minister Saeed Ghani and Adviser to CM on Information, Law and Anti-Corruption Barrister Murtaza Wahab.

### New schemes

While speaking to media personnel during his visit to Lyari, Shah said that the government has been carrying out development work in the city without any political biases.

"We don't care whether the areas' residents voted for PPP or not. We only care about their problems and their rights," he said, adding that the provision of basic facilities and development of infrastructure is people's right, for which the PPP government is working hard.

He also assured that the Blue Line Bus Rapid Transit (BRT) project hasn't been abandoned or cancelled. The project is facing delays as private partners have withdrawn from it and the government is exploring other alternatives to complete and launch the project, he said.

The CM further said that Yellow Line and Red Line BRT projects are to be launched with the assistance of the Asian Development Bank (ADB) and the World Bank (WB), adding that both these projects have been approved by ADB and WB but are yet to be approved by the Executive Committee of National Economic Council (ECNEC).

"I have requested the federal finance minister to get these projects approved by ECNEC, so that we can begin work on them," he said. "The federal finance minister has assured that the projects will get approval in the next ECNEC meeting."

### Ongoing schemes

The CM also visited Shaheed-e-Millat Road, Garden, Korangi, Hawkesbay Road and other localities to examine the progress of ongoing and newly-launched development initiatives.

He told the media that seven new development schemes have been launched in the city, the collective cost of which accumulates to around Rs1,714.340 million.

These schemes include the rehabilitation of Il Chundrigar Road at a cost of Rs248.340 million, rehabilitation of Ibne Sina Road, from Liaquatabad no. 10 to Sher Shah, at a cost of Rs260 million, rehabilitation and beautification of University Road, from MA Jinnah Road to Peoples Chowrangi, at a cost of Rs190 million, beautification of MT Khan Road at a cost of Rs176million, beautification of Shahrah-e-Pakistan, from Sohrab Goth to Guru Mandir, at a cost of Rs180 million, beautification of Rashid Minhas Road, from Nagan Chowrangi to Shahrae Faisal, at a cost of Rs160 million and the construction of a 200-foot-wide road linking Manghopir Road to Shahrah-e-Qaddafi Orangi-Surjani Link Road.

Moreover, the CM said that 17 new schemes have been initiated under the Karachi Package, worth Rs10.76 million, which will be completed by the end of December this year.

These ongoing schemes include the construction of an underpass at Submarine Chowrangi, at a cost of Rs2.2 billion, which is 95% complete, rehabilitation of Karachi Zoo, at a cost of Rs391.934 million, which is more than 55% complete, construction of a road from Tank Chowrangi to Super Highway, via Thadho Nala, at a cost of Rs574.175 million, which is 99% complete, construction of an underpass at Tariq Road intersection, along Shaheed-e-Millat Road, at a cost of Rs314.491 million, which is 8% complete and construction of another underpass at Hyder Ali Road intersection, at a cost of Rs273.776 million, which is 70% complete.

Additionally, the ongoing schemes also include the reconstruction of Stadium Road, from University Road to Rashid Minhas Road, at a cost of Rs693.505 million, which is 80% complete, construction of a U-turn at Natha Khan Bridge, at a cost of Rs214.466 million, which is 5% complete, construction of roads in areas surrounding Lea Market, Lyari, at a cost of Rs649.21 million, which is 32% complete, widening of bridge over Orangi nullah, at a cost of Rs125.35 million, which is 56% complete, and the construction of a storm water drain from Star Gate to Chalor nullah, at a cost of Rs108.806 million.

### Completed Schemes

The CM informed the media that 20 schemes, initiated under the Rs16.587-billion Karachi Package, have been completed. These comprise the construction and upgradation of different roads and flyovers including Manzil Pump flyover, University Road, Tariq Road, Mosamiyat Road, Hub River Road, Shahrah-e- Faisal, Baloch Colony flyover and Drig Road underpass. Moreover, the upgradation of high rises and the bridge located at the intersection of Sunset Boulevard has also been completed.

The CM said that he is committed to developing Karachi and upgrading the city's infrastructure, so as to facilitate its residents, adding that had the provincial government not faced a shortfall of Rs95 billion, in the 2018-19 federal transfers, it would have managed to complete many more project in the last financial year.

**Ghotki by-election**

With regard to the upcoming by-election in Ghotki, the CM said that the NA-205 constituency has been a traditional stronghold of the Pakistan Peoples Party (PPP) and that his party members have been elected on provincial assembly seats many times from this constituency in the past. However, expressing disappointment, he said, "Our provincial assembly members [elected from this area] have remained ineffective otherwise PPP would have managed to bag the NA-205 seat in the 2018 general elections."

Brushing aside the impression of PPP using government machinery in the by-polls, the CM said that the opponents are foreseeing their defeat and are therefore levelling baseless allegations against his party. "Previously, they [opponents] had claimed that PPP had no candidate to contest the by-election on NA-205 seat and now, when we have fielded a popular candidate, they have stooped down to accusing us of using government machinery," he said.

The CM expressed the hope that the PPP candidate will win the by-polls. "The PPP candidate has launched a vigorous and door-to-door campaign and I am sure that he will get majority votes," he said.  
(By Our Correspondent The Express Tribune, 05, 22/07/2019)

**Murad gives go-ahead to Sindh Safe City Authority plan**

Sindh Chief Minister Syed Murad Ali Shah has approved a proposal to establish the Sindh Safe City Authority and provincial forensic commission.

Presiding over a high-level meeting here on Friday, the chief minister said that the Sindh Safe City Authority should be established first so that it could implement various components of the safe city project including CCTV installation.

He pointed out that as the project was jointly handled by the Sindh information technology department and the IT wing of the Sindh police, there was a need of an independent authority to execute the project.

Referring to the forensic lab, he said that the Sindh Forensic Commission may be constituted so that it could launch and complete the project with required expertise.

He directed the chief secretary to work out all the requirements for establishment of the forensic commission and submit his report in the next cabinet meeting.

Earlier, Inspector General of Police Dr Kaleem Iman gave a briefing to the CM stating that Rs10 million had been approved by the government for the feasibility study.

*The CM orders civic bodies to be prepared in view of forecast of heavy rain in Karachi*

He said 25,000 CCTV cameras had been installed on different locations in the city and were being monitored through the command and control centre established at the IG Office.

Besides, a Rs200m scheme was launched to install 10,000 CCTV cameras on different city locations and for this purpose Rs10m had been allocated in the current financial year.

The chief minister asked Chief Secretary Mumtaz Ali Shah to present the draft of the Safe City Authority in the next meeting of the cabinet for approval.

**Land acquired in Malir for forensic lab**

Home Secretary Kazi Kabir briefed the chief minister that 30 acres had been acquired for establishment of a forensic science lab in deh Jorejio, taluka Bin Qasim, Malir.

The project would be completed in three years.

The main services to be offered by the lab include audio-visual analysis; computer forensic, crime scene and death scene investigation, DNA and serology, forensic photography, narcotics, toxicology, trace chemistry, polygraph, firearms and tool masks, latent fingerprints; pathology, questioned documents and explosives lab.

The IGP said that the Sindh police had already established forensic facilities in Karachi, Hyderabad and Larkana.

In these labs firearms unit, questioned documents unit, fingerprints unit; vehicle examination unit, digital forensic unit, specialised crime scene units and one mobile forensic unit were already operational.

At present, DNA serology facility in Sindh was available at the Liaquat University Jamshoro, which had analysed 1,000 cases during the past four years.

It was also pointed out in the meeting that another 30 acres of land was required for setting up a forensic academy and another 30 acres for a hostel and residential colony.

**Rotation system for water distribution**

Presiding over another meeting to review rain emergency preparations and an equitable water distribution system, the CM directed the Karachi Water and Sewerage Board to launch a rotation system for water distribution in the city and inform the public through its website.

Local Government Minister Saeed Ghani briefed the meeting that there was 406 MGD net supply of water in the city against a requirement of 918 MGD.

The chief minister said there was almost a 50 per cent shortage and "a rotation system as is planned by the irrigation department during water shortages may also be replicated by the KWSB in the city", he said, adding that "presently some areas are getting water regularly while the others were waiting for weeks. This is injustice and unfair practice."

Mr Shah said that he had reports that the valve-men had established their parallel sway in the water distribution system.

"The valve-men involved in favouritism must be identified and criminal cases may also be initiated against them," he said.

He also directed the KWSB chief to launch an operation against illegal water connections and theft.

The chief minister also urged the LG minister to engage KWSB engineers for proper maintenance and upgrade of the water distribution system so that 30pc line losses/theft could be controlled, which would be able to save 174 MGD.

**Rain emergency measures**

The chief minister said that the Met office had issued a forecast of heavy rains from July 29 in the city. "Therefore, necessary arrangements which include cleanliness of storm-water drains, proper maintenance of sewerage system and repair of depressions on road must be made," he said.

The Karachi Metropolitan Corporation was also asked to devise a plan regarding length of the drains, portions under encroachment, choking points, the points from where filth and garbage was dumped or dropped for cleaning so that necessary funds could be released.

KWSB chief Asadullah Khan gave the chief minister a detailed briefing about preparedness for the expected heavy rains.

The LG minister said that he had convened a meeting of all local bodies of the city in which a comprehensive plan would be worked out to handle downpour efficiently.

He said that he was in touch with other civic agencies operating in the city so that a joint working plan could be made.

The chief minister urged the KWSB to start patrolling on bulk transmission system, canals, siphons, conduits and other installations located in the areas of Dhabeji, Gharo, Pipri and NEK pumping stations and filter plants.

In case of power failure at the pumping station, a complaint must be lodged with the K-Electric immediately so that water and pumping stations could function smoothly, he said.

(By Habib Khan Ghori Dawn, 15, 27/07/2019)

**Rs120.3bn spent on uplift in Karachi in six years, says Murad**

Sindh Chief Minister Syed Murad Ali Shah has said that out of the total Rs495.04 billion expenditures incurred on development projects in the province over the past six years, Rs120.3bn was spent in Karachi.

This he said while presiding over a preparatory meeting here on Wednesday for the heavy downpour expected in the coastal area of Sindh.

Local Government Minister Syed Nasir Shah, Advisor to the Chief Minister Murtaza Wahab, acting Chief Secretary Mohammad Waseem, Chairperson P&D Naheed Shah, Principal Secretary to the CM Sajid Jamal Abro, Commissioner of Karachi Iftikhar Shallwani, Local Government Secretary Khalid Hyder Shah, Transport Secretary Abbas Detho and other officers attended the meeting.

**CM directs minister to alert local bodies' staff about rain forecast**

The chief minister said that water and sanitation projects held central importance for his government in terms of investment priorities of Karachi.

During the past six years, Rs69.27bn were directed towards the water and sanitation sector, while Rs24.65bn were spent to complete 77 water and sanitation schemes in the city, he added.

Mr Shah said he initiated 40 mega projects of construction and improvement of road network and flyovers/bridges/underpasses, upgrade of filter plants, pumping stations and construction of storm-water drains while 20 mega schemes of Rs15.33bn had been completed till date and 20 schemes costing Rs12.474bn are included in the Annual Development Plan (ADP) 2019-20.

The cumulative ADP allocation for the education sector during the past six years was Rs19.16bn. During the period, Rs10.27bn were spent to complete 75 schemes pertaining to the education sector in Karachi.

The chief minister disclosed that he had allocated Rs62.034bn in 2019-20 for portfolio of 449 development schemes of Karachi having a total cost of Rs239.158bn.

#### **Another rain spell**

Mr Shah directed Local Government Minister Syed Nasir Shah to alert local bodies' staff about the rainfall forecast by the Met Office.

"Mostly the coastal belt of Karachi, Thatta, Badin and some parts of Hyderabad would be affected, therefore KMC, DMCs, water board, deputy commissioners concerned, HDA, HMC, Wasa must be activated," he said.

He also directed the local government department to activate local bodies in Thatta and Badin where the Provincial Disaster Management Authority would also help them in case of heavy downpour.

The chief minister ordered commissioners of Karachi and Hyderabad to activate deputy commissioners concerned to help people and oversee the disposal of rainwater. "I want you to focus on low-lying areas where rainwater accumulates when heavy rains are received," he said and added that suction pumps must be installed there and the drainage system also be made clear for flow of water.

Mr Shah observed that during last week's rains the local bodies' officials, water board and deputy commissioners and their supporting staff remained busy in cleaning Karachi and helped the people. "This time I want a similar spirit and vigour for helping people," he said.

He directed the local government minister to prepare a contingency plan for disposal of rainwater, opening of manholes and choking points of storm-water drains and asked him to make necessary arrangements for diesel generators for suction machines.

The local government minister told the meeting that an emergency cell had been set up in local bodies which would monitor the situation. "I will be visiting the cities which are expected to receive heavy rains," he said.

After the meeting, the chief minister left for Hyderabad to monitor disposal of rainwater of the last heavy downpour. Provincial ministers Nasir Shah, Shabbir Bijarani, Sharjeel Memon and Qasim Naveed accompanied him.

(By The Newspaper's Staff Reporter Dawn, 16, 08/08/2019)

### **NAB now working in cahoots with encroachers, observes SC**

The Supreme Court ordered on Friday the National Accountability Bureau to submit a fresh report regarding the construction of a building on an amenity plot, located near Aladdin Amusement Park, in two weeks.

A three-member bench, headed by Justice Gulzar Ahmed and comprising Justice Faisal Arab and Justice Sajjad Ali Shah, was hearing the case at the SC's Karachi registry. National Accountability Bureau (NAB) Investigation Officer Ramesh Kumar submitted the report. The court expressed annoyance with the NAB officials, with Justice Ahmed observing that the NAB was now siding with the accused. NAB is also presenting a fake report on illegal allotments, the court remarked. The allotment of this building was against our orders. That means NAB is also on their side.

The report was sought from the NAB Chairman but an investigation officer is presenting it, the court noted, adding that the investigation officer should also be sent to prison.

Justice Sajjad Ali Shah questioned how a Qatari national was given the land of the Evacuee Department. Justice Ahmed questioned how many more Qataris will be born to run the country? Land was allotted to how many Qataris? What services has this Qatari offered to Pakistan for which land was allotted to him? "Don't do this. Look what has become of our country. Don't submit such a fake report to us," remarked Justice Ahmed. He questioned what the NAB chairman was up to and whether the accountability watchdog had teamed up with the accused too. A brief report has been submitted instead of examining the records, the court observed.

The court rejected the NAB's report and ordered it to submit a fresh one in two weeks.

#### **KCR doomed**

The SC summoned the Attorney General, federal finance secretary and planning secretary and ordered them to present video recordings of the Karachi Circular Railway's route, its land and the anti-encroachment drive.

Justice Gulzar Ahmed headed a meeting in the Supreme Court's Karachi registry, where the Sindh chief minister presented a detailed report regarding the KCR and other upcoming mega projects in Karachi.

According to the report, the Sindh government has opposed the restoration of the KCR. It states that is impossible to restore the old circular railway. There were 24 stations of the circular railway and almost all have been encroached upon.

The city would be torn if the KCR was restored, the report reasons, adding that bridges and the Green Line project has been built on the land of KCR. Other big projects are being started instead of restoring the KCR, which would have the capacity to accommodate 600,000 commuters daily. The Sindh government, therefore, requested the court to review its orders regarding the tram and circular railway.

#### **Sea Breeze Plaza**

In a separate case, the SC formed a committee, comprising experts of the National Engineering Services Pakistan (NESPAK), Pakistan Engineering Council and Sindh Building Control Authority (SBCA) to examine the building of Sea Breeze Plaza and submit a report in two months.

The same bench was hearing the case regarding the declaration of Sea Breeze Plaza unsafe. SBCA and Karachi Cantonment Board (KCB) officials submitted a report which states that the judicial orders have been complied with. The SBCA has formed a panel and its own engineers will examine the building.

Justice Ahmed remarked that the NESPAK should determine if the building is safe or not. "What is NESPAK's procedure to examine a building? What assistance can Pakistan Engineering Council provide?" questioned Justice Ahmed, adding that a panel should be formed to examine the structure.

The court expressed annoyance with the KCB for submitting an unsatisfactory report. The court inquired who had given the permission to construct the building and where were the details. The court also questioned why the KCB didn't have a system to examine its own building.

The court ordered the committee to determine whether the building was safe or not. It also suggested giving the building under the commissioner's control until the report was submitted.

#### **KE-KMC row**

The SC directed on Friday the K-Electric and Karachi Metropolitan Corporation (KMC) to settle the issue regarding payment of bills in two weeks.

A two-member bench, comprising Justice Mushir Alam and Justice Munib Akhtar, was hearing the case at the Supreme Court's Karachi registry. The court remarked that it would be better for the Sindh government and other parties to decide the issue themselves, otherwise the court would look into the matter and make a decision itself.

The court questioned if it was their job to settle such issues. Justice Alam remarked that if the Sindh government couldn't run the province's affairs, it should just leave.

