

# NGOs, CBOs INGO



## Govt barred from coercing NGOs for re-registration

The Lahore High Court (LHC) on Monday restrained the Punjab government from taking coercive measures against civil society and non-government organisations (NGOs) for their re-registration under the Punjab Charities Act 2018.

Justice Shahid Karim passed the order on a joint petition filed by over a dozen civil society organisations and the NGOs, including the Human Rights Commission of Pakistan (HRCP), Aurat Foundation, South Asia Partnership-Pakistan (SAP), AGHS Legal Aid and the Women Rights Association.

Representing the petitioners, Advocate Hina Jillani stated before the court that the Punjab Assembly on Feb 28, 2018 had enacted the Punjab Charities Act, 2018.

She said the government or the lawmakers never consulted the civil society sector and organisations that could be affected by the impugned law.

She pointed out Section 12 of the law made it mandatory for all the charities to get registered with the "Charities Commission" established under the Act. She said the provincial home department published an advertisement in newspapers on different dates during July 2020 giving the Aug 15 deadline for online registration with the commission.

Later, Ms Jillani added, the department circulated instructions to district administrations to enforce the registration process after which some NGOs had received letters for it from the social welfare department. She argued the registration of "charities" had been arbitrarily determined and the requirement of notification under Section 12 of the impugned Act had not been fulfilled.

Therefore, Ms Jillani added, the registration was not legally initiated and the time limit of Aug 15 was without lawful authority and of no legal effect.

She said imposing a deadline during the health emergency because of Covid-19, when most offices of the NGOs were closed or partially working, was not justified.

As an immediate relief, the counsel asked the court to restrain the respondents from enforcing the deadline for re-registration process and also suspend the operation of the impugned Act, which she termed a draconian law.

After hearing the arguments, Justice Karim restrained the government from taking coercive measures against the petitioners/organisations and sought replies from the respondents by the next date of hearing to be fixed by the office.

(By Newspaper's Staff Reporter Dawn, 02, 28/07/2020)

## How one NGO is linking water security to education

The education crisis is one of the most pressing concerns in Pakistan, but one NGO has found a unique way to keep students in classes.

In the harsh desert climate of Thar, most families struggle to find water and the search for it often disrupts other social practices, including attending school. However, the installation of a reverse osmosis (RO) water plant within the school building has proven to be a game-changer in terms of student retention.

The initiative has been undertaken by the Friends of Education Foundation (FoE), which has adopted three government schools as well as establishing two other schools across Sindh. While three of their previous schools were based in Karachi, the next two were in villages in Tharparkar and Khairpur.

What makes their approach unique is that they have installed RO water plants at every school they have set up. They have also installed solar panels to ensure that there is a sustainable method of running the plants.

The impact has been tremendous. Preliminary data collected by FoE estimates that while the installation of water plants led to 10 per cent to 12 per cent increases in school attendance in Karachi, the two schools in rural Sindh saw attendance increase by 40 to 50 per cent after the installation of the water plants.

The most obvious reason for this seems to be that with water availability no longer a burden, it has freed up the community to focus on education. It has also cut down on diseases caused by poor quality water, which further bolsters attendance rates.

With the water plant available to the whole locality, it has made the schools important centres for the community. In turn, parents are more inclined to ensure that their children attend school, particularly as mothers no longer have to travel long distances in the barren desert to collect water.

A major highlight of this social impact is that three-fifths of the student body is now composed of girls, who are often deprived of education due to household chores and costs of schooling.

Moreover, water-borne diseases are one of the major causes for infant mortality rates in Pakistan. With water available more readily and safely, the incidence of diseases amongst children has also fallen, as per anecdotal evidence from local residents. This has further bolstered attendance rates for students.

One of the parents whose children attend the school in Korangi noted that before the availability of water, his daughter often suffered from ailments such as diarrhoea and worm infestation. But now, he says, access to clean water "has improved her attendance and punctuality, and saved costs on going to the doctor and buying medicines."

FoE president Dr Asghar Naqvi shared that the foundation had also begun providing midday meals at one of its schools, further boosting attendance rates as well as health and education prospects for students. He added that they planned to roll out the meal programme across all their schools in a bid to improve both the educational and nutritional resources of their students. (By Newspaper's Staff Reporter The Express Tribune, 05, 07/08/2020)

### **SHC seeks replies on plea against Charities Act**

The Sindh High Court issued on Tuesday notices to the relevant authorities, seeking their replies on a plea challenging the Sindh Charities Registration and Regulation Act, 2019.

A two-member bench, comprising Justice Muhammad Ali Mazhar and Justice Yousuf Ali Sayeed, was hearing the petition, which termed the act ultra vires and a violation of fundamental rights as listed in the Constitution. The petition moved the court to strike down the act.

The petition specifically mentioned Sections 3, 9, 22, 24, 25, 26, 27, 28 and 29 of the Act as being in violation of fundamental rights, deeming them "unjustified" and having the potential to be "used as a tool for oppression and discrimination."

