

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C. P. No. D-1937 of 2020

Alongwith

C. P. No. D-1236/2013, D-269/2015, D-1267/2016, D-2906/2016,
D-8622/2017, D-955/2020, D-1414/2021, D-6969/2021 and
D-3282/2022.

Date	Order with signature of Judge
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For hearing of main case.

03.02.2022.

Ms. Safa Waseem, Advocate holding brief for Mr. Muhammad Ali Lakhani, Advocate for the Petitioners in C. P. No. D-1937/2020 and C. P. No. D-1414 of 2021 alongwith Mr. Muhammad Najeeb Jamali, Advocate for the Petitioners in C. P. No. D-3282/2022 and C. P. No. D-1267/2016 alongwith Mr. Areeb Ahmed Advocate.

Ms. Amna Usman, Advocate for the Petitioner in C. P. No. D-955/2020.

Syed Bashir Hussain Shah, Advocate for the Petitioner in C. P. No. D-2906/2016.

Petitioner Shaiyenne Sohail Malik in C. P. No. D-3282/2022.

Petitioner Waqif Shah in C. P. No. D-6969/2021.

Mr. Ali Tahir Advocate along with Mr. Muhammad Hashim and Ms. Arifa Pirzada, Advocates for the Intervenor.

Mr. Kazi Abdul Hameed Siddiqui, DAG.

Mr. Suhail Muhammad Khan, Director General (SP&CS), National Information Technology Board, Govt. of Pakistan.

Mr. Hassan Akbar, Advocate General, Sindh, Ms. Rafiq Rajori, Additional Advocate General, Sindh, Mr. Saifullah, Assistant Advocates General, Sindh.

Syed Mohsin Hassan Shah, Focal Person to Chief Secretary.

Mr. Asif Ikram, Secretary, Information Science and Technology Department, Government of Sindh.

Dr. Shireen Mustafa, Secretary, Social Welfare Department, Government of Sindh, Asghar Ali Ghangaro, D. G. Sindh Child Protection Authority, Syed Mohsin Shah, Incharge D.G. Sindh Child Protection Authority, Ghulam Akbar Leghari, Secretary, Education, Government of Sindh, Abdul Jabbar Shahani, DS, Law, SEGLD are present in person.

Dr. Liaquat Ali Abro, Consultant Law to the Chief Secretary, Govt of Sindh

Syed Mohsin Ali Shah, Focal Person to Chief Secretary

A Statement has been filed by the Secretary Education in continuation of the statements dated 25.11.2022, 08.12.2022, 22.12.2022 and 11.01.2023, reflecting *inter alia* that:-

1. The Teachers Attendance App has been launched/rolled out in 7 districts from 16th of January 2023. The trainings of Master Trainers to train the teachers to use the application has been conducted. The process of trainings of teachers was going on but it has been disturbed due to boycott by Primary and Secondary Schools teachers associations. Negotiations have been held with them but they are adamant. Therefore, the process has been hampered.
2. The App for Student's Attendance Monitoring System is under preparation/development. The meetings have been held with NITB & PITB. The app shall be developed by the PITB and further training of Mater Trainers and Teachers shall start after the application is developed by the PITB.
3. Previously, on last date of hearing, the details of 4430 re-opened schools were submitted. After that, 506 viable closed schools of districts Umerkot and Tharparkar @ Mithi have been reopened totaling to 4936.
4. On the last date of hearing, the details of disciplinary action against 793 absconder teachers were submitted. After that the disciplinary action against 562 further absconders has been carried out (with 366 Major Penalties and 196 Minor Penalties being awarded), bringing the total to 1355.
5. The data of newly enrolled children has been collected from field offices and compiled at provincial level. Whilst a figure of 300,000 had earlier been stated, it transpires that 245227 students have been enrolled. The district wise abstract of these newly enrolled students has been provided and further details of these students are contained in electronic form on USB.

A Report has also been submitted on behalf of the Child Protection Authority, *inter alia* reflecting that a Sindh Child Helpline (1121) has been established by the Authority, which is operational 24/7 basis, and has connectivity across all the 30 districts of the Province, providing a quick referral mechanism if any incident of violation of child rights is reported. Furthermore, the Authority is being supported by UNICEF regarding integration of data on children through development of the CPMIS, which would be deployed after the same is fully developed & field tested.

The Authority is also said to have developed coordination with Police, District Administration & NGOs for an Anti-Beggary Campaign with the focus being on Child Beggary. The anti-child beggary campaign is said to have been intensified and as an outcome, (123) Children's picked from different areas of South, East & Malir districts and brought to the Shelter Home Malir, including (41) child beggars picked/rescued since the last date of hearing. It is stated that such children are properly housed in the shelter home & served with meal, clothing and psychosocial support duly provided to them while staying at the Shelter Home. Education and Vocational training facilities are also being arranged. Different avenues are being explored to initiate joint venture for education and vocational purposes. Furthermore, on the subject of custody and release of children, it is submitted that the children are handed over to the parents and legal guardian through the concerned Court of law having jurisdiction in the matter after full filling legal and procedural formalities.

The Secretary, Information Science and Technology Department, Government of Sindh, as well as the representative of NITB undertake to file their respective comprehensive reports setting out the features and functionality of the App under development, as well as the pros and cons of the system proposed by the Intervener (CMA No. 33251/22 in CP. No. D-1937/2020).

Let intimation also be issued to the Country Head of UNICEF to appoint any responsible functionary of the organization to attend these proceedings on the next date so as to assist the Court as to development and deployment of the CPMIS and related measures. Let a copy of this Order as well as the earlier Orders dated 09.12.2022, 23.12.2022 and 13.01.2023 be communicated along with such intimation for purpose of reference.

Adjourned to 17.02.2023. Office to place copy of this order in connected petitions.

CHIEF JUSTICE

JUDGE