(By Our Correspondent The Express Tribune, 04, 10/08/2019)

### **PMA urges PM to ban celebratory firing**

The Pakistan Medical Association has written a letter to Prime Minister Imran Khan in which it expressed its concern over the increasing trend of celebratory firing in the country that results in killing and injuring people.

Dr S.M. Qaisar Sajjad, secretary general of the PMA, said on Wednesday that he had sent a letter to the prime minister in which the PMA had asked the PM to take cognizance of the alarmingly increasing trend of celebratory firing generally witnessed on various significant occasions that ended up in fatalities or injuries.

"Being a major stakeholder in the overall national healthcare delivery mechanism, the Pakistan Medical Association has always shown its concern over the basic right of life and health of the people of our country, whenever it is violated, said the letter.

The teeming metropolis resounded with aerial firing reported from various neighbourhoods on Independence Day as major hospitals reported arrival of a number of people getting injured by stray bullets.

The PMA official drew the PM's attention to a recent such incident at a wedding in Lahore that took lives.

"This practice is an open violation of law that often kills innocent people.

Unfortunately this practice has never been stopped and such horrifying incidents take place regularly.

Dr Sajjad said over the years, the trend of aerial firing on Chand Raat, New Year's Eve, Independence Day, weddings and celebration for victory in elections had increased.

"This celebratory firing results in grief for others, killing and injuring innocent people. Most survivors of this firing suffer from paralysis. This is all due to negligence of our institutions that are responsible for protecting lives of people of Pakistan.

"How long will the citizens suffer from these merry-makers? It is time to get rid of this menace. The authorities concerned had never taken it seriously and they never came up with a zero-tolerance policy for celebratory gunfire," said the PMA official.

He said being a patient-friendly organisation, the PMA requested the PM to take notice of the situation and ban "this ugly tradition of aerial firing for any celebration to save the lives of innocent people".



(By Our Staff Reporter Dawn, 14, 15/08/2019)

### Performance of model courts

A total of 12,584 murder and narcotics cases have been decided in around five months by 167 model courts established across the country to conduct speedy trials, according to official data. Against the backdrop of 1.9 million cases pending before law courts at different levels as of January 21, 2019, this is indeed an encouraging sign. This shows that the setting up of model courts is giving the desired results. The Chief Justice of Pakistan, Justice Asif Saeed Khosa, had ordered the setting up of model courts for swift disposal of the criminal cases involving heinous offences that mostly remain pending before overburdened sessions courts. The model criminal courts (MCTCs) decided 4,897 murder and 7,687 narcotics cases by conducting expeditious trials since their establishment on April 1 this year. A total of 55,619 witnesses were examined in these cases. A district and sessions judge of the MCTC Islamabad-West topped the list by deciding 69 murder cases, followed by an additional district and sessions judge of the MCTC Qambar-Shahdadkot who decided 60 murder cases. An additional district and sessions judge of the MCTC Mardan decided 55 murder cases.

The statistics show that the model courts in all the four provinces and the Islamabad Capital Territory have given good results by deciding cases in a few months which might otherwise have dragged on for years.

In most developing countries, court cases linger on for years and decades. There are several causes of this. Law courts have to be fully satisfied before they deliver their judgments. The basic principle on which law functions is, let 99 murderers go scot free, but no innocent should be punished. Law courts are not supposed to rush through while deciding cases. However, sometimes circumstances arise when speedy trial courts are set up to clear logjam of cases. Adjournments sought by lawyers also delay cases. In recent years in Pakistan, lawyers often go on strike to protest issues confronting society as a whole and sometimes only themselves. Unnecessary delays in dispensation of justice should be discouraged. This is what the model courts are doing. (By Editorial The Express Tribune, 16, 03/09/2019)

### Sindh CM discusses \$1.9b WB-assisted projects with WB delegation

A delegation of the World Bank (WB), led by its country director, Patchamuthu Illangovan, met Chief Minister Syed Murad Ali Shah on Monday to discuss ongoing projects worth \$1.9 billion and future projects in the pipeline.

The meeting was held at the Chief Minister House and was attended by Local Government Minister Nasir Hussain Shah, Labour Minister Saeed Ghani, Adviser to CM Murtaza Wahab, Chief Secretary Mumtaz Shah, Planning and Development Chairperson Nahid Shah, Karachi Water and Sewerage Board MD Asadullah Khan and other relevant officers. The World Bank delegation comprised operations manager Melinda Good, program leader Lixin Gu and senior operations officer Amena Raja.

#### CLICK

The Competitive and Livable City of Karachi (CLICK) is a Rs33.6 billion (\$240 million) WB-assisted project in which the Sindh government has committed to share \$10 million.

The project is aimed at improving the performance of Karachi's local bodies and agencies involved in urban management, financing and service delivery programmes and improving the business environment for private sector development in the city.

The proposed project will support four major components to be executed under the supervision of local government, excise and taxation and Sindh's investment departments. Under the project, local bodies would be given performance-based grants. The urban property tax system would be improved, while technical assistance would be given to the Sindh Solid Waste Management Board.

The chief minister told the WB delegation that the project has been cleared in the Central Development Working Party and by the Executive Committee of National Economic Council (ECNEC). Now, it can be started with the approval of the World Bank. The World Bank director said that he would issue its clearance letter within a month.

#### KWSSIP

The Karachi Water and Sewerage Services Improvement Project (KWSSIP) Phase-I is a Rs14.72 billion project in which the WB would give 40 per cent or \$42.084 million as assistance while the Asian Infrastructure Investment Bank would also give 40 per cent as soft loan. The provincial government would bear Rs2.945 billion or 20 per cent of the total cost of the project. The project would be completed in five years.

The KWSSIP aims at addressing the challenges of the city's water supply by designing and delivering institutional governance reforms in the KWSB to improve services and reduce the trust deficit between the citizens and the organisation, undertaking long-term strategic infrastructure investments to deliver improved services and funding key preparatory studies.

The project is part of a multi-phased approach programme, costing \$1.6 billion, which will be implemented in four phases in 12 years, having both components of reforms and investments aimed at providing relief to the entire population of the city.

The P&D chairperson informed the meeting that the project has been approved by the ECNEC on August 29, 2019.

**Education**

The Chief Minister discussed the Sindh Human Capital Investment project with the WB country chief. The CM said that he had proposed reforms to improve the education standards and attain the maximum level of targets. These include transportation facilities for girls, consolidation and upgradation of girls' primary schools to elementary schools, provision of missing facilities in girls' schools, lady teachers' capacity building and bringing back out-of-school children.

The WB country director assured the chief minister of his financial support and urged him to submit the working paper of the project.

**Sindh rural economy**

The meeting also discussed the Sindh Agricultural Growth project worth \$67 million, Sindh Integrated Agriculture Productivity Enhancement worth \$283 million, water sector improvement project of \$283 million, Sindh Barrage Improvement Project of \$324 million and Sindh Resilience Project of \$11 million. These projects are in progress and the chief minister urged the WB to reallocate Flood Shelter funds for the rehabilitation of flood-affected people.

The chief minister also discussed the Yellow Line project and the World Bank country chief told the chief minister to appoint the project director of the project so that it could be taken up.

(By Our Correspondent The Express Tribune, 05, 03/09/2019)

**CM orders building of canal from Gujjo to Pipri**

Sindh Chief Minister Syed Murad Ali Shah has ordered construction of a separate canal from Gujjo to Pipri to provide 200MGD additional water to Karachi. He also directed the Karachi Water and Sewerage Board to reduce its 30 per cent line losses so that 58MGD water could also be saved for the city.

The chief minister took this decision while presiding over a meeting of KWSB to explore ways to improve capacity of the existing system of K- I, II and III under which the city received water.

The meeting, attended by Minister for Local Government Syed Nasir Shah, P&D Chairperson Nahid Shah, PSCM Sajid Jamal Abro, KWSB Managing Director Asadullah and chief engineer, was informed that the current water demand of the city was 1,200MGD against which total water supply was around 406MGD.

The chief minister said that the situation necessitated to plan, design and implement the water supply projects on a war-footing and directed P&D Chairperson Nahid Shah to prepare a scheme for canal construction from Keenjhar to Gujjo and improvement of the exiting conveyance system of the water board from Thatta to Dhabeji and from Hub to Karachi. "The water board has to make itself a self-sustained organisation," he said. "We would be supporting the water board, but the water board will have to improve itself."

*The measure is expected to add 200MGD to city water supply*

KWSB Managing Director Asadullah said that different systems of bulk water supply provided 406MGD to the city. They include K-I, 280MGD, K-II, 100MGD, K-III 100MGD, the Hub source 100MGD. This comes to 580MGD against which total losses have been calculated at 30 per cent, which means 174MGD.

Answering a question, the MD said water allocation for Karachi was 650MGD which was also the designed capacity of Keenjhar-Gujjo (KG) Canal, the chief minister said that when the system had allocation and capacity of 650MGD why the water board was not improving its system which if improved the water board would be able to bring 200MGD into the system and if the losses of 174MGD were reduced by 10 per cent, it would further save 58MGD.

The chief minister directed the water board to construct a canal from Gujjo to Pipri with a capacity of 250MGD water from where it would be pumped into the system which was already functional in the city.

Local Government Minister Syed Nasir Hussain Shah said that the project would cost around Rs11 billion. Contracts for some of its portion were given for the construction of a 135MGD capacity canal.

The chief minister said it would be of 250MGD canal. "I would arrange funds as this city needs water because for want of water other projects are getting late," he added.

Earlier, the local government minister told the meeting that Pakistan Steel Mill was withdrawing 28MGD, Port Qasim 7MGD. At this the chief minister said that Pakistan Steel Mills was not functioning, therefore, their requirement must be reassessed. "We are giving 4MGD to DHA which is much bigger than the area of Steel Town/ Gulshan-i-Hadeed population, therefore, Steel Mills requirement must be reassessed once again," he added.

In reply to another question, the water board MD told the chief minister that 50 per cent losses had been recorded from the 100MGD supply from Hub.

The chief minister said that those losses must be reduced to five to eight per cent.

(By The Newspaper's Staff Reporter Dawn, 16, 05/09/2019)

### PM Imran's focus on Karachi

The gravity of the state of uncleanliness in Karachi can be gauged from the fact that Prime Minister Imran Khan has himself taken serious notice of the situation prevailing in the city for long. The Prime Minister has constituted a high-level committee to work out plans to address issues being faced by the residents of the city, saying that "the future of Pakistan is linked with Karachi as its financial hub". This reiteration of the significance of the metropolis by the Prime Minister shows that he wants to see results. This also shows that the media's efforts in projecting the neglect of Karachi have started to bear fruit. Those who have been maintaining that not being heard is no reason for silence have been proven right.

The committee will be headed by Law Minister Dr Farogh Naseem of the MQM. Federal Ministers Ali Zaidi and Makhdoom Khusro Bakhtiar as well as FWO chief Major General Inam Haider Malik will be the members of the committee. The committee has been asked to suggest measures for improvement of public services in the city.

The meeting, presided over by the Prime Minister, deliberated upon issues like cleanliness, sewerage, supply of drinking water and a mass transit system for the city. The PM expressed concern over the problems being faced by the people in Karachi, and assured the residents that the federal government would do its best for the solution of the problems. In the past few days, three petitions have been filed in the Sindh High Court asking it to tell the relevant authorities to improve the fast deteriorating civic situation in the city. Even then the respondents failed to behave like 'reasonable men'.

The Prime Minister has acted well in time because civic infrastructure and services in Karachi have reached near-total collapse.

Most roads have become very difficult to drive on or even walk safely due to gutter overflows. The sewerage system has almost collapsed. The city is dotted with heaps of garbage. The biggest city of the country looks like a big chunk of a slum, and the situation is only deteriorating.

(By Editorial The Express Tribune, 16, 10/09/2019)

### The Karachi conundrum: PM Imran's committee forms another committee to do its job

A day after Prime Minister Imran Khan constituted a committee to resolve the issues faced by Karachi, the body branded itself the 'Karachi Strategic Committee' and expanded its membership to now include 12 elected representatives – six each from the Pakistan Tehreek-e-Insaf (PTI) and the Muttahida Qaumi Movement-Pakistan (MQM-P). On Tuesday, the committee members put their heads together for the first time to come up with a plan to rescue Karachi from the 'mess it has become over the last decade'.

#### PM's committee

On Monday, the prime minister constituted a high-powered committee in Islamabad, which was tasked with formulating short-, medium- and long-term plans to resolve the issues being faced by the residents of Karachi. The committee is headed by Federal Minister for Law Dr Farogh Naseem of the MQM-P. Other members of the committee were Federal Minister for Maritime Affairs Syed Ali Haider Zaidi, Federal Minister for Planning and Development Makhdoom Khusro Bakhtiar and the Director-General of the Frontier Works Organisation (FWO), Major General Inam Haider Malik.

#### First meeting

On Tuesday, the committee invited more lawmakers into the fold, with a meeting convened to discuss various issues, including garbage, sewerage and water supply.

Addressing the media after what he claimed was a three-hour-long discussion, Naseem said that the committee has decided to look at the legal and constitutional aspects of the issues being faced by the citizens for the last decade or so.

"We are not in confrontation with anyone [provincial government]," clarified Naseem. "We are serious about resolving the issues of Karachi and I assure you [people of Karachi] that this committee will give you results," he claimed.

The federal minister said that the drive initiated by Zaidi, titled 'Clean Karachi', will also continue. He accused the Pakistan Peoples Party government of not doing anything to resolve the issues faced by the citizens in the last 11 years. "We have to resolve the issues of the city, if we want to save it," he justified. Naseem said that all possible resources would be utilised to resolve the basic issues, including garbage and sewerage.

Naseem said that the citizens of other cities such as Larkana have the same rights as those of Karachi, adding that their issues should also be resolved accordingly.

#### No clear time frame

Sources said that the committee has not been given any certain time frame to come up with its recommendations. "It may take a month," said one of the members, who asked not to be named. "The PPP is nothing but garbage and we will remove it too from the city and the province," he added.

Meanwhile, PTI Sindh president Haleem Adil Sheikh told The Express Tribune that the PTI government wanted to give Karachi better infrastructure. "Our government will resolve the issues of Karachi and other cities of Sindh as well," said Sheikh. "We will not leave the people of Sindh at the mercy of the PPP government. PM Khan is serious and wants to immediately resolve all the basic issues being faced by the citizens for years," he added.

Tuesday's meeting was attended by Karachi Mayor Wasim Akhtar, Dr Khalid Maqbool Siddiqui, Federal Minister for Water Resources Faisal Vawda, Aminul Haq, Haleem Adil Sheikh, Firdous Shamim Naqvi, Khurram Sher Zaman, Aftab Siddiqui and others.

### **Sindh gov't's stance**

When the Information Minister Saeed Ghani was contacted for comment, he said that without taking the provincial government on board, the Centre would not be able to achieve anything. "No one has reached out to us," said Ghani, adding that if they do reach out to the Sindh government and it is for the betterment of Karachi's citizens, they would be willing to support the cause.

Meanwhile, when the Sindh government's spokesperson, Murtaza Wahab, was asked about the formation of the committee, he let out a chuckle in response. "What is the plan of action? What is that they want to do?" he questioned.

According to Wahab, the prime minister has constituted this committee without any strategy or plan. "Neither did the PM give any funds for Ali Zaidi's initiative nor has he allocated any funds for this committee," said Wahab. "What about the Karachi package announced by the PM?" he questioned, adding that they wouldn't be able to do anything without funds.

(By Sameer Mandhro The Express Tribune, 04, 10/09/2019)

## **Centre may take over administrative affairs of Karachi: Farogh**

Federal Law Minister Dr Farogh Naseem on Wednesday disclosed that the federal government is considering taking over the administrative affairs of Karachi by enforcing a constitutional clause that he said permits it to do so.

He told *Dawn* that the strategic committee on Karachi was going to recommend to Prime Minister Imran Khan to invoke Article 149 for the uplift of Karachi.

"After getting approval of the cabinet the provision will be exercised and in case of any resistance shown by the provincial government we will approach the Supreme Court under Article 184(1) of the Constitution to seek a directive in this regard and if the province still shows reluctance we will file a contempt petition in the SC," he said.

Earlier, the minister told news channels that right now it was his personal view that the Centre should take over Karachi's affairs. Any decision was likely to be taken by PM Khan during his visit to the metropolis on Sept 14, he added.

Dr Naseem is the head of a high-powered committee recently set up by the prime minister to work out plans to address issues being faced by the residents of Karachi. The committee is tasked with suggesting short-, medium- and long-term measures for the betterment of the metropolis.

Subsequently, the panel in its meeting formed a 12-member Karachi Strategic Committee with six members each from the Pakistan Tehreek-i-Insaf and the Muttahida Qaumi Movement-Pakistan (MQM-P) — the two opposition parties in Sindh.

### *Sindh won't accept the 'unconstitutional' move, reacts provincial minister*

The ruling Pakistan Peoples Party in the province has already criticised the formation of Dr Naseem-led committee as Chief Minister Murad Ali Shah said he had neither been consulted nor taken into confidence on the move.