It further prayed the court to rule that the economic affairs division had no statutory backing and lawful authority to frame, regulate and enact policies pertaining to NGOs and to declare the NGOs Policy, 2013, null and void, as it violates Articles 4, 10-A, 17 and 25 of the Constitution. The petition entreated the court to restrict the departments nominated as respondents in the plea, as well as their employees and representatives, from implementing any provision of the NGOs Policy, 2013 and the Sindh Charities Registration and Regulation Act, 2019 against the petitioners. It further moved the court to bar the respondents from taking any other action against the petitioners.

After hearing the plea, the court issued notices to the respondents, including the federal government, Sindh government, directorate of social welfare, the Ministry of Law and Justice, economics affairs division, the Ministry of Economic Affairs, Charities Registration and Regulation Commission and State Bank of Pakistan, seeking their replies on the petition at the next hearing on August 26.

The petitioners include the Pakistan Institute of Labour Education & Research, Aurat Publication and Information Service Foundation, Pakistan Fisherfolk Forum, Human Rights Commission of Pakistan, Workers Education and Resource Organisation, National Organisation for Working Communities, Urban Resource Centre, Rasheed Razvi Centre for Constitutional and Human Rights, South Asia Partnership Pakistan and Shirkat Gah - Women's Resource Centre. (By Newspaper's Staff Reporter The Express Tribune, 04, 12/08/2020)

### **Notices issued on plea against charities law**

The Sindh High Court on Tuesday issued notices to the federal and provincial authorities on a petition filed against the Sindh Charities Registration and Regulation Act, 2019.

The two-judge bench headed by Justice Muhammad Ali Mazhar put the federal secretaries of law and economic affairs division, chief secretary of Sindh, Charities Registration and Regulation Commission of Sindh and other respondents on notice for Aug 26. The petition was filed by several civil society organisations through senior counsel Rasheed A. Razvi challenging the act.

The counsel argued that the act was ultra vires and in violation of the fundamental rights enshrined in the Constitution.

He further contended that around 10 sections of the impugned act were in violation of fundamental rights, unjustified and capable of being used as a tool for oppression and discrimination.

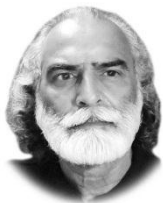
The lawyer argued that the economic affairs division had no statutory backing/ locus standi and lawful authority to frame, regulate enact the rules titled as NGOs Policy, 2013 and this was liable to be declared void for being in violation of Articles 4, 10-A, 17 and 25 of the Constitution.

The petitioners pleaded to strike down the act for being ultra vires to the Constitution and also sought restraining order for respondents from taking action or implementing any provision of impugned policy 2013 and act 2019 against the petitioners and their representatives.

(By Newspaper's Staff Reporter Dawn, 14, 13/08/2020)

### **NGOs must earn public trust**

Currently, a debate about shrinking of civic space to NGOs is taking place in the country. Sadly, the email activists seemingly have failed to involve the larger civil and political society or academia in the debate, yet have raised serious concern that requires debate and resolution urgently as delay will negatively impact the social development in the country.



The current trigger emanated from an act of the Punjab government, which ordered all NGOs even if they are already registered in the province to re-register with the Charities Commission that has been created under the Punjab Charities Act 2018 by August 15. More than a dozen NGOs appealed against the order in the Lahore High Court (LHC). On July 27, Justice Shahid Karim of the LHC passed the order in which he restrained the Punjab government from “taking coercive measures” against NGOs in terms of their re-registration under Punjab Charities Act 2018. Stifling NGOs is not peculiar at all. All successive governments since early 1990s in the country have tried this in some way or the other but failed.

The PPP government (1993-96) is likely to be remembered as a pioneer in this regard. Late Dr Sher Afgan Niazi, minister for social welfare, introduced a bill which would have caused re-registration of already registered NGOs. This generated huge anger. NGOs held protest rallies across the country. Resultantly, Dr Niazi met with NGO representatives. As part of the NGOs’ delegation, I remember we categorically refused to budge. Finally, the bill was shelved. But antagonists of NGOs became active again when Nawaz Sharif formed government in 1997. His government picked the same bill from the shelf, made few amendments and reintroduced it. Though his ministers ran a dirty campaign against NGOs through press and PTV, and state agencies were encouraged to harass outspoken NGOs, the PML-N government sponsored bill faced the same fate.

The military government of General Musharraf adopted rather a clever route. He offered financial incentive to those NGOs who would get FBR or Pakistan Centre for Philanthropy certification, but didn’t bother the others. After forming the third-time government in 2013, Nawaz Sharif introduced major structural changes in the not-for-profit sector. A paradigm shift took place — from management to control of NGOs. For instance, role of civil and military intelligence agencies, and interior ministry was radically enhanced in the registration, de-registration and working of INGOs and NGOs. More than two dozen INGOs were kicked out of the country. For every project NGOs must get prior and separate NOC from district administration. This has hugely stifled the development sector’s working.

The Imran Khan government has not only kept the PML-N policy intact but also tried to achieve what the PPP government wanted to (re-registration of NGOs) in the 90s. Therefore, we could conclude that almost every successive government since 1990s has tried its best to strangulate the NGO sector.