The law minister, who is an MQM-P senator, talked to different news channels, saying that Karachi's situation demanded the federal government play its role in resolving people's problems without imposing governor's rule or emergency.

"I do not know whether the federal government will accept my suggestion, but in my opinion there is no other solution except this [imposition of Article 149(4)] since other steps are extreme," he said, referring to the governor's rule and declaration of emergency.

He said Article 149 (4) was an independent article, which was retained by PPP and the Pakistan Muslim League-Nawaz when the 18th Amendment to the Constitution was passed. He was of the view that the said article was not against provincial autonomy.

Article 149 (4) reads: "The executive authority of the Federation shall also extend to the giving of directions to a Province as to the manner in which the executive authority thereof is to be exercised for the purpose of preventing any grave menace to the peace or tranquillity or economic life of Pakistan or any part thereof."

Asked whether the Sindh governor or the Karachi mayor would be responsible for Karachi's affairs in case of enforcement of Article 149(4), the law minister said in a lighter vein that details would be unfolded in the days to come.

He also evaded the question whether a special budget would be allocated for Karachi if the federal government took over the city's affairs.

### **Sindh minister's reaction**

Later, Sindh Information Minister Saeed Ghani joined the debate on various TV channels, saying that Article 149 (4) should be enforced in Punjab or in Khyber Pakhtunkhwa where law and order situation and economy were not good as compared to Sindh. Mr Ghani said there was no need of enforcing the said article in Sindh, where situation was much better than other parts of the country.

He said the issues of garbage and sewerage did not fall within the ambit of Article 149 (4). "The federal government can only give directives to the provincial government, but it cannot take over functions of the provincial government," he said, warning that this would undermine provincial autonomy.

He said Article 149 (4) did not give the federal government right to take over powers of the provincial government. "Some people are not willing to tolerate the PPP-led Sindh government," he said. "People of Sindh are also part of Pakistan therefore their mandate should be accepted."

Earlier in the day, Mr Ghani told a press conference that the Sindh government would not allow any "parallel system" to run the affairs of Karachi.

Commenting on the committee formed by the PM for Karachi, he said: "We will not allow any alternative system to be introduced in the presence of the provincial government. The federal government would have to work within the purview of the Constitution and law."

(By Azfar-ul-Ashfaq Dawn, 03, 12/09/2019)

### **Karachi be made federal capital again, suggests Pir Pagara**

Grand Democratic Alliance (GDA) and Pakistan Muslim League-Functional (PML-F) chief Pir Pagara has advised Federal Law Minister Barrister Farogh Naseem that instead of talking about the handover of Karachi to the federal government, he should demand bringing the federal capital back to Karachi from Islamabad because even now it is the most secure city.

Giving his reaction on the statement of the federal law minister that present situation in Karachi calls for exercising Article 149 of the Constitution, which empowers the federal government to tackle the situation in Karachi, he said the move was tantamount to separation of Karachi, which was not acceptable to anyone. Pir Pagara said he was surprised to see the statement as the federal law minister should have given due consideration to the idea before making such statement.

Pir Pagara, who is also spiritual leader of the Hur Jamaat, recalled that when Pakistan came into being, Karachi used to be the capital of the country and majority of those who migrated from India preferred to stay in Karachi, but suddenly the capital was shifted to Islamabad and billions of rupees were spent from the national kitty on the shifting. There was no point in shifting the capital from Karachi to Islamabad, he added.

He said that even now from the point of view of security, Karachi could be the most secure capital of the country. Therefore, he said, Farogh Naseem should demand bringing back the federal capital to Karachi as talking about handing over the megacity to the federal government was not a wise option.

(By The Newspaper's Staff Reporter Dawn, 17, 13/09/2019)

### **Over 15,000 govt cars plying without official plates in Sindh**

Over 15,000 vehicles owned by the federal and provincial governments and their various agencies are plying the roads without the official registration plates as they have yet to collect them from the Excise and Taxation (E&T) Department.

At the top of the list among these departments is the Sindh Police, which is currently using 8,000 vehicles without the official registration plates in various districts of the province.

According to the E&T's records, the vehicles in question have been registered over four years, between 2015 and 2018, but the various government departments and agencies haven't bothered to collect the plates from the E&T Department.

Sindh Minister for Excise and Taxation Mukesh Kumar Chawla has even announced on the floor of the Sindh Assembly that government agencies and civilians should collect the official registration plates for their cars but no one seems to have taken heed.

According to the records, the official registration plates of the cars in the use of the Sindh Police Department, comprising the series of SPH, SPG, SPF, SPE, SPD, SPC, SPB and SPA, haven't been collected from Excise and Taxation Department as yet. Meanwhile, vehicles in the use of Pakistan Standard Quality Control Authority, Ministry of Railways and Aviation Division are also plying the roads with temporary number plates.

Meanwhile, the Sindh government's own agencies include the Education and Literacy Department, Department of College Education, local government, Culture Department, Health Department, Benazir Bhutto Shaheed Youth Development Programme, Anti-Corruption Establishment, Law department, Sindh Labour Department, Services and General Administration and others. The vehicles bearing temporary number plates instead of official registration plates are in the use of senior bureaucrats and other officials.

The cars registered in the names of provincial and federal departments include the registration numbers from the series – GSF, GSE, GSD, GSC, GSB, GSA and GPA.

According to Chawla, the department has more than 70,000 such number plates whose owners haven't reached out to the department to collect them. Using unofficial number plates is a violation of the law. However, the E&T Department seems reluctant to take any action against the federal and provincial agencies for plying vehicles without official number plates.

(By Vakeel Rao The Express Tribune, 04, 13/09/2019)

### PML-N slams proposal to give Karachi in Centre's administrative control

Joining voice against the proposed consideration by the federal government to take over the administrative affairs of Karachi by enforcing a constitutional clause with the Pakistan Peoples Party (PPP), Pakistan Muslim League-Nawaz (PML-N) on Thursday called it a "dangerous precedent" to divide the administrative control of any province and suspected that the Pakistan Tehreek-i-Insaf government in the Centre in fact aimed at rolling back the 18th Amendment.



Speaking at a press conference at the Karachi Press Club on Thursday, former Sindh governor and leader of the PML-N Mohammad Zubair said he was in agreement with the PPP leadership against the proposed imposition of Article 149 of the Constitution by the federal government in the name of uplift of Karachi, calling it an undemocratic and uncalled for proposal, which was not suitable in the current circumstances.

"We strongly condemn this approach and categorically reject any such proposal," he said. "It's a dangerous precedent. It would do nothing but divide Sindh on urban-rural grounds. I wonder [about] the way the MQM [Muttahida Qaumi Movement] was propagating this proposal. It's the MQM which once blamed the PTI for snatching its mandate and now the same party is toeing the PTI agenda. The proposal is actually aimed at rolling back the 18th Amendment and provincial autonomy which no democrat would allow and accept."

*'The move is aimed at rolling back 18th Amendment and provincial autonomy'*

He also questioned the role of PTI legislators elected from Karachi and criticised their silence over the proposed move as such measures would not only affect the PPP governance, but also bring their effectiveness to zero in the province. The former governor strongly criticised the Clean Karachi campaign of the federal government and called it just a media gimmick.

"Has anyone of you heard before that the government and its ministers are calling for donations to do any job for the people?" he asked while making a jibe at Federal Minister for Maritime Affairs Ali Zaidi, who launched and led the campaign but hardly brought any change to the current state of cleanliness in the city. "The two areas of Karachi — Surjani Town and Baldia Town — have been turned into landfill sites after this campaign. Instead of any improvement, the situation worsened and Karachiites are now paying the price for electing the PTI from their constituencies."

He expressed his "surprise" over the approach of the federal government when it came to imposition of Article 149 of the Constitution for the uplift of Karachi referring to the situation in Khyber Pakhtunkhwa where the "provincial administration has failed miserably" while executing different projects.

"The PTI has been ruling KP for the last more than seven years," he said. "The entire city of Peshawar has turned into rubble in the name of a BRT project. The people of the city have even forgotten the launch date of the project but that BRT is nowhere near completion. Should the federal government not make the same move for Peshawar where the provincial KP government has failed to prove its effectiveness?"

He said when the PML-N government took power in 2013, Karachi was ranked one of the most dangerous cities in the world. It was the federal government's resolve and strategy that it restored peace to the city, launched three major projects for Karachiites and kick-started industrial activities in the business capital.

(By Imran Ayub Dawn, 15, 13/09/2019)

### SHC orders payment of lawmakers' arrears in three instalments

The Sindh High Court on Wednesday directed the provincial authorities to pay the arrears of the allowances to the members of the provincial assembly in three instalments after they contended that the Sindh government was facing financial constraints.

Disposing of a set of petitions moved by lawmakers belonging to the Pakistan Tehreek-i-Insaf, Muttahida Qaumi Movement-Pakistan and Pakistan Muslim League-Functional, the two-judge bench headed by Justice Mohammad Ali Mazhar directed the finance secretary, secretary for the Sindh Assembly and the chief secretary to ensure the payment of arrears.

The court said that 50 per cent arrears of the petitioners must be paid on Oct 15, 25pc on Nov 10 and the remaining 25pc on Dec 10 without any excuse.

Around a dozen MPAs had moved the court seeking payment of basic pay and allowances on account of amendment made in the Sindh Assembly Members (Salaries and Allowances) Act, 1974 vide the Sindh Laws (Amendment) Act, 2017.

*MPAs' allowances were increased from Rs72,000 to Rs145,000 per month; salaries of the CM, speaker and ministers were doubled*  
The court observed that earlier directives were issued to the provincial authorities twice to pay the arrears, but on Wednesday the deputy secretary for the finance department yet again came up with a plea that due to financial constraints this amount could not be paid.

The bench further said that the law was made effective from July 1, 2016 though it was notified on July 4, 2019, and arrears had not been paid nor amendment made in the parent act has been implemented, adding that once a law was promulgated, it was the responsibility of the government to implement its own laws.

"It is also noteworthy to mention that this liability has not been denied, but the matter has dragged on the plea of financial constraints," the court order said.

The deputy secretary also made a request again that some more time be granted for making payment in three to four installments.

Khurram Sher Zaman, Dr Seema Zia, Syed Sardar Ahmed, Nusrat Saher Abbasi and others through their counsel, Aslam Bhutta, submitted that the Sindh Laws (Amendment) Act was passed in 2017 and the provincial assembly secretary submitted a summary to the chief minister on Sept 7, 2017, seeking additional funds amounting to Rs666.22 million for meeting the shortfall in funds for MPAs' salaries during the financial year 2017-18.

However, the MPAs contended that the finance secretary had submitted a note to the CM on Oct 6, 2017 to seek Rs664.48m instead of Rs664.22m to meet the shortfall in funds for the salaries of the lawmakers but the relevant provision of the law had not been implemented.

Impleading the chief minister, chief secretary, finance and law secretaries and others as respondents, they submitted that the basic pay and allowances of the MPAs had been increased under the act from Rs72,000 per month to Rs145,000 while the salaries of the CM, the speaker and the ministers had also been doubled, but they had not received arrears yet.

(By The Newspaper's Staff Reporter Dawn, 16, 19/09/2019)

### **Top auditor finds over Rs15tr irregularities by ministries**

The Auditor General of Pakistan (AGP) has pointed out irregularities of more than Rs15.67 trillion worth of public money by the federal ministries and divisions during the audit year 2018-19.

In its report laid before parliament as required under Article 171 of the Constitution, the AGP highlighted a series of violation of rules and regulations, weaknesses of internal control, misappropriation or overpayment of public funds and negligence. The funds audited were of the fiscal year 2017-18 which is described as audit year 2018-19.

The audit objections regarding the accounts of the federal government for the audit year 2018 are far greater (87 per cent) than the Rs5.8tr a year before, showing that financial control over public money has deteriorated instead of having been improved or the AGP office was too consumed in procedural niceties under the decade-old rules and regulations.

This is evident from the fact, for example, that the government raised \$2 billion (Rs280bn) international bonds at 8.25pc and 7.25pc interest with the approval of the prime minister instead of the federal cabinet as required under the rules. While the audit objected to the higher interest rate, the entire amount of Rs280bn was described as irregular and unauthorised without raising questions if the funds were actually justified.

*Highlights a series of violation of rules and regulations, weaknesses of internal control, misappropriation of public funds*

As a consequence, majority of such big ticket items are ultimately regularised by the Public Accounts Committee because these seldom involve corruption or embezzlement. This is also evident from the fact that in the huge sum of Rs15.67tr that attracted audit objections, the actual reported cases of fraud, embezzlement, theft and misuse of public resources involved a paltry amount of Rs862 million. But then there were also serious cases of bad fiscal management highlighted by the AGP.

The AGP in its report, also submitted to the president of Pakistan, put on record that its findings were based on scrutiny of public funds of 40 out of 50 federal entities and did not cover amounts below Rs1m spent or received by these entities. It said that an amount of Rs4.9bn was recovered during the year under review at the instance of the auditor and deposited in the federal consolidated fund.

The AGP highlighted a total of 39 cases of weak internal control amounting to Rs14.56tr involving several ministries and divisions and related entities abroad. Again, some of them were also included in 51 cases pertaining to weak financial management involving a total amount of Rs14.735tr. Also, 237 cases of Rs293bn were pointed out involving irregular expenditures or payments in violation of rules.

There were 56 cases of recovery amounting to Rs186bn, while in four cases record relating to Rs1.06bn was not produced on the auditor's demand.

Interestingly, the AGP also questioned misrepresentation of more than Rs9.96tr worth of supplementary grants by the Ministry of Finance and the Accountant General of Pakistan Revenue (AGPR) which are required to ensure sound financial management of the federal government. The audit described it as a "high risk" area because it violated Articles 80-84 of the constitution because the finance ministry did not print these supplementary grants in budget accounts which accounted for 94.32pc of the total supplementary grants.

It said the total supplementary grants as per manuscript of appropriation accounts for the fiscal year 2017-18 stood at Rs10.561tr, but only Rs599bn of these grants had been printed in schedule of authorised expenditure, leaving an unauthorised expenditure of

Rs9.962tr.

The AGP said the finance ministry was required to place all supplementary grants before the National Assembly for approval, but it was not done and such large amounts remained unreported. The finance ministry's response that supplementary grants received from various ministries and divisions beyond a cut-off date could not be made part of the book presented to parliament was found untenable.

Moreover, the AGP noted that the ministries and divisions had incurred an expenditure of Rs3.643tr in excess of final grants available to them and in fact heads and principal accounting officers of the ministries were not authorised to incur excess expenditure without any supplementary grants or within original budget allocation. This also included about Rs3.48tr of excess payment of domestic debt.

The AGP also expressed concern over non-surrendering of savings worth Rs411bn by various ministries and divisions, resulting in lapse of funds. This was violation of financial rules that require that all anticipated savings should be surrendered to the kitty immediately they are foreseen but not later than May 15 each year. This could have pre-empted utilisation of funds by some other deserving areas.

The AGP also highlighted about Rs55bn less payment to the provinces under their National Finance Commission shares through over-deduction of collection charges and unauthorised overpayment of Rs35bn to Balochistan.  
(By Khaleeq Kiani Dawn, 01, 20/09/2019)

### Litterbugs will be prosecuted in Sindh

A day after the Sindh government imposed a ban on littering, spitting and throwing the debris in public places under Section 144 of the Pakistan Penal Code, police claimed to have booked six persons for open littering on Thursday.

The first FIR was registered by the Sukhan Police against a citizen for throwing garbage on the road. The other five persons were arrested by the Korangi Industrial Area Police for dumping garbage at an illegal dumping station. Police also claimed to have seized a truck and two Suzuki pickups from their possession, while charging them under Section 188 of the Pakistan Penal Code.

#### Clean My Karachi

Earlier this week, the provincial government announced its plan to rid Karachi of the garbage backlog and ensure that there is no litter on the roads.

Speaking to *The Express Tribune* in this regard, Adviser to Sindh Chief Minister on Law and Environment Barrister Murtaza Wahab said, "We are hopeful that we will be able to clear the city of the garbage backlog within 30 days, after which, the district municipal corporations and Sindh Solid Waste Management Board will be tasked with maintaining the cleanliness."

Wahab added that all deputy commissioners and SSPs have been directed to implement the ban on open littering under Section 144 to deter people from throwing their garbage in the open. "We can clean the areas now, but people will start throwing their trash in the open again," said Wahab, adding that they were considering imposing penalties on citizens found to be violating the ban. "But all this is a temporary arrangement until we remove the years-old garbage and hand over the affairs to the municipal bodies," he said. "During the last five days, we have collected over 138,000 tonnes of garbage," the CM's adviser told *The Express Tribune*.

For his part, the local government secretary, Roshan Ali Shaikh who has recently been assigned the task to supervise the cleanliness drive, said that they have devised a mechanism to meet the targets.

"The debris of under-construction buildings contributes 30 to 40 per cent of the total garbage in the city," he told *The Express Tribune*. "We have met officials of the Sindh Building Control Authority and asked them to stop builders from throwing debris on the roads."

The secretary added that they would issue notices to those who violate the orders and will impose penalties, or even arrest them and seal their under-construction buildings. "For the first time, we are going to form Mohalla committees at the union council and street level, comprising elected representatives, citizens and political activists to ensure the cleanliness in their respective areas."

He added that the government has fixed 30 days as the deadline for removing the backlog and will facilitate the Solid Waste Management Board and DMCs to continue their operation in the future.

#### Question of sustainability

Urban planners and various stakeholders have, however, expressed dismay over the politics of garbage lifting in the city following the differences that surfaced between the Sindh government, the Karachi Metropolitan Corporation and the federal government.

"The federal government's two-week campaign could not see the light of day," lamented Zahid Farooq, the joint director of the Urban Resource Center. "Nothing will happen until and unless the UCs are empowered with resources to deal with this issue."



People have become habitual of throwing garbage in the open. How many would be punished by registering FIRs?" he questioned, adding that after collecting garbage from various areas, the government is dumping the same at the 'Garbage Transfer Sites' known as GTS, which is located in densely-populated areas.

"I live in Paharganj area of North Nazimabad where the government has set up a GTS where a mountain of trash can be seen. Every other day, burning garbage causes serious health problems. How one can see the change in this case?" he questioned.

The LG secretary said, however, that they plan to transport the garbage from the GTSs to landfill sites soon. "Please forget the past," he requested. "We are now planning to sustain our campaign and make it successful," he said, adding that he has held meetings with officials of cantonment boards, Port Qasim, KPT, Railways, Bahria Town and various societies to discuss ways of transferring their garbage to landfill sites. "We have clearly warned them not to throw their garbage in open spaces, otherwise the drivers will be arrested and their vehicles confiscated," said Sheikh.

On the other hand, Chief Minister Syed Murad Ali Shah, who has been visiting various areas to monitor the ongoing drive, said that his administration is replacing the old dustbins with new ones and around 176 have been placed in District South.

The CM directed all SSPs to work with the respective deputy commissioners and arrest the miscreants stuffing stones and boulders in manholes and stealing dustbins. "I am determined to make this city clean once for all and will not allow anyone to create problems," he warned.

#### **Ban on plastic bags**

Besides, the Sindh government has also decided to enforce the ban on plastic bags from October 1. In this connection, the government will initially ban non-biodegradable bags.

"Unlike the federal government, we have decided to ban those bags, which don't degrade in the open environment," said Wahab, who happens to be the CM's adviser on environment. "I have held meetings with the plastic manufacturers' associations and they have agreed to cooperate with the government and make environment-friendly biodegradable bags," he said, adding that the government would also start an awareness campaign to educate people about the hazardous effects of plastic bags. (By Hafeez Tunio The Express Tribune, 04, 27/09/2019)

### **SHC orders formation of task force to address stray dogs' issue**

The Sindh High Court on Tuesday directed all six district municipal corporations in Karachi to make immediate arrangements about detention and control of stray dogs.

It also asked the provincial government to constitute a task force to help out the DMCs.

A two-judge bench headed by Justice Mohammad Ali Mazhar ordered the provincial health secretary to ensure that there must be no shortage of anti-rabies vaccine in all 29 districts of Sindh for treatment of dog-bite victims.

It also ordered the secretaries of the health and local government departments to expedite a proposed project to be launched in collaboration with a non-governmental organisation to retain dogs and release them after sterilisation and vaccination.

At the outset, health secretary Saeed Awan submitted a report in compliance with an earlier order on a petition about stray dogs and shortage of anti-rabies vaccines (ARV) at all government-run hospitals in the province.

*The SHC is informed that around 16,359 anti-rabies vaccines are available in 313 hospitals across the province*

He submitted that around 16,359 ARV were available in 313 hospitals including district health offices in the province.

Metropolitan Commissioner Dr Saif-ur-Rehman submitted that the Karachi Metropolitan Corporation was looking after 14 hospitals, out of which four were general hospital — Abbasi Shaheed Hospital, Sarfaraz Rafiqi Shaheed Hospital, Gazdarabad Hospital and Landhi Medical Complex — and anti-rabies vaccine was available there.

He said that the vaccines had been arranged by the KMC through its own funds and no financial assistance was provided by the LG department. He assured the bench that in future they would arrange vaccines as per requirement.

LG secretary Roshan Ali Shaikh was also in attendance. He submitted that his department had issued a letter last month asking the Karachi mayor, DMCs, town officers and town committees of the province to launch an effective and well-coordinated campaign to check dog-bite cases and culling of stray dogs.

The municipal commissioners of all the six DMCs of the provincial metropolis were also present in court and filed their comments. They were of the view that they had already made efforts for culling of stray dogs.

In the last hearing, the DMCs expressed their helplessness to detain and control stray dogs due to a financial crunch.

However, the health secretary informed the bench that South, West, Korangi, Central and Malir DMCs had sent their requisitions for funds, whereas the municipal commissioner of DMC East submitted that he would send the requisition on Tuesday to the office of the LG secretary for consideration.

The bench observed that huge funds were not involved in launching a campaign against stray dogs, but an effort can be made with some limited resources if it was done willingly.

It directed all the municipal commissioners and the representatives of the DMCs to arrange vehicles and deploy staff in their areas to immediately handle the situation so that public at large may be saved from dog-bite incidents.

The court sought specific reports in the next hearing.

The bench also directed the LG secretary to constitute a task force to handle the situation and wherever required the task force — to be constituted by the provincial government — would help the DMCs.

The LG secretary also submitted that a project — street dog population control and fight against rabies — had been launched with the help of the Society for the Protection of Animal Rights.

He further said that several steps had been taken to launch the project and a model centre for TNR (trap, neuter and release) had been constructed in Ibrahim Hyderi in collaboration with the Indus Hospital to retain dogs for their sterilisation, vaccination and release.

He stated that the PC-I of the project had still not been prepared, adding that PC-I would be prepared within a week and be submitted to the planning and development department for approval.

The bench directed the health and LG secretaries to submit a progress report on Nov 7 and observed that since the matter was of grave importance they were also directed to expedite the proposed project and file a report stating when this project would be implemented in its letter and spirit.

A petition filed by Advocate Tariq Mansoor said that dog-bites incidents had been on the rise due to the failure of the provincial and local administrations in tackling the situation as stray dogs had not been dealt with. He also said in the petition that anti-rabies vaccines were not available at government-run hospitals.

#### **CNG kits, cylinder fitness security**

The same bench on Tuesday directed the provincial authorities to expedite the process regarding the proposed draft bill of the Sindh CNG Kit & Cylinder Fitness Authority and sought a positive progress report till Nov 11.

Hearing a number of petitions about use of substandard CNG kits and cylinders in commercial vehicles as well as school vans, the bench also issued a show-cause notice to the chief inspector, explosives over his absence despite service of a notice.

Regarding the proposed legislation, the additional advocate general (AAG) submitted that the draft was being vetted by the law department.

The bench observed that the issue was very important but the provincial government was not giving it priority.

It directed the AAG to communicate to the chief secretary to expedite the process and a positive progress report should be submitted at the next hearing.

(By Ishaq Tanoli Dawn, 15, 23/10/2019)

#### **Govt employee, ringleader of carjackers among five held**

The Anti-Vehicles Lifting Cell (AVLC) of the police claimed on Saturday the arrest of five suspects allegedly involved in lifting of cars and motorbikes and seized five cars and a motorcycle from their custody, said AVLC SSP Sarfaraz Nawaz.

One of the held suspects was the ringleader of the carjackers' gang who had also been involved in a kidnapping for ransom case in the Defence Housing Authority last year. Another suspect was stated to be an employee of the Sindh government.

The held suspects were identified as Abdul Rasool, alias Kaleem; Ikram, Gulsher, Mehboob and Abdul Latif.

#### *Suspects sold stolen vehicles in different parts of Sindh & Balochistan*

The SSP claimed that Abdul Rasool, a resident of Shikarpur, was a notorious car snatcher and kidnapper.

“He is head of a currently active gang of car snatchers in Karachi,” said the officer.

Two Corolla cars of 2019 model, snatched on Oct 23 in Sir Syed Town and Gulistan-i-Jauhar, were found in his possession.

“He is also wanted in kidnapping of Latif Sorthya, who was kidnapped for ransom in the DHA last year,” said SSP Nawaz.

He not only snatched cars but also purchased snatched and stolen cars and sold them to his customers in other districts of Sindh and Balochistan. He had been arrested earlier also and has a criminal record of almost eight cases.

Another held suspect, Ikram, stole cars and sold them in Rahim Yar Khan to Ismail Bugti. He is a painter and lived near Safoora Goth, originally hailing from Rahim Yar Khan.

A Corolla car, which was stolen on Oct 24 in Mobina Town, and a Suzuki pickup in the Aziz Bhatti police station area, have been seized from him.

A third held suspect, Gulsher, not only stole cars but was also a purchaser/broker of stolen cars.

A Corolla (model 2012) has been recovered from his possession. It was stolen on Oct 5 in the Tariq Road area.

He also purchased stolen cars and sold them to his contacts in the rural areas of Sindh and Balochistan.

"He is a resident of Mirpur Mathelo in Ghotki and is an employee in the local government department," said the SSP.

A fourth held suspect, Mehboob, was involved in stealing motorcycles. He had been arrested several times earlier also and has a criminal record of 37 cases, of which 28 cases are of motorcycle theft. He lifted motorcycles and sold them to his customers in Balochistan.

He also purchased motorcycles from criminals and sold them to others.

He was arrested with another suspect, Abdul Latif, who had come from Balochistan to buy a snatched motorcycle.

The motorcycle, which was snatched on Oct 23 in the jurisdiction of the Sohrab Goth police, has also been seized from them.

Latif had come from Khuzdar, Balochistan, to buy the snatched motorcycle from Mehboob, said SSP Nawaz.

Mehboob has also lifted several motorcycles from NED University and Karachi University, added the officer.

"Raids for further arrests and recoveries are under way," he added.

(By Newspaper Staff's Reporter Dawn, 15, 27/10/2019)

### A bureaucracy paralysed

THE impression that the bureaucracy is reluctant to discharge its responsibilities because of the fear of various accountability processes has been confirmed in an authoritative study that has made the administration's fine-tuning a priority task.



The study, titled Bureaucratic Decision-Making Amid Multiple Accountability, has been done by senior administrators Shahid Raheem Sheikh and Saifullah Khalid, for the National Institute of Public Policy, of the National School of Public Policy at Lahore, and issued as an NIPP policy paper.

The study is based on 610 full responses, from 721 civil servants in BPS 17-22. The sample is significant. Out of the 581,240 civil servants on federal government posts 95.02 per cent are in BPS 1-16 and only 4.98pc are in BPS 17-22. These officers hold positions at crucial decision-making levels." Of the respondents, 49.1pc are in BPS 17-18 and 49.3pc in BPS 19-20. While 13.5pc of them have service experience of between three and five years and 21.9pc of 13-17 years, a much higher proportion (61.5pc) have been in service for more than 17 years.

The respondents were asked for their views on the stated current state of bureaucratic indecision and what their opinions were regarding the four factors that are contributing to indecision. The respondents' replies deserve serious attention.

About the public perception of their indecisiveness, a majority of the civil servants say that although they are working hard and are competent enough to solve complex problems, (a) the bureaucracy is not taking decisions, (b) the bureaucracy is avoiding responsibility, (c) the bureaucracy is not accessible to the public, (d) the bureaucracy lacks a problem-solving approach, and (e) the bureaucracy gives preference to personal interests instead of to public interests.

*Civil servants and students of public administration will benefit from a detailed study on the bureaucracy.*

As regards the role of NAB, a majority of the respondents agree that (a) NAB is not independent of external influence; (b) NAB officers lack strong professional experience or technical competence; (c) there is a lack of clear boundaries between different accountability organisations; (d) governments have used NAB as a weapon against civil servants considered close to political opponents; (e) accountability procedures are generally insulting and humiliating for civil servants; and (f) NAB arranges media leaks against civil servants.

As regards perceptions about the role of the judiciary and public interest litigation, the majority of respondents say: (a) the purpose of judicial review is to safeguard public interests; (b) the intervention of the judiciary in administrative matters is not judicious; (c) frequent use of suo motu powers does not improve administrative decision-making; (d) public servants are delaying decisions because of fear of judicial accountability; and (e) the superior judiciary humiliates the bureaucracy during court appearances.

As for the role of the media, the majority view is: (a) the mainstream media does not accurately report administrative decisions; (b) the media does not avoid sensationalism; and (c) the media reporters are generally not well-educated about administrative processes.

As regards the impact of political influence, the majority view is: (a) a politician-civil servant nexus exists; (b) this nexus causes stagnation in development work; and (c) this nexus leads to financial corruption.

The study also takes note of civil servants' views on internal control and discipline mechanisms the Civil Servants Conduct Rules (1964) and Efficiency and Disciplinary Rules (1973). A large majority (70pc) of the respondents' claims awareness of the Conduct Rules of 1964 and about 55pc consider these rules as detailed for checking any malfeasance. However, 42pc of the respondents think the rules are not frequently used and 37pc feel that these are not preventing bureaucratic misconduct, Over 82pc of the respondents are familiar with the Efficiency and Disciplinary Rules, about 63pc perceive the rules as detailed for checking any malfeasance, but only 44pc consider them as sufficient to prevent corruption.

**The remedies suggested are as follows:**

The challenges to decision-making must be honestly accepted.

A sustained and mutually respectful dialogue between the bureaucratic leadership and NAB is necessary to address adversarial perceptions.

Judicial oversight is necessary but personal humiliation of civil servants is neither necessary nor helpful in improving the decision-making climate.

Formal guidelines should be available to the bureaucratic leadership to allow for mitigation of media misrepresentation of subordinate officials.

Efforts to shield bureaucratic decision-makers from the undue influence of political bosses should continue.

Further efforts are necessary to probe the reasons for stagnated decision-making.

To these points one may add the need for strict enforcement of internal conduct and disciplinary mechanisms.

Some other factors contributing to civil servants' fears are said to be the arrest of Ahad Cheema and Fawad Hasan, Brigadier Asad Munir's suicide, and cases against a number of civil servants that made the establishment secretary declare that the bureaucracy is frightened by the current accountability drive as many officers are being harassed (by NAB and FIA). (This view was rebutted by the NAB chairman.) And the bureaucracy hasn't forgotten the purges carried out by the Ayub, Yahya, Bhutto and Ziaul Haq governments.

Civil servants, students of public administration and commentators will benefit considerably from the publication as it includes a good literature review and a useful discussion on decision-making.

One factor of indecision that is missing in the policy paper is the decline in the quality of talent available to the civil services, thanks to the falling educational standards and lack of respect for the reports of the Federal Public Service Commission. Perhaps a survey of the curtailment of civil bureaucracy's writ also is necessary.

Even after making allowances for subjective factors the study makes a strong case for removal of the bureaucracy's fears as an administrative paralysis is only one step short of disorder. Regardless of citizens' grievances about the bureaucracy's insensitivity to public interest, the country cannot do without an efficient bureaucracy and guarantees of protection for honest officers, especially those who can give correct advice to their political bosses.

(By I.A. Rehman Dawn, 08, 31/10/2019)

### **\$1.2bn penalty waived as Karkey dispute resolved: PM**

Prime Minister Imran Khan has revealed that Pakistan and Turkey have resolved the dispute involving Karkey — a Turkish ship-mounted power plant — saving the former from \$1.2bn penalty imposed on it by the International Centre for Settlement of Investment Disputes (ICSID).

In a message on Twitter on Monday, PM Khan said the dispute was resolved with the help of Turkish President Recep Tayyip Erdogan.

"PTI government with the help of President Erdogan, has amicably resolved the Karkey dispute and saved Pakistan from \$1.2 billion penalty imposed by the ICSID," read the tweet.

In another such message, Mr Khan said: "I want to congratulate the government team for doing an excellent job in achieving this."

It has been learnt that \$1.2 billion was the total amount of penalty against Pakistan, but after the waiver Pakistan has to pay nothing in the case.

PTI's leader Babar Awan had said last month that backdoor negotiations were under way and some international institutions have agreed to waive the penalty.

(By Syed Irfan Raza Dawn, 01, 05/11/2019)

### **Flouting rules: Sindh govt appoints Nisar Khuhro as pro-chancellor of public varsities**

The Sindh government has appointed Nisar Ahmed Khuhro as the pro-chancellor of all public universities in the province, raising concerns of further irregularities in an already mismanaged sector.

Khuhro, who is currently the Pakistan Peoples Party's Sindh chapter president, was earlier disqualified by an election tribunal for not declaring property, a wife and a daughter.

The move is in clear violation of the Public Universities (Amendments) Act 2018, which mandates that the pro-chancellor must be a cabinet minister to assume the position.