But Pakistan is not alone in this. According to a 2015 report, only 5% of the world population lived in “open” civic space, while 28% lived under completely “closed” space. Rest of the world populations were found in “narrowed” (14%), “obstructed” (37%), and “repressed” (17%) civic environment. No wonder India and Pakistan were categorised as “obstructed”. By 2019, both countries had descended to the “repressed” category.

According to CIVICUS, the author of the above report, “obstructed” means “citizens can organise and assemble peacefully but are vulnerable to frequent use of excessive force by law enforcement agencies including illegal surveillance and bureaucratic harassment etc.” While, as “repressed”, CSOs could “face threats of de-registration and closure by the authorities” and could lead to “imprisonment, injury and death”. However, anecdotal information shows some variation across regions. Restrictions and surveillance appear relatively less in federal/provincial capitals and big cities while in the interior NGOs are largely facing suffocating environment. Yet, overall environment for NGOs has been restrictive since early 1990s and had become repressive by 2015, which continues in 2020. Therefore, the current wave of coercion appears to have nothing to do with FATF. Justice Karim’s remarks and findings of CIVICUS reports resonate the same pain.

States must be challenged for encroaching civil space and if need arises peaceful defiance will be perhaps the only option. Because (i) oppression of civil society is against the innate nature of life. It will lead to uprising; (ii) further, it ultimately erodes legitimacy of the state; (iii) stifling of civil society is a clear violation of Pakistan’s Constitution, international conventions and UNO agreements; (iv) NGOs are already registered under laws, and are, therefore, not only accountable to the state, but also possess legitimacy; and localisation is a major pillar of the SDG regime and the country can’t achieve this without creating enabling environments for NGOs as state officials and policymakers lack the required capacities and will. Pakistan’s performance on her prioritised SDGs has already been pathetic. Therefore, improving the well-being of our people with NGO participation is the only way forward.

Also, NGOs especially those dependent on foreign funding, appear to lack public support and respect. Discussions with MPs, traders, labour unions, NGOs, journalists, academia and politicians show that except NGOs almost every group expressed some form of suspicion about NGOs’ work. Most perceived NGOs as agents of Western powers and pushers of Western values. Thus, they lack public trust. Therefore, while resisting state-sponsored encroachment of civil space, willing NGOs must evolve and build social legitimacy and support base.

For this, NGOs could build strong connections in areas of their field operation and at national level by volunteering time and expertise. Some belonged to very powerful businessmen like sugar mills owners and large landowners. Then we have powerful associations formed by professional groups like lawyers, doctors, etc. As these groups are well-entrenched, they should be made accountable by empowering associations which have been formed by working classes like daily-wagers, sweepers, barbers, drivers, nurses, teachers, factory workers, and above all women, etc. NGOs have neglected them for a long time. Time has come to join their causes. We must not forget these associations are membership-based, they pay a fee regularly and hold their elections with regular intervals. So, they could become backbone of our democratic governance.

Second, willing NGOs should identify public interest issues, prioritise three or five with the consultation of the marginalised associations and communities and mobilise the general public through them. These issues could be environment, provision of quality social services and exploitation by powerful employers and officials. This will help achieve implementation of Article 3; 37 and 38 of our Constitution. NGO workers could volunteer one day of each week for the purpose. But they must not involve any foreign funding in this undertaking. This will ultimately help build a grand social movement.

Third, identify and reach out to the intelligentsia that is willing to volunteer their time and knowledge to prepare a social charter for meaningful reforms pro bono.

Finally, since no foreign or local funding will be involved in this, participating NGOs would not require permission from EAD or NOC from district administration. This is a legal, constitutional and democratic path to earn public trust, reclaim our civic space and build a real social movement.

(By Sarwar Bari The Express Tribune, 15, 15/08/2020)

### **Authorities' replies sought on plea against Sindh charities act**

The Sindh High Court has directed the federal and provincial authorities concerned to file their comments by Sept 15 on a petition challenging the Sindh Charities Registration and Regulation Act, 2019.

On the last hearing, the SHC had put the federal secretaries of law and economic affairs division, the chief secretary of Sindh, provincial social welfare department, Charities Registration & Regulation Commission Sindh and other respondents on notice.

At the outset of the hearing, additional director of social welfare department Mohammad Khailque informed the two-judge bench headed by Justice Mohammad Ali Mazhar that the reply was in process and sought more time to file the same.

The senior counsel Rasheed A. Razvi, representing the petitioners, submitted that on Aug 12, a day after the bench issued notices to respondents, a public notice was published in a newspaper that the provincial government had constituted the Sindh Charity Commission with the direction to all NGOs to apply for registration.

However, the additional director made a clear statement that no adverse action would be taken against the petitioners till next hearing and the bench took the same on record.

The deputy attorney general Kafeel Abbasi also requested for further time to file replies from the federal authorities, impleaded as respondents, till next hearing.

The petition was filed by several civil society organisations against the act and contented that it was ultra vires and in violation of the fundamental rights enshrined in the constitution.

The petitioners further submitted that around 10 sections of the impugned act were in violation of the fundamental right, unjustified and capable of being used as a tool for oppression and discrimination and were liable to be struck down.