Khuhro will now be serving as the pro-vice-chancellor of all public universities of Sindh, including varsities specialising in engineering, technology, business and law, the notification stated, while referring to Khuhro as a minister for universities and boards, rather than an adviser.

The PPP Sindh chapter president has replaced former pro-vice-chancellors, Sardar Ali Shah and Nasir Hussain Shah, both of whom assumed the powers of ministers after being elected as members of the provincial assembly.

According to the Public Universities (Amendments) Act 2018, the incumbent pro-vice-chancellor must be a 'cabinet minister' and not an 'adviser', which implies that only an elected MPA, who has been appointed as a minister, can take up the position.

Meanwhile, Nisar Ahmed Khuhro, who is currently only an adviser and does not hold the office of a provincial minister, has been chosen as the pro-chancellor with the approval of the chief minister of Sindh and after the issuance of formal notification by the secretary of Universities and Boards Department of the provincial government.

Earlier, public universities of Sindh, being set up and governed under separate acts, had a joint pro-vice-chancellor who happened to be the provincial education minister. After the promulgation of the Public Universities (Amendments) Act 2018, however, the role was given to the cabinet minister, with no mention of an adviser anywhere in the act.

When contacted, Khuhro's spokesperson, Shakeel Memon, said that Khuhro has been regularly invited by the provincial cabinet in its meetings, therefore, based on his status, he has been given the charge of pro-vice-chancellor of public universities in Sindh.

"According to the Public Universities (Amendments) Act 2018, there is no mention of an elected or non-elected minister, therefore, Nisar Ahmed Khuhro has been appointed as the pro-vice-chancellor."

#### **Sindh HEC's hasty move**

Meanwhile, the Sindh Higher Education Commission (HEC), after holding a one-time meeting, has hastily issued a notification related to the appointment of its representatives to the board of governors of all private universities and higher educational institutions of Sindh without making any amendments to the relevant Act of the provincial assembly.

Per the notification, a copy of which is available with The Express Tribune, the appointed representatives will be able to participate in meetings of the boards and hold the power to influence policymaking and legislation of the universities.

Sources say that the representatives would be inducted in the boards of 31 universities and degree-awarding institutions of Sindh and will comprise civil servants of the provincial government, vice-chancellors of public sector universities and a few individuals from the private sector.

The decisions have been made at a time when private universities of Sindh have a dearth of HEC representatives which has led to intense administrative crises. To top it off, the vice-chancellors and owners of private universities maintain that they cannot allow HEC representatives in their board sessions without the necessary amendments in the Constitution.

According to the chancellor of a renowned private university in Sindh, the provincial HEC has sent a notification and a list enclosed with it to the varsity administration. The notification refers to Sindh HEC's eighth meeting held on July 15, 2019, in which it was decided that some people have been nominated to represent the provincial HEC in the boards of private universities and degree-awarding institutes.

All universities will be required to invite the nominated HEC representatives to their board sessions, the notification reads, adding that a copy of the invitation for board meetings must also be forwarded to the Sindh HEC.

#### **The law**

According to the rector of another private university, the composition, power and structure of the board of governors are specified in the constitution of all universities which becomes law after formal approval of the provincial assembly. The constitution is prepared as per the guidelines of the federal HEC and includes provisions for sponsoring bodies of the university,

along with names of its financiers, HEC chairman, chief justice of SHC or his nominee, secretary education, president of the chamber of commerce, rector or VC of the university as well as renowned academicians or people from civil society.

Since the composition of the board is pre-approved by the assembly, there is no way that the representative of any other body or authority can be inducted in the board without necessary legal amendments. Hence, Sindh HEC appears to neglect the fact that the inclusion of any representatives of HEC would defeat the purpose of the constitution or charter of the university and invalidate the decision taken thereon.

Deputy Director Administration of Sindh HEC Khalid Hussain Mehr said that private universities were established after the approval of the acts by the Sindh Assembly.

"The acts clearly state the word secretary education to refer to the government's regulatory body, which implies secretary of universities and boards. The Sindh HEC has nominated its representatives for boards of private universities after a formal meeting of the commission," Mehr said.

He added that the representatives permitted to attend the meetings of the board of governors of the private universities comprised vice-chancellors of various public sector universities as well as some private individuals. However, he could not furnish a satisfactory answer as to why HEC had not inducted the universities and board secretary for the purpose. Mehr, however, admitted that there has been no amendment in the Universities Act for the purpose.

(By Safdar Rizvi The Express Tribune, 05, 06/11/2019)

### Karkey fine

IT is a welcome development that the government has succeeded in negotiating a waiver of the fine imposed on the country in the dispute with Karkey Karadeniz, the Turkish company that had set up a rental power plant in Pakistan and that became the subject of intense judicial intervention. The amount that was awarded to Karkey by the International Centre for the Settlement of Investment Disputes was \$1.2bn, a substantial sum for a country that is on an IMF programme. Having the disputed amount settled through the government's intervention has surely helped the country.

What is worth considering here, however, is how much it took to extricate the government from the mess that was created by that judicial intervention in a set of commercial agreements. The governments of Pakistan and Turkey had to take up the matter at the highest levels — such accommodations do not usually come without some sort of quid pro quo. So if Pakistan has saved itself from being obligated to pay a fine of \$1.2bn, it is hopefully because of a goodwill gesture on the part of Turkey. Moreover, the option to settle via government channels is not open in other disputes where Pakistan is facing similar fines, most notably in the case of the Reko Diq arbitration. Such extraordinary interventions are possible in limited cases, and even in those it is debatable whether they are worth the cost that they must inevitably entail. There is no substitute, in short, for a sound policy environment and enduring respect by the various pillars of state for each other's responsibilities. In the case of the Karkey dispute, there is the real possibility that new disclosures made subsequent to the case might have played a role in helping persuade the Turkish authorities to waive the fine. But the real lesson here is that acting without solid evidence, particularly when it comes to foreign investors who enjoy certain protections, carries enormous costs for the country.

(By Editorial Dawn, 08, 06/11/2019)

### Persistent negligence: So what if a bunch of official records burn?

Sindh authorities, it appears, are perfectly fine with losing important files to fire and placing government staff at risk. Despite repeated fire incidents, the Sindh Secretariat building continues to function without a proper fire safety system, *The Express Tribune* has learned.

The latest fire incident in the Secretariat building took place as recently as last month. The blaze, which broke out in the office of Services and General Administration Department situated on the second floor, consumed several important official documents, sources said.

However, far from seeing the incident as a wakeup call, authorities appear to be least interested in ensuring the safety of both government workers and important records. Sources revealed that the relevant wings did not even respond to the General Administration Department's correspondence on the incident. General Administration officials said they sent letters to the secretaries of the works and services, local government, and home departments but have received no reply as yet.

"We also sent a letter to the Civil Defence Department but it too fell on deaf ears," said General Administration Secretary Khalid Hyder Shah. "We have been waiting for a while but none of the departments responded to our letters," he told *The Express Tribune*.

He admitted that there is no adequate fire-fighting system in the offices of the provincial government. "It is a very serious issue and since there have been fire-related incidents in the building before too, we will take up the issue with the relevant departments once again," he said. "In case of further delay, we can request the Sindh chief minister to call a joint meeting to address the issue."

When contacted, the secretaries of the local government and work and services department did not respond to phone calls and text messages. Home Secretary Abdul Kabir Kazi, however, said that his department will comply with the recommendations of the General Administration Department.

The General Administration Department also circulated a set of recommendations in September among all the departments and sought their comments. The recommendations were about precautionary measures and the provision of an adequate fire-fighting system in government offices situated in all the secretariat buildings.

Akin to the last fire incident that took place in the General Administration Department, the main reason behind most fire incidents is believed to be electrical short circuits. Owing to that, the General Administration Department had advised to carry out a physical survey of the sanctioned load as well as the connected load in all buildings of the Sindh Secretariat in consultation with K-Electric.

According to sources, the secretariat buildings had been bearing excessive power load on the main electricity line because of the constantly-functioning air conditioners. Details revealed that each office has multiple air conditioners, whereas the electric-wiring system of the secretariat buildings is not safe and secure, which causes short circuits and power failures.

The General Administration Department has also questioned the role of the Civil Defense Department that is responsible for ensuring safety measures at public and private buildings.

"It is alarming that no inspection was carried out by the Civil Defense Department", the General Administration Department stated in its letter. "The Civil Defense Department should not only prepare the fire incident report but also ensure all buildings are secured as per the Standard Operating Procedures (SOPs)," it added.

The letter also recommended that the Sindh government should provide a fire brigade at the Sindh Secretariat building to tackle untoward incidents in a timely fashion. The letter said that the move will also be beneficial for other buildings located in the red zone and surrounding areas.

Sources also stated that the buildings of the Sindh Secretariat lack an alarm system in case of an emergency, which not only puts official records but also the lives of employees at stake. To that end, the General Administration Department has also recommended the installation of an alarm system at the secretariat buildings on an urgent basis.

The department has also recommended the Home Department to provide a wireless Walkie-Talkie System for security staff of the secretariat buildings so that they can properly coordinate with each other in case of an emergency. The General Administration Department has also advised the establishment of an Emergency Response Unit within the vicinity of the Sindh Secretariat.

It is pertinent to mention that while most fire incidents took place because of electrical short circuits, the causes of many others have remained suspicious.

According to sources, many employees at the secretariat believe that the documents were deliberately set ablaze to destroy evidence of corruption. The February 2018 incident of fire at New Sindh Secretariat's third floor had also raised suspicions. It is relevant to mention that the offices of the Works and Services Department are situated on that floor.  
(By Razzak Abro The Express Tribune, 04, 10/11/2019)

### Pros and cons of proposed Sindh barrage discussed

The federal government has announced an ambitious Rs125 billion Sindh barrage project on the Indus river. The conceptual study for the project has been completed by Wapda while the feasibility study would be done by September 2020. However, the civil society of Sindh has expressed serious reservations on the project. Against this backdrop, the Irtiqa Institute of Social Sciences organised a dialogue, 'Sindh barrage: bane or boon', to deliberate on the issue at their office here on Saturday.



Dr Altaf Siyal, a professor at the US-Pakistan Centre for Advanced Studies in Water at Mehran University of Engineering and Technology, said that the Indus Delta is the fifth biggest delta of the world. It is also a protected Ramsar site, meaning that it is a wetland designated to be of international importance under the Ramsar Convention. "Sindh alone has nine Ramsar sites along with the world's biggest mangroves in arid zones. It is also most vulnerable to weather. The river which once had some 17 creeks, has only two active creeks or channels today," he said.

Explaining through maps and graphs, he showed various canals the flow pattern of Indus and where the delta peeks. "The flow of water is decreasing. It is not stable. In the last 18 to 19 years, the water flow here has been less than the required environmental flow," he said.

"But," he said, "Wapda says that after the construction of the Sindh barrage things will improve greatly. They say there will be more drinking water, water for irrigation too and the shortage of water at the tail end will also end as the groundwater will recharge. The ecology of the river too is said to improve with foreseeable betterment for vegetation and the mangroves," he added.

Talking of some of the features of the barrage, he said that its proposed capacity is two million acre feet (MAF) out of which 0.2 MAF is dead storage. It will have 52 gates of 50 feet width, the reservoir level is 11 above mean sea level (AMSL). There will be 165km long levees on both sides of the river (15km below Kotri barrage). The total area of the lake within the riverbed will be 485 sq km.

Some 46,000 acres of forest land will come under the lake and nine thousand acres riverine agriculture land will also be submerged while one thousand houses will also be affected.

The right bank canal of 42km will see a discharge of 4,000 cusec (25,000 domestic + 600 agriculture + 900 coastal life) and a pumping unit 10MW when the level of water is below 10m. The left bank canal, a 50km channel, will see a discharge of 3,500 cusecs. "The issue here is that both canals are not perennial," the expert pointed out. "Then 80 per cent of the delta is 6m above sea level. There is going to be water-logging, soil salinity, risk of breaches in levees, ruin of the floodplains, the river environment and ecology will change hurting palla and other fish. And the total initial cost of the Sindh barrage is estimated at 749.45 million dollars or Rs119.9 billion," he said.

Some of the options offered to Wapda for the project by Dr Siyal included consultation with all stakeholders before going ahead with their plans, construction of a protective levee or embankment along the periphery of the tidal floodplain, making sure that the irrigation water reaches tail ends, plantation of more mangroves and reviving the relic creeks and channels.

Earlier, Nasir Ali Panhwar, an environmentalist who has worked with national and international development agencies while writing extensively on social, developmental and environmental issues, reminded that Pakistan happens to be the seventh country said to be effected by climate change. "We are already seeing unusual rain patterns here," he pointed out.

About the Indus river, he said that it depended on glaciers and shortage of water because of climate change in the Indus has become a regular phenomena. "Due to this our ecosystem, including our vegetation especially the mangrove forests are being badly affected," he said.

(By Shazia Hasan Dawn, 14, 18/11/2019)

### **SHC gives Sindh government till December 10 to legislate laws against gutka**

The Sindh High Court (SHC) directed the relevant authorities on Monday to continue with the on-going crackdown on the manufacture and sale of gutka and gave the Sindh government till December 10 to develop legislation pertaining to the punishment for manufacturing and selling gutka.

A two-member bench comprising Justice Muhammad Iqbal Kalhoro and Justice Abdul Mobeen Lakho heard the petition filed by Advocate Muzammil Mumtaz pertaining to the crackdown against gutka manufacturers and sellers.

The health secretary and other parties appeared before the court. The health secretary informed the court that he submitted the records from 20 hospitals at the last hearing. He prayed the court to grant an extension for legislation while maintaining that his department has forwarded the summary for the matter. The court accepted his request and granted time till December 10. The court also sought reports from all parties at the next hearing.

Earlier, the SHC had issued a written order on the petition and had directed the Rangers to curb the buying and selling of gutka. The court, in its written order, had stated that due to the failure of the law enforcement agencies (LEAs), crime rates were increasing. The order stated that despite the court orders, a proper crackdown against the gutka mafia was not launched while 17,000 tonnes of seized gutka was being shown as 6,000 tonnes.

The court had termed this alarming and stated that there was a need for investigation when police officers enjoyed a lifestyle that wasn't in accordance with their salaries. "We should take heed from the life of Hazrat Umar Farooq," it had stated. The court had also issued orders to curb the smuggling of gutka at check-posts of the city while directing the LEAs, including the Pakistan Security Guard, to beef up security on the borders of the country.

Besides, the court had directed all the Rangers director general to extend complete support to the police and other agencies and ensure that gutka and other injurious items were not smuggled into the city. The court had also directed the provincial government to formulate legislation for the punishment for manufacturing, selling, and buying gutka, and had directed the Sindh IGP to take action against police officers involved in the sale of gutka.

Bail pleas Meanwhile, a two-member bench comprising Justice Omar Sial and Justice Zulfiqar Ali Sangi sought arguments from the National Accountability Bureau prosecutor after lawyers of Sindh Assembly Speaker Agha Siraj Durrani and other accused completed arguments on the bail pleas of the accused in the case pertaining to assets beyond means.

The court inquired about the role of Zulfiqar in the case and the NAB officials said that Zulfiqar is a government employee but works for Durrani. They informed the court that pay orders worth Rs50 million were issued in the names of Durrani's employees and all these pay orders were utilised towards the payment of fees and purchase of flats for Durrani's children. A verbal altercation ensued between the NAB prosecutor and the lawyers of the accused during the hearing.

The court remarked that the matter would not be sorted if such a situation persisted. Durrani's lawyer, Amir Naqvi, said in his arguments that his client was under arrest while his brother Agha Masihuddin was on interim bail. He said that it took years to establish a person's innocence and they were kept in jail for years till it could happen. "Corruption will not be eliminated by calling everyone a thief. Did corruption end with the establishment of NAB?" he asked.

The counsel added that NAB had always maintained that locating white-collar crimes was very difficult. Durrani's lawyer argued that basic human rights were being violated and asked how corruption was controlled by making this law in 1999. "Cases must be made according to the law. The country is in a strange situation. No one can understand what is going on," he said.



The counsel raised questions on how NAB was carrying out the investigation, arguing that the anti-graft watchdog never went to the land it was mentioning. Meanwhile, Durrani's alleged frontman, Gulzar's lawyer Naeem Malik argued his client was well known not just in Pakistan but also abroad and that his client's financial position was stronger than Durrani's. Malik informed the court that his client was the owner of Rehmat Shireen which has branches not just in Pakistan but also abroad.

Justice Sial inquired from Agha Masihuddin about his income and ownership of assets. Masihuddin stated before the court that there was a total of 7,000 acres of ancestral land as well as a petrol pump, house, and other properties. He said that not all the properties were benaami assets and that he had given a written reply answering all of NAB's questions but the bureau had not toured the lands, factory or the petrol pump. The lawyer for Masihuddin stated that the 7,000 acres of land were in the names of all the brothers and the family.