They asked the court to declare that the respondent economic affairs division, federal government, Islamabad has no statutory backing/ locus standi and authority to frame, regulate and enact the rules of the NGOs Policy, 2013.

The petitioners also sought directions to restrain the respondents from taking action or implementing any provision of/ under the Impugned Policy 2013 and the Impugned Act 2019 against the petitioners.

### **Tourism secretary summoned**

The Sindh High Court on Thursday summoned the provincial secretary of tourism on a petition regarding 10 people's drowning in the Keenjhar Lake.

The two-judge bench headed by Justice Mohammad Ali Mazhar said that it was the responsibility of the local administration to ensure that fishing boats were not used for tourism after it was informed that the people drowned in the boat meant for fishing and not authorised for tourism.

On the last hearing the bench had summoned the Thatta deputy commissioner (DC) and the senior superintendent of police (SSP) and on Thursday they turned up and the SSP filed a report.

An additional advocate general submitted that a standard operating procedure was made in April last year for security arrangement of the Sindh Tourism Development Corporation at the lake and drowning incidents in summer.

The bench observed that despite formulating the SOP, 10 people lost their lives on Aug 17.

DC Usman Tanveer contented that there were two types of permissions, one for fishing boats and other for tourism, and the incident occurred in the fishing boat which was not authorised for use for tourism.

(By Ishaq Tanoli Dawn, 13, 29/08/2020)

## Edhi head office in Karachi finds itself submerged

What do rescuers do when torrential rains even submerge their operations? If you're the Edhi Foundation, which found its head office at Tower inundated by rainwater in the wake of this week's record-breaking downpours, you set up shop on the sidewalks and continue your relief work without a pause.

Following the thunderstorms, Edhi workers set up a makeshift office on the footpaths next to the flooded street. With walkie-talkies in each hand, they sat on bricks as they coordinated relief efforts.

According to Edhi Foundation spokesperson Saad Edhi, the welfare organisation's teams had been facing extreme inconvenience in serving the people due to the disruption at their office, but they continued their work. "The rainwater rose as high as three feet in our office, damaging all our equipment, including our communication gear," he said.

"We have an old affiliation with Karachi's footpaths and so we have no hesitation in working from there, but the impact of the rain on our rescue services can worsen the problems that citizens are facing," explained Saad, adding that not only were they facilitating those affected by the downpours but they were also providing ambulance services for Ashura processions.

"We are also encountering challenges because we do not have 4x4 vehicles to access the flooded areas or transport boats there," he went on to say. "One such car is stuck at the port because of tax clearance," he added, claiming that the government had not waived import duties on rescue boats for them either.

He appealed to the government to waive import duties and taxes on the equipment they required in order to continue rescue services and relief operations.

(By Kashif Hussain The Express Tribune, 04, 30/08/2020)

## 7 years on, Perween Rahman trial still stalled

The trial in the high-profile Perween Rahman murder case remains stalled for more than a year following restraining orders passed by the Sindh High Court, it has emerged.

Ms Rahman, head of the Orangi Pilot Project (OPP), was gunned down near her office in Orangi Town on March 13, 2013.

Five years later, Abdul Raheem Swati, his son Mohammad Imran Swati, Ayaz Shamzai alias Swati, Amjad Hussain Khan, and Ahmed Khan alias Ahmed Ali alias Pappu Kashmiri were charged with the murder.

According to the prosecution, some of the detained accused during interrogation had confessed to their involvement in the crime and disclosed that local leaders of the Awami National Party (ANP) had allegedly hired Taliban militants to kill her. The judge of the ATC-XIII already recorded statements of the accused persons when the proceedings got stalled.

Advocate Salahuddin Panhwar, who is representing the victim's sister Aquila Ismail, said that his client had requested the trial court to summon officers of the law enforcement agencies, who were heading three different joint investigation teams (JITs) to record their statements in court.

The JITs were constituted on the directives of the Supreme Court to probe into the high-profile killing.

On Dec 22, 2018 the trial court dismissed Ms Ismail's application and fixed the matter for recording final arguments.

Mr Panhwar said that the complainant filed a revision application against the trial court's order in the Sindh High Court, pleading to direct the trial court to summon the heads of the JITs for recording their statements against the accused persons.

He said that the SHC issued an interim stay order, restraining the trial court from passing its judgement in the murder case without recording evidence of the heads of the JITs.

"Ever since the trial has been stalled because the restraining order passed by the Sindh High Court is still in the field," Mr Panhwar explained.

On the last date of hearing on the application, the SHC had asked the counsel for the parties to apprise it about the decision of the Supreme Court, where Ms Ismail had also filed an application seeking a new JIT, under the supervision of the Federal Investigation Agency instead of the Sindh police, to probe the killing afresh, he added.

Defence counsel Shah Imroze Khan alleged that the complainant's side was employing different tactics to delay the trial, which amounted to violating the rights of accused persons, who had been incarcerated since long.

"The trial cannot proceed further until the matter is finally decided by the apex court," he said, adding that a new JIT had submitted to Supreme Court its final report in which real estate tycoon Malik Riaz and some politicians were also interrogated. "The matter is now fixed for hearing on Sept 25 at the Supreme Court," he said.

Speaking to [Dawn](#) about the delays in the trial, Ms Ismail maintained that it was up to the Supreme Court to decide the matter. "We have full faith in the Supreme Court to get justice," she maintained.



(By Naeem Sahoutara Dawn, 13, 24/09/2020)

## Boat rally taken out to oppose development of cities on islands

At least 20 fishing boats and a couple of small speedboats took part in a boat rally that started from Ibrahim Hyderi's busy and undeveloped Jamote Jetty to the twin Bundal and Dingi (also known as Buddu) Islands as part of the 'Samundari Jazair Bachao Tehreek' organised by the Pakistan Fisherfolk Forum on Thursday.



flags in their hands while tying them to the boats as well.

The people in the boats represented not just the fisherfolk community, but also trade unions such as the National Trade Union Federation (NTUF) and the Home-Based Women Workers Federation (HBWWF), non-government organisations including the Pakistan Institute of Labour Education and Research (Piler), Human Rights Commission of Pakistan (HRCP), Indigenous Rights Alliance, Aurat Foundation, research groups and politicians. They raised red and blue banners along with political party

flags in their hands while tying them to the boats as well. The flags flapped and fluttered in the sea breeze as the people chanted slogans such as "Stealing of Sindh's resources unacceptable", "Stealing of islands unacceptable" and "Snatching the livelihood of the poor is no progress!"

Loud Sindhi folk songs playing from some of the boats also prompted the fisherfolk, including old women to dance on swaying boats. "We develop our sea legs as we take our initial steps on the ground as toddlers," laughed one old woman on a boat as her feet tapped and fingers clicked to catchy tunes.

*'Construction of the city or cities here will be a violation of the Ramsar Convention'*

Unfortunately, as Dingi island came into sight, so did two Pak Marines gunboats that circled the rally boats, refusing them access to the island. The boats then turned and headed to Bundal island but by that time the tide had turned very low making it impossible for the boats to drop anchor there. The rally leaders then addressed the rally from their boats through a microphone.

PFF chairman and convener of the movement Mohammad Ali Shah said that the federal government's decision to constitute the Pakistan Islands Development Authority (PIDA) was "unconstitutional and against provincial sovereignty".

"It was decided to construct modern cities on the twin islands without any consultation with the Sindh government despite the fact that this area falls under provincial jurisdiction," Shah said.

"The islands are part of the Indus Delta, which is a Ramsar site and construction of the city or cities here will be a violation of the international Ramsar Convention," he reminded.

"Pakistan has a coastal belt of over 1,050 kilometres and there are 300 small and big islands located in the Sindh coastal belt that the federal government seems to have an eye on," he said, adding that former governments too had attempted to construct cities on the two islands though they could not be successful in their plans as then, too, the people of Sindh, especially the fisherfolk, who happen to be the traditional custodians of the islands, organised themselves and stood up together to stop the 'wrongdoing'.

"We will not let the wicked plans of the federal government see light again," he said.

The PFF chairman was also joined by chairman of the Sindh Taraqqi-pasand Party Dr Qadir Magsi, leader of Sindh United Party Zain Shah, Jeay Sindh Mahaz leader Abdul Khaliq Junejo, Sindhi Tehreek's leader Noor Nisa Paliyo, Shaheed Fazil Rahu Yadgar Committee's Shahnaz Rahu, MNA Jam Abdul Karim, MPA Raja Razzaq, MPA Mahmood Alam Jamote, fisherfolk leaders Suhail Jamote, Jan Alam Jamote, activists and researchers Khuda Dino Shah, Illahi Bux Bikek, Gul Hassan Kalmati, Zehra Khan of HBWWF and Nasir Mansoor of NTUF.

All unanimously rejected the construction of the new cities.

They were of the view that the presidential ordinance that allowed the taking over of the islands by the federal government was against the Constitution of Pakistan, and that it should be reversed immediately.

They said that the islands were the property of the fisherfolk and nobody would be allowed to construct a city or cities on them.  
(By Shazia Hasan Dawn, 13, 16/10/2020)

## Law on NGOs' funding approved, SHC told

The federal authorities on Wednesday informed the Sindh High Court that the economic affairs division (EAD) had formulated the NGOs Policy 2013 which had been approved by the Economic Coordination Committee of the cabinet.

The EAD filed comments before the two-judge bench headed by Justice Mohammad Ali Mazhar in response to a petition challenging the Sindh Charities Registration and Regulation Act, 2019.

The additional secretary of EAD Syeda Adeela Bokhari submitted the comments and it contended that the policy was approved with an aim to ensure effectiveness of foreign aid flowing through NGOs and other non-profit organisations while keeping national interest intact.

It further maintained that as per policy, documents of NGOs were circulated among the stakeholders including security agencies for clearance and on the basis of reports of the stakeholders the cases of NGOs were decided for signing of MoU.

The EAD in its comments further said that it was processing the cases of foreign funded projects of NGOs as per policy 2013, adding that cases of NGOs were being decided strictly as per policy, merit and without any discrimination and prejudice.