Income was generated from the lands and the shops while 400 houses were given on rent in Garhi Yaseen. He added that there was a fish farm as well which was established on 300 acres of land and there was also land in the names of the children. The court inquired why these documents were not submitted earlier. To this, Masihuddin replied that they had given everything but NAB did not investigate from anyone. The court expressed anger at the NAB prosecutor and remarked that NAB should have first read the Supreme Court's decision and should have come to the hearing prepared. After the completion of arguments by the lawyers of the accused, the court adjourned the hearing while seeking arguments from the NAB prosecutor on November 25. (By Our Correspondent The Express Tribune, 05, 19/11/2019)

### Media's shrinking space

ALL reports and indicators, national as well as international, show that journalism has become more hazardous a calling in Pakistan than ever before, and that the space for freedom of expression is fast shrinking.



The Council of Pakistan Newspaper Editors recently joined Freedom Network for the launch of the latter's report on the impunity enjoyed by the killers of journalists. According to the data collected by this organisation, 133 Pakistani journalists have been killed since the year 2000.

The legal proceedings in all the 33 incidents of journalists' killings that took place from 2013 to 2019 (seven during the 2018-2019 period alone) have been documented and analysed, and the finding is: 100 per cent impunity for the killers, zero per cent justice for the 33 murdered journalists.

The details are truly chilling: FIRs registered in 32 cases; police challans submitted in courts — 20 cases; trial completed — six cases; the accused convicted — one (case in appeal, not concluded); killers punished — none. At each stage of the process the journalist-victim's disadvantage rises higher.

Freedom Network has been releasing its report on impunity for journalists' killers year after year; the state's failure to intervene, even to take notice, renders it liable to censure for complicity.

*The state's failure to intervene, even to take notice, renders it liable to censure for complicity.*

Loss of life is not the only punishment for journalists who dare to honestly pursue their vocation. Many of them have chosen to survive by compromising their mission, and the increasing resort to self-censorship is impoverishing journalism and depriving the people of truthful and adequate accounts of their affairs.

The plan to put the entire media — print, electronic and digital — under a single authority, the 'Pakistan Media Regulatory Authority', is still in the pipeline. If implemented, this measure will change the declaration for publications into a licence to be renewed every year on an all-powerful official's terms, and the principle of media representation on disciplinary bodies, recognised 50 years ago, will be abandoned. And who had heard 10 years ago of businessmen being told to blacklist certain newspapers, or of newspapers' distribution being prohibited in certain areas?

All the fears expressed while the cybercrime law was being debated in parliament have come true, as seen in the way journalist Shahzeb Jillani's dismissal from service was manipulated, with his subsequent trial under the cybercrime law constituting a sordid chapter in the country's media history. The harassment of a woman human rights defender is nothing short of the law's abuse.

Further, international reports on media freedom continue to make adverse comments on Pakistan. In its 2019 Freedom of the Net report, Freedom House has declared Pakistan 'not free' in terms of internet use for the ninth consecutive year.

The culture of impunity also enables the perpetrators of online violence against women journalists to escape accountability and forces the victims to curtail their work; this adversely affects the media.

According to a report released by Media Matters for Democracy earlier this month, three out of 10 women journalists were victims of serious online offences such as blackmail and incitement to violence against them. The responses from 110 women journalists from across the country showed that 95pc of them believe online violence affects their work, curtails their area of activity, and compels them to resort to self-censorship that affects journalism.

The Pakistani media's ability to provide as much information to the people as possible about matters concerning their affairs is also affected by the state's increasing disregard for transparent governance. This is proved by the establishment's failure to honour its

legal obligation to proactively disclose information about the performance of its various ministries, as provided in the Right of Access to Information Act, 2017. A Pakistan Commission on Access to Information has also been established.

The Institute of Research, Advocacy and Development, that started monitoring compliance with the law in this regard last year, has found in this year's report too that the overall performance of federal ministries has been generally poor. Each of the 33 federal ministries has failed to provide over half of the minimum 39 categories of information on its website as required by the law. The ministries could score only 419 (32.56pc) out of a maximum 1,287 performance marks.

The best performing ministry (finance) received 19 points and even this was below 50pc of the expected performance. The worst performer was the Ministry of Overseas Pakistanis.

The best indicators provided were: contact details of officers (available on websites of 31 of the 33 ministries); contact details of employees (27 ministries); organogram, mission statement, and charter/ function (26 ministries) and terms for granting contracts, licences or permits (26 ministries).

The worst indicators were: zero compliance by all ministries about duties/ functions; remuneration; perks and privileges of employees; criteria or guidelines for the exercise of discretionary powers; the fee for information request; audit; inquiry/ investigation reports; and prescribed information and camera footage having a bearing on crime.

Nine out of 39 categories of information demanded by the RTI law have not been put on the website by any one of the 33 federal ministries. Each federal public body is required to notify a designated official but only eight out of the 33 ministries have complied. In its first year, the Pakistan Commission on Access to Information was not provided the required resources, and its capacity to enforce compliance with the RTI law was severely curtailed.

This study confirms the trend towards a closed society and secrecy about its functions.

The government must realise that the victims of its hostility towards a free media are the people of the country. It must deal with impunity, shed its insensitivity to the media's economic crises and the sacking of several thousand journalists, and remove the barriers to freedom of expression. Otherwise, the truth will become the first casualty in our land and the national discourse will lose its diversity and meaningfulness.

(By I.A Rehman Dawn, 08, 21/11/2019)

### **Sindh's charitable organisations liable to government regulation**

The Sindh Assembly passed a bill on Friday to keep a check on funds and donations collected by charitable organisations and other institutions to ensure that the money is not used for any criminal or terror activities in the province. Moving the 'Sindh Charities Registration and Regulation Bill 2019', Sindh Minister for Parliamentary Affairs Mukesh Kumar Chawla said that the law is being passed to make effective provisions for the registration, administration and regulation of charities, fundraising, collection and the utilisation of such funds by charities and other institutions.

#### **The regulatory body**

In the bill, there is a provision for the creation of a commission, titled, 'Charities, Registration and Regulation Commission' which will have 12 members, including two MPAs nominated by the Sindh Assembly speaker. The commission will discharge its functions, exercise its powers and conduct its proceedings in the prescribed manner. The minister, adviser or special assistant to the chief minister on social welfare will be the chairperson of the commission and in his absence, it may be any other person nominated by the CM.

The provincial government will designate one of the director-generals ranked at Grade 20 from within the social welfare department as the director-general of the commission. The deputed official will also work as the secretary of the commission – responsible for the administration and implementation of decisions. According to the law, the commission will maintain public trust and confidence in charities. It will register, regulate, and sanction fundraising of the charities.

"The commission will ensure that charities and promoters comply with their legal obligations in exercising control and management of the administration of charitable funds," reads the law. It states that a mechanism for developing a central database for the effective monitoring and evaluation of such organisations, among other technicalities will be developed.

#### **Enacting the law**

After the law is implemented in the province, it will be mandatory for all charitable organisation to get registered with the commission. The commission may cancel the registration of such organisations if they commit violations of the provision under this Act or its rules. "If, after evaluation or audit, the commission is satisfied that any charity has failed to comply with the obligations envisaged under the law then the commission can impose fines, not exceeding one million rupees," states the law. "If any part of any donations collected for any charitable fund is used for any purpose or object other than the purpose for which it was collected, or is otherwise misapplied or misappropriated in any manner shall be deemed to have committed the misuse, misapplications or misappropriation of the charitable fund and shall be liable to punishment of imprisonment for a term which may extend to one year, but which shall not be less than six months," it reads.

Besides, the commission may appoint a charity trustee or any officer or office-bearer of a charity within a period of six months, if such charity fails to remove a trustee involved in moral turpitude, dishonesty or deception or if he/she has been adjudged bankrupt. With regards to the fundraising responsibilities of charity trustees, the law states that a charity trustee shall be

responsible for controlling the assets and will work for the protection, proper investment and utilisation of funds ensuring that the charitable funds or property are not misused or allowed to go waste as a result of mismanagement.  
(By Our Correspondent The Express Tribune, 04, 23/11/2019)

### **416 Sindh dailies among 737 publications registered with info dept, PA told**

The Sindh Assembly was informed on Wednesday that as many as 737 publications, including 416 daily newspapers, were registered with the provincial information department.

Furnishing a statement and replies to lawmakers' written and verbal queries during Question Hour, Information Minister Saeed Ghani said that as many as 100 weekly magazines, 28 fortnightlies and 179 monthlies were among the registered publications.

In reply to a written question asked by Grand Democratic Alliance member Arif Mustafa Jatoi, he repudiated the allegation that the government advertisements were being placed with specific media groups and said that they were released to newspapers in accordance with the criteria prescribed in the Advertisement Policy 2015.

To a verbal question by Mr Jatoi, the minister said that the government advertisements were placed in newspapers both directly and through advertisement agencies.

*Govt move for cancellation of declaration of 74 dummy newspapers under way*

He said that the advertisement agencies' commission on government ads was 15 per cent.

The minister said that no one was employed in the information and archives department from July 2017 to June 2018, except for eight persons who were family members of deceased employees.

In reply to another question by Pakistan Tehreek-i-Insaf member Saeed Ahmed, he dispelled the impression that the Directorate of Archives was not paying salaries to its employees.

He said that all the employees were being paid on time.

To a verbal query, the minister said that at present, more than 750 newspapers were on the media list, so it was not possible to release advertisements to all the newspapers daily.

"However, the information department tries to ensure that the advertisements are being issued to small and regional publications along with big media houses so as to ensure that they also sustain their publications," he added.

At present, he said, the information department was releasing advertisements to more than 200 newspapers.

In response to another verbal question, Mr Ghani said that mostly the advertisements were being released directly to the print media, while in case of the electronic media, owing to unavailability of resources the advertisements were first being designed by an advertising agency and then these advertisements were being released to the electronic media.

He said that the policy was very clear about the advertisements being issued through an advertising agency to the electronic media.

#### **Issuance of newspaper's declaration DCs' job**

To a supplementary question, the minister informed the lawmakers that the declaration to the newspapers was being issued by the office of deputy commissioner concerned and not by the information department.

In addition, he added that the ABC certification and inclusion in the central media list was being permitted by the federal government.

He said that the deputy commissioner concerned had the authority to issue a declaration to the newspaper or cancel it.

To a verbal question, the minister said that proceedings against dummy newspapers were under way and that the letters for cancellation of declaration of 74 dummy newspapers had been sent to the DCs of various districts from the information department.

The minister also stated that the second instalment of payments would not be paid to all those media houses which had not yet paid salaries to their employees.

He said that the problem of sacking of journalists from their jobs as well as of undue delay in payment of their salaries across the country had arisen in the last seven to eight months.

"The main reason for this particular suffering of the journalists is the federal government's failed economic policies," he added. Mr Ghani also expressed his deep grief and sorrow over the death of journalist S.M. Irfan, a reporter with News One TV, and requested the organisation to ensure timely payment to its employees.

He also requested the management of News One to financially support Irfan's family.

Separately, he said that since 2016, when the National Accountability Bureau initiated an investigation against the information department, the payment to media houses suffered a delay and consequently the media houses were facing financial problems. (By Tahir Siddiqui Dawn, 16, 28/11/2019)

### What administrative reform

A LARGE-SCALE administrative restructuring has apparently begun but since the exercise has not been revealed to the public no assessment of its benefit or otherwise is possible. This is rightly causing widespread concern.



Public interest in the matter is justified because it is necessary to find out how the revamped administration will improve the state's functioning and whether any gains will accrue to the people. All administrative actions affect the people's lives, interests and rights that a responsible authority is supposed to protect.

The people also have a right to be informed of the process chosen for administrative changes and whether these changes are part of a comprehensive overhaul of the system of management of national affairs or whether departmental affairs are being straightened out in a piecemeal manner. The question of the sanction behind the whole operation too is important. At what level and by whom are final decisions about the changes made?

There should be firm guarantees that neither the planning of reform nor its implementation is left in the hands of powerful bureaucrats or political novices. At the same time, one should like to be assured that in the new scheme of things civil servants will not be victims of political bosses' whim and caprice and that they will be free to express their opinion on matters brought before them.

*The enormously important task of restructuring should have the sanction of parliament.*

We do not know whether the replacement of the Federal Board of Revenue with a 'Revenue Authority' and the new order for medical teaching institutions are included in the administrative reconstruction or whether they are unrelated to the larger scheme. Will changes in other areas of administration have a better reception from the people working in them than the reaction of the FBR personnel or the doctors? There is no indication that the staff of the departments, one of the important stakeholders, chosen for changes was consulted.

Considerable loose talk has been going on about disbandment of 400 departments/units/cells. What were these offices supposed to be doing? Have the tasks assigned to them become unnecessary? If not, to which departments will their responsibilities be transferred? And what is to happen to the people who will be discharged? Those rendered jobless by the dissolution of the Medical and Dental Council are in the streets. Should we brace ourselves for more protesters on the roads?

All of these questions need to be answered, and answered soon and satisfactorily.

That administrative reform may have become essential will not be contested. The installation of the section officer as an effective factotum in the bureaucratic hierarchy, as recommended by the Akhtar Hussain Commission, is an old story, and the way Gen Tanvir Naqvi's plan to put the district administration under elected representatives has been undone has created quite a few problems. Hence no eyebrows were raised when one of the first actions the new PTI government took was to set up an administrative reform commission under the chairmanship of Dr Ishrat Husain, who commands respect within the government and outside, and who had done a detailed study of Shahbaz Sharif's initiatives to improve government efficiency by turning departments into authorities and companies.

If the government is proceeding on the basis of Dr Ishrat Husain's report, it is only fair to demand that it must be immediately published. All the interested parties will then find out whether the report has been accepted in toto or whether some portions of it have been passed over, and if so on what grounds. The public should also like to know what criterion has been used to determine priorities during the implementation phase. This is necessary, among other things, to dispel the impression that the 'super-babus' who are going to head new authorities are hoping to have a windfall in the form of huge increases in perks alone.

Administrative changes in the past, when democratic institutions were under eclipse, had been carried out by executive orders, but now that Pakistan is supposed to have become a genuine democracy, the enormously important task of administrative restructuring should have the sanction of parliament. A debate in houses of elected representatives will also help the citizens to learn all about the form and direction of reform.

Unfortunately, confrontational politics and its lack of a majority in the Senate seem to have persuaded the government to avoid the parliamentary route even for urgently needed legislation. Ordinances are being issued while parliament can be summoned at a short notice even if it is not in session.

Perhaps the government does not want to defer its reform agenda till the Senate election in 2021 when, according to the federal law minister, PTI will not need the opposition's support for parliamentary sanction for anything. This is not a happy situation and the government and the opposition both must find ways of settling matters through mutual understanding. Otherwise, all issues that are required to be settled through bipartisan accord, vide the procedures laid down in the 18th Amendment, will remain unresolved, and ugly episodes like the impasse over selection of members of the Election Commission might be repeated.

Since the possibility of different parties acquiring control of the two houses of parliament in future too cannot be ruled out the political parties may consider adopting a constitutional amendment to provide for a referendum whenever an important issue cannot be resolved through democratic give and take in parliament.

Meanwhile, the only way to ensure that the administrative reorganisation does not proceed without meeting the democratic requirement of an open debate is that the whole scheme should be made public and put on the table in all legislatures, provincial as well as federal. Official think tanks may be encouraged to debate the reform proposals and hopefully civil society will not be shy of contributing to reform through consensus.

Let nobody forget the lesson of history that reform projects that are owned by the people have the best chances of success, and that even the most idealistic measures that are backed by executive fiat alone are most likely to fail.  
(By I.A Rehman 08, 28/11/2019)

### **Justice Gulzar Ahmed notified as 27th CJP**

The Ministry of Law and Justice on Wednesday notified Justice Gulzar Ahmed as Chief Justice of Pakistan as the incumbent CJP Asif Saeed Khosa is reaching the age of superannuation on Dec 21.

Justice Ahmed will be the 27th CJP and serve till Feb 21, 2022.

The notification issued by the law and justice secretary states: "In exercise of the powers conferred by Clause (3) of Article 175 A, read with Article 177 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to appoint Mr Justice Gulzar Ahmed, the most senior judge of the Supreme Court, as Chief Justice of Pakistan with effect from December 21, 2019."

Justice Ahmed, who was part of the five-judge bench that disqualified former premier Nawaz Sharif in the Panama Papers case, is also a member of the Supreme Judicial Council and Judicial Commission of Pakistan.

His strict action during suo motu proceedings regarding Karachi led to a massive anti-encroachment and cleanliness drive by the metropolitan authorities, though it also created some consternation among the people.

He was made judge of the Sindh High Court (SHC) on Aug 27, 2002.

Justice Ahmed was born on Feb 2, 1957, in Karachi in the family of distinguished lawyer Noor Mohammad and did his early education from Gulistan School, Karachi. He obtained BA degree from Government National College and LLB from S.M. Law College, Karachi.

He was enrolled as an advocate on Jan 18, 1986 and as an advocate of the high court on April 4, 1988.

He became an advocate of the Supreme Court on Sept 15, 2001.