The bench issued direction to provide the copy of comments to the counsel for petitioners and adjourned the hearing till Nov 12 and said that the interim stay order passed earlier for not taking any adverse action against the petitioners will continue till next hearing.

The petition was filed by several civil society organisations through senior counsel Rasheed A. Razvi against the act and contended that it was ultra vires and in violation of the fundamental rights enshrined in the Constitution and capable of being used as a tool for oppression and discrimination and was liable to be struck down.

They asked the court to declare that the respondent economic affairs division has no statutory backing/locus standi and authority to frame, regulate and enact the rules of the NGOs Policy, 2013.

#### **Treatment for senior citizens**

The same bench on Wednesday directed the provincial secretary of social welfare department and chairman of the council established under the Sindh Senior Citizens Welfare Act, 2014 to appear on Nov 25.

The Legal Aid Society moved the SHC and submitted that all private hospitals and medical centres were bound to provide 25 per cent concession to senior citizens under the Sindh Senior Citizens Welfare Act, 2014.

The petitioner further argued that according to Section 5(f) of the law, senior citizens' council shall provide free geriatric, medical and health services with free medicines as provided by the respective medical officer from the government hospitals and 25pc concession at all private hospitals, medical centres and clinics.

(By Ishaq Tanoli Dawn, 13, 22/10/2020)

#### **FIA takes into custody welfare organisations' records**

The Federal Investigation Agency's (FIA's) human trafficking cell took into custody on Tuesday records of various welfare organisations and shelter homes of the past 10 years. The records include details of orphan girls' marriages, adopted children, heirless individuals and heirless bodies.

Organisations whose records have been confiscated include the Sarim Burney Trust International, Edhi Foundation and Chhipa Welfare Association, among others.

According to sources in the FIA, the agency had earlier sought the manual and computerised records of these organisations the past five to 10 years as per court orders. But some organisations were unable to comply with the directive, maintaining that they did not have computerised records, they added.

FIA human trafficking cell assistant director Shoaib Khan said that no raids were carried out on any shelter homes and routine operation was carried out at their offices during which the required records were taken into custody.

According to an Edhi Foundation spokesperson, records comprising the details of orphan children staying in the shelter home had been sought by the FIA. The spokesperson said FIA officials had also been summoning the girls who were married off and their husbands, as well as couples who had adopted children from the shelter home, in order to verify data.

He maintained that they did not have computerised records and it was hence, compiling the records sought by the FIA was time consuming.

Meanwhile, Sarim Burney Trust International head said records of the past eight years had been provided to the FIA. He said that records include details of women whom they had got married, adding that welfare organisations should be issued licenses after the completion of the investigation so that they could continue working.

(By Newspaper's Staff Reporter The Express Tribune, 04, 18/11/2020)

#### **NGOs bear brunt of govt's drive to fulfil FATF requirements**

Thousands of small and medium level non-governmental organisations (NGOs) have suffered during the government's campaign to regularise their affairs in a bid to fulfil the requirements of Financial Action Task Force (FATF), the global watchdog for illicit financing.

The mapping of NGOs was started in May 2019 to fulfill the FATF requirements.



The provincial government deregistered earlier this year around 3,851 NGOs of the total 4,935, working in different sectors in the province.

Prior to launching the exercise, sources said that 3,838 NGOs were registered with the provincial social welfare department and 1,097 were registered with the provincial industries department.

They said that social welfare department deregistered 3,030 NGOs while industries department deregistered 821 for not fulfilling the criteria required for their mapping.

*Over 3,500 non-governmental organisations deregistered since May 2019*

However, later on the social welfare department re-registered 12 NGOs out of 3,030 while industries department re-registered 20 NGOs after they provided the required documents, sources in both departments told [Dawn](#).

The government has also frozen the bank accounts of all the deregistered NGOs. The major information sought by the government from NGOs included registration certificates; constitution, rules and regulations; annual action plan and five years strategic plan; detailed annual budget; tax registration certificates; tax exemption certificates; tax

returns of the last three years; evidence of withholding taxes; and annual performance reports for three years.

It also included details of the three years account audit; the Institute of Chartered Accountants of Pakistan membership certificate of the auditor; funding guarantee letter containing donor commitment; proof of local residence; copies of publications and magazines and newsletters; passport and visas in case of foreigners; project reports; and minutes of the board meetings.

An office-bearer of a local NGO in Mardan told [Dawn](#) that their organisation was deregistered by the social welfare department without conveying them the message about the required information for mapping NGOs.

"We were unaware about deregistration of our organisation and continued social welfare activities in our village," he said.

A few days ago, he added, police and officials of social welfare department came and sealed their office for continuing social welfare activities despite deregistration of the organization.

"Later on we came to know that police have also registered an FIR against some of the organisation's members. It was astonishing for us. How can police and social welfare department register FIR when our village-based welfare organisation doesn't know about deregistration," he questioned.

He said that their organisation was working against drug abuse in the village, social evils and festive firing during marriage ceremonies besides repairing electricity transformers and holding medical camps.

He said that neither foreign donors nor government was providing funds to them rather their organisation's main sources of funds was collecting fines from the villagers for violating certain rules they had framed for maintaining peace in the village.