Moreover, the Parliamentary Committee on Appointment of Judges on Wednesday approved the nomination of three lawyers for vacant posts of judges in the Islamabad High Court.

The Judicial Commission of Pakistan, headed by CJP Asif Khosa, had on Nov 21 approved the names of three lawyers, including female advocate Lubna Saleem Pervez, as IHC judges.

Besides Ms Pervez, who was working as deputy attorney general at the SHC, the other two lawyers are Fiaz Anjum Jandran and Ghulam Azam Qambrani.

Mr Jandran is an Islamabad-based lawyer and a member of the Islamabad Bar Council. Mr Qambrani is an eminent lawyer of Balochistan.

(By Newspaper's Staff Reporter Dawn, 03, 05/12/2019)

### **Public safety body censures Sindh IGP for missing second consecutive meeting**

The Sindh Public Safety and Police Complaints Commission passed a resolution against Inspector General of Police Dr Kaleem Imam for failing to attend a second consecutive meeting of the statutory body chaired by Chief Minister Murad Ali Shah on Friday. The resolution against IGP Imam was passed as he chose to attend an emergency meeting convened by the prime minister in Islamabad instead of participating in the commission's meeting held at the CM House.

According to the agenda of the meeting, the IGP was supposed to submit a comprehensive report on action taken against drug mafia, manufacturers/smugglers of gutka, mainpuri, narcotics, arrests made and cases filed in courts.

The other items of the agenda included review of detailed reports submitted by the IGP regarding the students' issue in Shaheed Benazirabad University; Mehrabpur incident of beating of a child and Pir Jo Goth incident of suicide of a boy.

Other items on the agenda included provincial annual policing plan, office space for the commission, progress on establishment of the district public safety and police complaints commission, district selection panel and rules of procedure of the commission.

*Murad expresses displeasure over 14 polio cases in Sindh*

It was the third meeting of the commission and the IGP was also absent in the previous meeting.

At the outset, participants of the meeting came to know that the IGP had flown to Islamabad to attend a meeting. The chief minister said that the IGP had informed him about an emergency meeting convened by the prime minister so he had been called there.

However, one of the members of the commission disclosed that it was not an emergency meeting as it was scheduled before the current month.

The commission members observed that it was the second consecutive meeting which the IGP had "avoided". They felt that the police chief was not ready to attend a meeting of the body.

Karamat Ali, a senior member of the commission, in consultation with other members presented a resolution to express their displeasure against the absence of the IGP from the meeting.

The resolution further said that the IGP preferred to attend a "political" meeting in Islamabad and avoided the meeting of a statutory body in Sindh.

The commission unanimously passed the resolution against the IGP.

Later, the commission called Karachi police chief Additional IG Ghulam Nabi Memon, Addl IG Yaqoob Minhas and DIG Khaliq Shaikh in the meeting and Mr Ali informed them about the resolution passed against the IGP.

Mr Ali told the city police chief that the commission was postponing the agenda relating to the IGP and was taking up only administrative items.

The commission members also expressed surprise that the federal government was inviting the IGP and other top officers serving in Sindh without informing the chief minister. In principle, they should be called in meetings through the chief executive of the province, they added.

The commission discussed the office space for the commission and other items.

The commission was told that a few offices had been identified and now the members had to visit the places to select a location. As far as rules of procedure of the commission were concerned, Advocate Jhamat Mal told the meeting that he framed the rules and further input of the members was required. Therefore, the commission members were asked to submit their input.

The secretary of the commission, Saifullah Abro, informed the members that he requested the district administration to recommend names for district public safety and police complaint commission so that it could be established.

The commission members decided to convene the fourth meeting of the body within next 10 days in which police complaints would be discussed.

The meeting was attended by its members Sharjeel Inam Memon, Imdad Ali Pitafi, Mohammad Ali Aziz, Shahnaz Begum, Shamim Mumtaz, Karamat Ali, Advocate Jhamat Mal and Qurban Ali Malano. CM's Law Adviser Murtaza Wahab attended the meeting on a special invitation.

#### **Murad irked by detection of 14 polio cases in Sindh**

The chief minister also presided over a meeting of the provincial task force for polio eradication at CM House.

He expressed his displeasure and anguish over detection of 14 polio cases in the province during 2019.

He directed the health department to launch a fresh campaign with a new strategy and vigour by involving councillors, members of the provincial assembly and also administer polio drops to every person at transit points such as Jacobabad, the Mochko post and Karachi Toll Plaza.

He also declared Sindh would be polio free in 2020 for which he assigned the task to all departments, divisional, district and municipal administrations.

The meeting was attended by Health Minister Dr Azra Pechuho, Local Government Minister Nasir Shah, Karachi Mayor Wasim Akhtar, Shahnaz Wazir Ali and other senior officials.

The chief minister said that the emergence of 14 cases in the province in 2019 had undone all the efforts the provincial government had taken so far.

"We had 30 cases in 2014 and after that the provincial government with its effective campaign controlled the situation and the cases started declining," he said, adding that in 2015 there were 14 cases, in 2016 eight cases, in 2017 two cases and in 2018 one case only.

He lamented that in 2019 "we have returned to the worst situation which was somewhere between 2014 and 2015".

The chief minister said that the cases detected from Karachi were among those children who originally belonged to Balochistan and Khyber Pakhtunkhwa.

The next anti-polio campaign would start from Dec 16 and continue till Dec 22 in all 29 districts and 1,125 union councils of the province. In the campaign all 9,087,234 children would be administered with the polio vaccine.

Mr Shah said that he would hold a meeting on Dec 23 to review the progress of the eight-day campaign. "I'll take all the DCs and local bodies' representatives on video link," he said and added he would personally monitor the campaign so that Sindh could be made a polio-free province by the end of 2020.

(By Habib Khan Ghori Dawn, 15, 07/12/2019)

### **Sindh cabinet moves to lift student union ban**

The Sindh Cabinet approved on Monday a proposal to lift the ban on student unions, which has been in place for over 35 years.

Murtaza Wahab, the law adviser to the Sindh chief minister, presented a draft bill, titled "The Sindh Students Union Bill 2019", which aims to regulate student unions in the province during the meeting, which was chaired by Chief Minister Murad Ali Shah. According to the bill, there would be a student union comprising seven to 11 bonafide students, elected by the student body each year, in every educational institution.

The draft bill stated that these unions are meant to work for the social and academic welfare of the institution's students, ensure that the rights and interests of all students are represented and organise social, cultural, intellectual or other extra-curricular events for the benefit of students. They should also promote and strengthen relations between students and their institution, assist the institution in maintaining discipline and ensure that teachers and staff are respected.

The draft law further proposes that members of the student unions should not indulge in any political or prejudicial activities. However, cabinet members pointed out that most college students were above 18 years of age and had the right to vote. They asked how it was possible to prevent eligible voters from taking part in political activities.

In response, the CM asked the cabinet to approve the draft law and introduce it to the Sindh Assembly before sending it to the Standing Committee on Law for further deliberation. He also directed Wahab to seek input from educationists, political scientists and other members of civil society, in order to create an 'ideal' law that could rid educational institutions of the effects of martial law and allow students to flourish.

The cabinet approved the bill and sent it to the assembly.

### **Sugarcane prices**

The agriculture department requested the cabinet to fix sugarcane prices for 2019-2020. Sindh Agriculture Minister Ismail Rahu stated that sugar prices had gone up because of the increased price of sugarcane.

CM Shah said that the minimum prices must be enough to allow the sugarcane farmers to make a reasonable profit, instead of forcing them to move away from cultivating the crop. The cabinet fixed the minimum price of sugarcane at Rs192 per 40 kilogrammes for the crop season.

The agriculture department also approached the cabinet to release funds for cash freight support for the export of surplus sugar stocks. The Pakistan Sugar Mills Association had asked the federal government for support of Rs20 per kilogramme of sugar exported due to low prices in the international market. Cash freight support of Rs10.7 per kilogramme had been set, which was to be equally shared by the federal and provincial governments. As a result, Rs3.393 billion had to be paid to the State Bank of Pakistan by the Sindh government. The cabinet approved the release of these funds, subject to clearance by the National Accountability Bureau, which has initiated an inquiry into the matter.

### **Prison rules**

The Sindh Home Department presented the draft rules for the Sindh Prison and Correction Services Act 2019, which propose safe and secure custody for prisoners while ensuring their constitutional rights.

The draft calls for assisting the welfare and rehabilitation of prisoners and helping them reintegrate into society as law-abiding citizens through reformation programmes. It also proposes the early release of elderly prisoners who have completed half of their sentence, in accordance with international standards.

### **Water pipeline project**

The energy department told the cabinet that a Kuwaiti company has offered to invest \$130 million to lay a 65-kilometre water pipeline from Nabisar to Vanjhiar so that the Chinese company undertaking the project could complete it in time. The cabinet provisionally approved this on the condition that the project is completed within a year.

The energy minister also said that the Sindh government had initiated a project for the generation of 1,320 megawatts of power from Thar Coalfield Block-I.

**University of art**

The cabinet approved the proposal for the formation of Shaheed Allah Buksh Soomro University of Art, Design and Heritage in Jamshoro, which is currently the Centre of Excellence in Art and Design under the control of Mehran University of Engineering and Technology. The proposal has been referred to the provincial assembly.

**Allocation of forest land**

Meanwhile, Sindh Forest Minister Syed Nasir Shah said that the Sui Southern Gas Company Limited (SSGCL) needed 15 acres of reserve forest land for 15 years in order to carry out drilling activities to search for oil and gas in Larkana. He asked for a no objection certificate for this activity. He also requested permission for SSGCL to lay a gas pipeline from Ayesha Gas Field to Golarchi, across eight kilometres of forest land in Badin.

The chief minister asked for the law under which approval was being sought and, receiving an unsatisfactory response, directed the forest department to study the relevant law under which forest land could be given for commercial purposes and raise the matter again in the next cabinet meeting.

(By Our Correspondent The Express Tribune, 04, 10/12/2019)

**Sindh govt committed to upholding human rights, claims Murad**

"When talking human rights we speak of the value of independence. But the Constitution talks of only one independence — the independence of judiciary," said Sindh Chief Minister Syed Murad Ali Shah on Wednesday.

He was speaking at a seminar held to mark the 71st anniversary of the Universal Declaration of Human Rights organised by the Pakistan Institute of Labour Education and Research (Piler) at a local hotel here.

Speaking about the lawyers' protests in Lahore earlier in the day, he said that sometimes one should also understand that human rights were meant for human beings. "Those who demand human rights should also behave morally and rationally," he said.

But having said that, he stated that the Sindh government considered upholding human rights as its fundamental responsibility and it would continue to seek civil society's partnership in bridging the gap between legislation and implementation.

*A bill to revive student unions to be tabled in PA's current session*

He was replying to several persons from civil society pointing towards the lack of implementation of laws. "There are always issues in implementation. Our bureaucracy is also not trained for all this. We the politicians are public representatives and the bureaucrats are public servants. They don't get this," he said.

**Legislation on student unions**

About the recent issue of the restoration of students' unions, the chief minister said that the law pertaining to the restoration of unions would be presented in the Sindh Assembly during the current session. It would then be sent to committees concerned for vetting.

"I would ask the provincial assembly's standing committee on law to have engagement with student bodies and civil society organisations," he said, adding that he himself happened to be affected by the ban on student unions.

Coming to the many laws, including pro-women laws, made by legislators in the provincial assembly, he said that the government was committed to comply with the international commitments regarding human rights. "The main focus in the new legislation is to provide equal rights to all sections of society."

He mentioned the preamble of the Constitution where it was written that it would guarantee social, economic and political justice to all its citizens.

He also said that PPP chairman Bilawal Bhutto-Zardari believed in human rights and was striving for the provision of fundamental rights to all. "This was the main reason that he accepted membership, followed by the chairmanship of the National Assembly's Human Rights Committee," he added.

Regarding the Sindh Tenancy Act, he said that he was aware of the problems of agriculture workers as he himself belonged to a farming family. "A meaningful dialogue between zamindars and haris is required," he said.

**PA praised for making 'progressive' laws**

Earlier, Piler's executive director Karamat Ali recalled that the United Nations Declaration of Human Rights was the first document which provided citizens of the world equal fundamental rights.

He emphasized on the 'Right to Expression' and 'Right of Association' and urged the CM to conduct an honest assessment of whether these rights were accessible to the province's citizens or not.

He appreciated the advances in provincial legislation on labour rights, since labour was a provincial subject.



Anis Haroon, a former member of the National Commission for Human Rights (NCHR), said that the Universal Declaration of Human Rights provided rights to every section of society and every sector.

"The Sindh Assembly has made the largest number of progressive laws including the child marriage law," she said, adding that there was also a need for a functional child protection unit here.

"Child marriages remain a challenge despite the Child Marriage Restraint Act. Functional child protection authorities can provide shelter and assistance to the victims of child marriage," she added.

She also said that there was a need for a complete package for women empowerment. "Merely passing of a domestic violence law is not adequate," she said while reminding the CM of the provincial government's earlier plan on land distribution to local women. "The initiative has to be picked up and plugged into other initiatives necessary for women's empowerment," she added.

Several other speakers in the audience were also encouraged to highlight their issues of human rights before the chief minister.

Karachi Union of Journalists secretary Ahmed Malik spoke about the job losses and pay cuts in the media industry.

Kami Chaudhry, a transgender person, spoke about jobs for transgender people as they also needed acceptance in society.

Zahid Farooq of the Urban Resource Centre highlighted the plight of 1,100 families who were living under the open since Ramazan when their homes were bulldozed as part of the KCR's (Karachi Circular Railway) anti-encroachment drive.

Zehra Khan, general secretary of the Home-Based Women Workers Federation, asked to implement the Home-Based Workers Act. (By Shazia Hasan Dawn, 15, 12/12/2019)

### **Speakers press for effective implementation of human rights laws**

Sindh Chief Minister (CM) Syed Murad Ali Shah has said that the Sindh government considered upholding human rights its responsibility and would continue to seek civil society's support for bridging the gap between legislating and implementing laws pertaining to human rights.

He expressed these views while addressing a seminar organised by the Pakistan Institute of Labour, Education and Research (PILER), to mark the 71st anniversary of the Universal Declaration of Human Rights, on Wednesday.

Besides the CM, PILER Executive Director Karamat Ali, Sindh Human Rights Commission Chairperson Justice (Retd) Majida Razvi, human rights activist Anis Haroon, Adviser to Sindh CM on Human Rights Veerji Kohli and Adviser to Sindh CM on Law, Environment and Coastal Development Barrister Murtaza Wahab partook in the seminar as speakers. The programme also included the participation of civil society members, who voiced their concerns regarding human rights violations.

By and large, the dialogue shed light on subjects pertaining to the Sindh Tenancy Act, rights of agriculture workers, media workers, transgender persons, minorities, women and labourers, trade unions, bonded labour, forced conversions, displacements as a consequence of KCR and evacuation of Empress Market, student unions, functioning of child protection units and appointment of women protection officers.

The participants of the seminar particularly pointed towards the persistent gap between legislation for human rights and the implementation of relevant laws, also identifying that the implementation often takes place at a snail's pace.

Speaking in this regard, CM Shah said that the law for the restoration of student unions would soon be presented in the Sindh Assembly and thereafter would be referred to relevant committees for vetting. He further said, "I will ask the provincial assembly's standing committee on law to consult with student bodies and civil society organisations [for legislating on student unions]," adding that he too suffered the ban on student unions. "When I joined university in 1984, then too, a ban was imposed on student unions," the CM explained.

He assured that the provincial government was committed to complying with international human rights obligations and added that the Sindh government had extensively legislated on the subject of human rights.

The CM said that Pakistan Peoples Party Chairperson Bilawal Bhutto Zardari was striving to ensure the provision of rights to all and this is why he accepted, first the membership and later the chairmanship, of the National Assembly's Human Rights Committee.

He said that he understood the problems faced by agriculture workers as he himself came from a family of agriculture workers and stressed that meaningful dialogue was required between zamindars [landlords] and haris [farmers].

Also speaking on the occasion, PILER Executive Director Ali recalled that the United Nations Declaration on Human Rights was the first document aimed at providing people their fundamental rights. Particularly referring to the rights of freedom of expression and to form association, he urged the CM to carry out a transparent and objective assessment to gauge whether these rights are given to the citizens or not.

Appreciating the provincial government for making advancements in legislating on labour rights, Ali, at the same time, pointed out that labourers continued to suffer due to "inadequate Industrial Relations Act".

Ali concluded his address by congratulating the Sindh government for passing a bill seeking the restoration of student unions. Human rights activist Haroon said that the Universal Declaration of Human Rights guaranteed rights for every section of the society. She acclaimed the Sindh government "for making the largest number of laws on child marriage," and stressed the need for establishing "functional child protection units."

Child marriages continue to be a big problem despite the introduction of Child Marriage Restraint Act, said Haroon, adding that functional child protection units can help with providing shelter and assistance to the victims of child marriage.

She also highlighted the need for making all-out efforts to empower women, saying that merely passing a law on domestic violence will not solve the problem. Addressing the CM, she reminded him that the Sindh government had earlier talked about plans for distributing land among women and urged him to work towards this purpose.

Other speakers emphasised the need for implementing human rights laws, particularly those pertaining to forced conversions, in Sindh, identifying bureaucracy as the main hurdle in the way of implementing these laws.

(By News Desk The Express Tribune, 05, 12/12/2019)

### **Sindh IG vents anger in letter to CS over transfer of officers without his consultation**

A fresh tussle between the Sindh police and the provincial government appears to be brewing as the top police authorities have finally spoken up against the role of the administration in recent transfers and postings of senior officers. They said such moves were "affecting the police working" and creating "environment of uncertainty", and "urged" the Pakistan Peoples Party-led government to "respect" the law and let the provincial police chief play his role in all decisions related to transfers and postings, it emerged on Thursday.

In a letter to the provincial chief secretary, Sindh IG Dr Syed Kaleem Imam spoke frankly on the controversies that emerged last month after the Sindh government removed SSP-East Ghulam Azfar Mahesar from his post on charges of "serious misconduct" and asked the chief secretary to surrender his services to the federal government. This month again, the PPP government made the same moves for additional IG (establishment) Khadim Hussain Rind and Shikarpur SSP Dr Rizwan Ahmed.

"Renewing our utmost respect, I urge to respect the spirit of the judgements and the law and let this office play its due role in all decisions related to transfer and postings of the police officers serving in the province," wrote IG Dr Imam to the Sindh chief secretary after referring to a number of moves by the provincial government which had not only violated the set rules of business but also defied apex court orders.

*'Sindh govt decisions demoralised the police force and undermined the IG office command'*

"I may also draw your attention to the judgement of the Honourable High Court of Sindh wherein, the Honourable Court in its judgement date 7th September 2017, at paras 101 (h) and 101 (i) ruled that the Inspector General must have independent control over insofar as postings and transfers are concerned, thus putting an end to all of external influence. Subsequently the Honourable Supreme Court upheld the judgment and ruled that, 'on the foregoing analysis, we affirm the impugned judgement by the learned High Court in particular with reference to the autonomy of command and independence of operation of the police force.'

Apart from the defiance of court orders, the IG police's letter also mentioned the situation and sentiments created in the force by the Sindh government and said that the "sudden and unplanned" surrender of officers came as a surprise and had not only affected the police working but had also created an "environment of uncertainty" in the ranks. The Sindh government decisions, he said, had also demoralised the police force and had undermined the command of the IG office.

The letter from the Sindh IG also carried a few facts, which he mentioned as "ironic" and suggested that the Sindh government moves were not about exercising administrative powers or making regular decisions, but were more about setting a precedent for the future.

"Ironically, I, despite being head of the police department, came to know about these transfers through media reports. Unfortunately, this has happened at a time when this office was making sincere efforts to avoid frequent transfers and provide a reasonable tenure to the officers serving on different fields and staff assignments," said Dr Imam.

(By Imran Ayub Dawn, 15, 13/12/2019)

### **Sindh IGP's letter**

ONE major obstacle standing in the way of police reform in Pakistan is political interference in the affairs of the force. It is routine for political bosses to remove or transfer 'undesirable' officers, who may not be toeing the party line, and replace them with more pliant policemen. Though this may serve the petty short-term interests of the political elite, it has a negative impact on effective policing, and demoralises those in the force who are determined to carry out their duties as responsible public servants. Sindh has in the past witnessed tussles between the provincial administration and the police's top brass; the case of former IG A.D. Khowaja is a high-profile example of this, becoming a cause célèbre with civil society. The matter went to the Supreme Court, which dismissed the Sindh government's appeal against the provincial high court's order that allowed Mr Khowaja to continue as IGP. In recent days, it appears as if another confrontation may be brewing in Sindh, pitting the current IG Kaleem Imam against the provincial

administration. In a letter to the Sindh chief secretary, as reported in this paper on Thursday, Mr Imam urged the provincial government to “respect the spirit of the judgements ... and let this office play its due role in ... transfer and postings of police officers serving in the province”.

The background to the letter is to be found in some recent shuffling of officers in Karachi and Shikarpur by the Sindh administration, apparently without consulting the provincial police chief. In the letter, Mr Imam said he learnt of the transfers through “media reports” and that such “sudden and unplanned” moves demoralised the police force and undermined the command of the IG. The IG has a point here. While the chief minister is the highest elected office holder in the province and needs to ensure that checks and balances are maintained in the departments under him, abrupt transfers and postings are, indeed, counterproductive and need to be avoided. Moreover, going over the head of the province’s top police official sends the wrong message and harms departmental discipline. Officers must be given security of tenure and the assurance that there will be no political meddling in their work. If any complaints arise against the conduct of officers, these should be handled as per standard operating procedures. The Sindh government needs to establish a more professional working relationship with the provincial police hierarchy and avoid micromanagement. (By Editorial Dawn, 08, 14/12/2019)

### **SEPA issues notices to civic agencies**

Sindh Environmental Protection Agency (SEPA) has issued notices to different civic agencies, functional in Karachi, for disposing of waste directly into the sea.

Separate notices have been issued to Cantonment Board Clifton, South District Municipal Corporation, Sindh Solid Waste Management Board and Karachi Water and Sewerage Board for contributing to sea pollution. The pollution is directly impacting marine life as well as inhabitants of the coastal villages.

The step was taken on the directives of Advisor to the Sindh Chief Minister on Law, Environment, Climate Change and Coastal Development, Murtaza Wahab, who had highlighted that the agencies were found to be violators of environment protection laws of the province.

SEPA stressed the need to protect the coast as well as the ocean and urged the authorities associated with the four mentioned civic agencies to rectify their practices and use the available options for disposal of waste arranged by the government.

As per Sindh Environment Protection Regulations 2014, SEPA is responsible for compliance of safe disposal of waste and can also take legal action against entities, both private and public, who are failing to do so. (By Our Correspondent The Express Tribune, 05, 18/12/2019)

### **PA passes bill against sale, use, manufacture of gutka, mainpuri in Sindh**

The Sindh Assembly on Wednesday passed the Sindh Prohibition of Preparation, Manufacturing, Storage, Sale and Use of Gutka and Manpuri Bill, 2019, banning the import, export, manufacturing, sale and purchase of gutka, mainpuri and their derivatives in the province.

The bill was presented by Pir Mujeebul Haq, who presides over the standing committee on law and parliamentary affairs and human rights of the provincial legislature.

The standing committee was given the task to finalise the draft bill before it was formally moved for approval of the house.

The statement of objects and reasons of the bill referred to the medical reports vis-à-vis health hazards associated with the use of gutka, mainpuri and other such concoctions.

*The house unanimously rejects India’s new citizenship law; bill to revive student unions tabled in assembly*

It said such stuff was dangerous and major cause of cancer and cardiac illnesses.

“The tobacco consumption is one of the biggest challenges confronting the people today. Of 90 per cent tobacco-related oral cancer cases, 82pc pertain to mouth and throat and the survival ratio among cancer patients, who live for five years is 51pc, while 48pc live for 10 years after they are diagnosed,” the bill stated.

#### **Punishments**

According to the new law, no person should produce, prepare or manufacture any mixture or substance, which, apart from gutka and mainpuri, included pan parag or such other mixtures, which were prepared or obtained by any series of operations from the ingredients. These ingredients include any of the forms of chhalia (betel nut), catechu, tobacco, lime and other materials, which are “injurious to health and not fit for human consumption within the meaning of Section 5 of the Sindh Pure Food Ordinance, 1960 and is also in contravention to the provisions of Rule 11 of the Sindh Pure Food Rules, 1965.”

The bill bars anyone possessing, offering for sale, distributing or delivering any such substances.

The bill also prohibits owning, operating or controlling premises or machinery for the manufacture of mainpuri, gutka and their derivatives.

There are punishments given in the new bill for contravention of the above provisions.

"Whoever contravenes these provisions ... shall be punishable with imprisonment which may extend to three years but shall not be less than one year and shall also be liable to fine which shall not be less than two hundred thousand rupees."

Those who contravened the law by purchasing them should be punishable with imprisonment that might be extended to one month and would not be less than a week; or fine which should not be less than Rs5,000.

The offences under this law would be cognizable, non-bailable and not compoundable except Section 9 vis-à-vis purchase of such substances, which would be non-cognizable, bailable and compoundable.

An officer, not below the rank of sub-inspector, could enter a building where he got credible information that the violation of the act was being made "without an order of warrant of search from magistrate against such person and without affording him an opportunity for the concealment of evidence or escape".

However before entering any house prior permission of the SSP of the district concerned would be required.

That officer could "break open doors and windows for his liberation remove any other obstacle to such entry in case of resistance; seize such substances and detain and arrest the person whom the raiding officer has reason to believe to have committed an offence punishable under this law.

An officer is also authorised to seize, in any public place or in transit, any such substance for which he has reason to believe that an offence punishable under this act has been committed. Besides, he is authorised to detain and search any person whom he has reason to believe to have committed such offence; and could arrest him on finding him carrying such stuff.

The public place includes public conveyance, hotel, shop or any other place intended for use by, or accessible to, the public. These officers will have powers to stop and search conveyance.

However, the law also provides punishment for "vexatious entry, search, seizure or arrest" by such officers.

Such officers who detain people and make vexatious and unnecessary searches would be punished with imprisonment for a term which could be extended to three years and maximum fine of Rs300,000.

#### **Resolution against India**

The Sindh Assembly unanimously passed a resolution moved by Chief Minister Murad Ali Shah condemning Indian Prime Minister Narendra Modi's government for committing atrocities on Muslims across India and India-held Kashmir.

"This house recognises with deep dismay, the continued atrocities being meted out by Prime Minister Narendra Modi's government on Muslims across India and the Indian Occupied Kashmir."

The resolution categorically condemned the unilateral lockdown of India-held Kashmir for over 130 days and the state-sanctioned brutalities on its innocent residents.

"The house laments the violence by Indian law enforcement agencies on Muslim students exercising their right to protest; recognises the alarming rise in incidents of fascism and violent extremism towards Muslims in India during the BJP government; and, rejects India's recently passed Citizenship Amendment Bill, which seeks to systematically marginalising and excluding Muslims," said the resolution.

It expressed dismay at the silence of the international community over such continuing violations of fundamental human rights and demanded that the federal government approach the United Nations to censure the Indian government over its persistent and targeted persecution of Muslims.

Chief Minister Shah condemned the Indian government on persistent violation of human rights.

Speaker Agha Siraj Durrani got the resolution passed unanimously after several members from either side of the aisle spoke extensively and condemned the Indian government's anti-Muslim policies.

Those who spoke on the resolution included Opposition Leader Firdous Shamim Naqvi, Health Minister Azra Pechuho, Jawed Hanif, Abdul Rasheed, Mangla Sharma, Nusrat Abbasi and Shabbir Qureshi.

The government introduced Sindh Safe Cities Authority Bill, 2019, and The Sindh Students Union Bill, 2019, which were referred to the standing committee on law and parliamentary affairs and human rights of the house to reconsider.

The house passed The Coastal Development Authority (Amendment) Bill, 2019, again, which had been returned by the governor after placing some objections on its contents for reconsideration, by majority vote.  
(By Hassan Mansoor Dawn, 15, 19/12/2019)

## Public safety commission withdraws resolution against Sindh

The Provincial Public Safety and Police Complaints Commission on Wednesday withdrew a resolution passed earlier against the inspector general of police for not attending two consecutive meetings of the body.

The meeting of the safety commission was presided over by Chief Minister Syed Murad Ali Shah. Chief Secretary Syed Mumtaz Ali Shah, IGP Dr Kaleem Imam, DIG-Traffic Javed Mahar and other senior officials briefed the meeting.

On Dec 6, the resolution against IGP Imam was **passed** as he chose to attend an emergency meeting convened by the prime minister in Islamabad instead of participating in the commission's meeting held at the CM House.

On Wednesday, the resolution passed against the police chief was withdrawn "on the request of the IG police".

*The traffic police issue over three million tickets during 2019*

It was decided that the IGP would present an annual police plan in the next meeting of the commission. The rules of the commission had been framed and sent to the law department for vetting.

The meeting was attended by all members of the commission — MPAs Sharjeel Inam Memon, Imdad Pitafi, Shamim Mumtaz, Shahnaz Begum, Mohammad Ali Aziz, Hasnain Ali Mirza — and Karamat Ali, Barrister Haya Eman, Jhamat Mal and Qurban Ali Malano.

### Rs755.5m traffic fines collected

The commission was informed that the traffic police had recovered a total of Rs755.8 million fine against 3.36m tickets issued during the year 2019.

The figure is 30 per cent more than the challans issued in 2018.

These tickets were issued against the violation of one-way, using fancy number plates, tinted glasses, juvenile driving, poor CNG cylinders, travelling on vehicles' roofs, signal jumping and driving without licence.

Some 35 commercial buildings, which had converted their parking space into shops, were issued notices to restore parking spaces. Speaking on the occasion, the chief minister directed the Sindh police to ensure proper safety and security of the people of the province.

Referring to a police suggestion that the Lines Area Parking Plaza, Baradari Basement parking and three grounds — Railway Ground near GPO, China Ground on Kashmir Road and a vacant plot at Hassan Square turning — should be utilised for parking, the chief minister directed the chief secretary and IGP to review the proposal and implement it, if feasible.

The chief minister also asked the chief secretary to make necessary arrangements for what he termed "speaking roads" with enough road signs and markings for convenience and safety of the public.

He also directed the chief secretary to provide necessary staff to the secretary of the commission for official work.

### Karachi's traffic issues highlighted

The chief secretary said that on the instructions of the chief minister he had been holding meetings with the traffic police in which 147 priority intersections for lane markings, stop line/zebra crossing and 178 locations for installation of traffic signboards had been identified in the city.

The commission was informed that Karachi spread over an area of 3,527 square km with an over 10,000 km road network. There are 5.3m vehicles — 3.2m motorcycles, 1.2 million cars/jeeps, 29,086 taxis, 23,074 trucks etc.

The total strength of the traffic police is 7,085 and they were equipped with 164 four-wheelers and 605 motorcycles.

Major impediments in the smooth flow of traffic had been identified as 91 damaged roads, illegal parking, and absence of taxi, bus and truck stands, encroachments along the roads.

At this the chief minister said that the roads were being repaired while the Karachi Metropolitan Corporation had already launched an operation against encroachments along main roads.

It was pointed out that 52 roads in the city had encroachments against which Karachi police launched an operation and registered 97 FIRs and arrested 168 people.

It was also pointed out that 31 commercial buildings had converted their parking spaces into shops and warehouses. At this, the chief secretary said that notices had been issued to building owners to restore their parking spaces.

Traffic issues had also emerged due to 33 ongoing development projects, including the projects of the bus rapid transit system.

**Traffic police suggest construction of bypass**

The DIG-traffic in his plan suggested construction of a bypass road from West Wharf to Northern Bypass along the seashore exactly on the back side of Machhar Colony.

The construction of the Southern Bypass to divert heavy traffic from KPT to Korangi Industrial Area via Seaview; construction of interchange bridge at ICI junction, construction of head bridge at PIDC bridge to TPX container yard along M.T. Khan Road was also discussed.

The chief minister said that these projects had already been included in the Karachi package and the local government minister had started his consultative meeting with the agencies concerned whose roads/area would be used for construction of bridges.

A police report submitted before the commission said that police had arrested 11,057 suspects, recovered 12.884 kilograms of ice, 72.7kg of heroin, around 8,000kg of charas, 186.29kg of opium, 180,844 bottles of local and 2,353 bottles of imported liquor. The meeting was also told that the police confiscated 1,141,111 litres of Iranian diesel and arrested 448 suspects.

At this, the chief minister said that the police were not responsible for taking action against the smuggling of Iranian diesel but he had assigned them the task because the money generated from smuggling was used for terrorist activities.

(By Habib Khan Ghorri Dawn, 15, 19/12/2019)

**SC directs police to take action if coal-dumping orders violated**

The Supreme Court on Tuesday directed police and other authorities to take legal action if an earlier order of the apex court regarding coal dumping and its transportation was violated.

The two-judge bench headed by Justice Mushir Alam also directed the Sindh Environmental Protection Agency to monitor the coal storage and also visit the industrial units where coal was being used.

The petitioner, Venu G. Advani, submitted that the Supreme Court had directed the Port Qasim Authority in June last year that open coal storage will not be allowed anywhere in the provincial metropolis and can only be kept in warehouses and in case of transportation, proper blankets and moisture must be provided so that the coal dust should not cause pollution. But, the court order has not been complied with, he maintained. The petitioner further submitted that there was no monitoring of coal storage.

He suggested that the transportation of coal from the PQA may be made through the railways instead of vehicles. A PQA official submitted that a project to lay down railway track to berths was being prepared and after the approval of PC-I it will be completed in 12 to 18 months.

(By Newspaper's Staff Reporter Dawn, 15, 25/12/2019)