He said that members of their organisation used to play the role of guards outside government girl schools when militancy was on its peak in Khyber Pakhtunkhwa.

"We are in favour of regulating NGOs but they should not be strangled in the name of regulation," a representative of a NGOs network told [Dawn](#), wishing not to be named. First of all, he said, government should educate the NGOs about its requirement and then facilitate them before regulating them.

He said that most of the deregistered NGOs were working at the village and town level, having no foreign funding issue. He said that government should not make such regulations that caused sinking of local NGOs.

He said that international NGOs had online facilities, offices and highly educated staff members and were well-informed about the government's requirements but local NGOs had no such facilities so they suffered during the mapping initiative.

The local NGOs still used a register for record keeping and using Hujras (guest house) as offices, he added.

The director of social welfare department, Habib Afridi, when contacted, said that those NGOs were deregistered, which were not fulfilling the required criteria. "We have reregistered 12 NGOs, which have properly applied and provided the required documents," he said.

He claimed that the most of deregistered NGOs had been dormant since long.

When asked as to why social welfare department did not issue letters to such NGOs prior to deregistration, the director said that it was impossible to issue letters to thousands of NGOs on the addresses of their offices which they changed frequently.

However, he said, the department had directed all the NGOs through advertisements in the newspapers to provide the requisite information.

(By Mohammad Ashfaq Dawn, 09, 30/11/2020)

## SC orders ATC to conclude Perween Rahman murder trial as per law

The Supreme Court has directed an antiterrorism court to conclude the trial in the murder of head of the Orangi Pilot Project (OPP) Perween Rahman in accordance with law, it emerged on Friday.

Five accused — Abdul Raheem Swati, his son Mohammad Imran Swati and three co-accused: Ayaz Shamzai aka Swati, Amjad Hussain Khan and Ahmed Khan aka Ahmed Ali aka Pappu Kashmiri — have been charged with her murder.

Ms Rahman was gunned down near her office in Orangi Town on March 13, 2013.

In September, the Supreme Court had directed Karachi's ATC-XIII judge to conclude the trial within one month since a fourth joint investigation of the Federal Investigation Agency (FIA) had concluded reinvestigation on the directives of the apex court.

*Notice to Gizri SHO on plea for FIR registration over killing of five suspects in DHA 'encounter'*

Judicial sources told [Dawn](#) that the judge of the ATC-XIII had sent a report to the SC in November mentioning progress in the case. The trial court also requested the apex court to allow it more time to conclude the trial, which is still under way, the sources added. In the meanwhile, the sources said that the tenure of the judge of the ATC-XIII expired on Nov 23. Therefore, the case had been transferred to the ATC-IV for further proceeding.

The judicial sources said that a letter had been received from the apex court directing the ATC-IV judge to conclude the trial in accordance with the law.

The trial in the high-profile case remained stalled for around one and half years following a restraining order passed by the Sindh High Court against passing of the judgement without recording evidence of the heads of three joint investigation teams (JITs) constituted to investigate the killing of Ms Rahman.

Earlier, the judge of the ATC-XIII had recorded statements of the accused persons under Section 342 of the criminal procedure code (CrPC).

But, the complainant, a sister of the slain activist, had approached the SHC to seek recording of evidence of the heads of the three JITs and also moved a separate application before the SC for a fresh investigation into the murder by the FIA showing "mistrust" in the Sindh police.

According to the prosecution, some of the detained accused during interrogation had confessed to their involvement in the crime and disclosed that local leaders of the Awami National Party (ANP) had allegedly hired Taliban militants to kill the activist.

### **Plea for FIR in DHA 'encounter' case**

A sessions court on Friday issued notice to the Gizri SHO on an application seeking registration of a criminal case against police officials for allegedly killing five suspects in a 'fake' encounter in the Defence Housing Authority.

The additional district and sessions judge (South) directed the SHO Gizri to file a report on Dec 10.

Police claimed to have killed five 'suspects' alleging they had entered a bungalow near Imambargah Yasrab in DHA Phase 4 with the intention of committing a burglary on Nov 27.

Laila Parveen, a local PTI leader, had filed an application under Section 22-A of the CrPC seeking a direction for the SP (complaints cell) and Gizri SHO to lodge an FIR against police officials allegedly involved in the 'staged' encounter.

Ms Parveen, the owner of the bungalow, said that the officials of the Gizri police station took away her driver, Abbas, from her house and later killed him along with four others dubbed as suspected robbers.

The complainant further submitted that the officials showed that the encounter took place in her bungalow, but there was not a single bullet mark anywhere in the house to prove their claim.

She alleged that the officials had killed her driver, Abbas, who was an innocent man and was neither involved nor wanted by police in any criminal case.

She stated that after the alleged encounter the police officials of the Gizri police station washed the crime scene to destroy the evidence, which was also a criminal act.

The complainant said that the police officials also did not allow an independent post-mortem examination of the slain driver, adding that the body was still lying in the mortuary.

(By Naeem Sahoutara Dawn, 13, 05/12/2020)

## Architect Arif Hasan's wife dies of Covid-19

Mujahida Hasan, wife of renowned city planner and architect Arif Hasan, passed away here on Sunday. She was 77. She had been suffering from coronavirus pandemic for a week, her family members said. She is survived by husband, a son and two daughters.

Her funeral prayers were offered at KDA Scheme No. 1 before she was laid to rest in the DHA Phase-VIII graveyard.  
(By Newspaper's Staff Reporter Dawn, 14, 07/12/2020)

### HR Day 2020

THE coronavirus pandemic has hovered like a cloud over most of 2020, shrouding everything in uncertainty and affecting every aspect of our lives. It is therefore fitting that the theme — 'Recover better: stand up for human rights' — of this year's Human Rights Day which is observed annually on Dec 10, also relates to the global contagion. If anything, the pandemic has cast into stark relief social inequalities and people's inequitable access to health and economic resources. And where suffering and deprivation existed before, they have been magnified still further. Those belonging to the lower socioeconomic strata, among them marginalised communities, are faced with an uphill battle to recover from the financial shock. Moreover, because they cannot afford 'luxuries' like regular medical checkups and good nutrition, they tend to present a higher incidence of co-morbidities such as obesity, high blood pressure, etc. This in turn makes them more susceptible to the worst ravages of Covid-19. In the US, where new cases are exceeding 200,000 each day, one can see that being a developed country is on its own no guarantee of a better outcome if leaders place politics and self-interest above the needs of their people.

With the first vaccine doses being administered, hope has been kindled that the world will turn the corner in a few months. However, despite the efforts of the WHO and a pledge by China to make its Covid-19 vaccine a 'global public good' so as to make it more affordable, it is still too early to gauge when poorer countries will get access to vaccination. But when this nightmare is over, when humanity through its scientific prowess has triumphed over this challenge, let us not forget that the pandemic was a shared story, the first such commonly experienced event in over a century. What follows should not be business as usual. From all indications, global calamities are not going to be the exception, with disease — particularly caused by drug-resistant pathogens — and climate change posing an ongoing threat to the human condition. Countries must find ways to tackle these events through a collective effort by agreeing on basic protocols, notwithstanding political rivalries. On an individual level, each country must ensure that access to health and education is no longer an empty promise. The terrible months that the global community has weathered together should make us resolve yet more firmly to build a better and more equitable world.

(By Editorial Dawn, 06, 10/12/2020)

### Karamat Ali's labour of love

A little noticed survey published this month tells a story not exactly startling, at least to us, with workers being laid off from the PSM, PIA and other PSEs with more ease than the doing of business, as if the officialdom is trying nickel and dime them to death during an intensifying pandemic. This is on top of the millions of job losses in the private sector including media. Conducted by the World Justice Project and Gallup & Gilani Pakistan, it ranks Pakistan 127<sup>th</sup> across 128 countries in the world on effectively guaranteeing fundamental labour rights. These include freedom of association and the right to collective bargaining, the absence of discrimination with respect to employment, and freedom from forced labour and child labour. The bad brother Bangladesh ranks 118 and the bully dog India 98.



One wonders what must Karamat Ali, a veteran of labour rights, be thinking at a time when a Cambridge-trained academic, Dr Syed Jaffer Ahmad, has chronicled his long journey of trials and tribulations that began over half a century ago at Emerson College, Multan. From a Seraiki student activist to a militant labour leader in the industrial hub of Karachi to a national champion of human rights to a global citizen, Jaffer masterfully distils it all out from an incurably restless Karamat. Written in Urdu to make it accessible to the working class, *Rahguzar Tau Dekho* (loosely, Road Often Not Taken), it is an extremely readable Q&A of the working class' struggle for peace, social justice and democracy, based on the first-hand experience and keen observation of one of its own. There is a special focus on Karamat's organisational skills. You name a united working class initiative and Karamat will have a hand in it. Beyond his first love — labour — he was seen running around when the Women's Action Forum was in the works, or Tehreek-e-Niswan was in the offing. He rubbed shoulders with all the leaders of progressive politics. Struggle, relentless struggle, is writ large on his face.

Not to be forgotten is the creative side of him. I first ran into him in this very month during the blackouts of the 1971 war in the Lahore Museum. While Sadequain muralised the walls and the roof, Karamat assisted with calligraphy. A college dropout, he writes poetry, prose and translates some Sadequain's *rubāiyāt* into Punjabi. As the night falls, he enthralled the company by singing romantic songs and ghazals. There is no town in the land he has not painted red. Abroad, sky is the limit. One such night happened at a New York institute researching labour issues. On return he founded the Pakistan Institute of Labour Education and Research, in Karachi. He encouraged local economists to work, perhaps for the first time, on living wage, a concept broader than the administrative determination of minimum wage. It is a tribute to his influence that every economic moot in the country now invariably has a session on the emerging concerns of the workers. When the World Economic Forum began as a conclave of the rich and the powerful, Karamat was among the spearheads of the Social Forum that brought the workers of the world together.

In the words of Jaffer, "The study of this book will bring forth a few larger questions. All ideological people think about these questions and try to provide answers in their own way." Karamat, doubtlessly, has his own way.  
(By Dr Pervez Tahir The Express Tribune, 14, 18/12/2020)