

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

II-Appeal No. 32 of 2017

Date Order with signature of Judge

18th December 2023

APPEARANCE.

Mr. Sohail Latif Memon, advocate.

Mr. Pervez Ahmed Mastoi, AAG.

Mr. Ashraf Ali Mirani, Law Officer, Government of Sindh.

Mr. Ashraf Ali Mirani, Law Officer Culture, Tourism, Antiquities & Archives Department.

Mr. Khalid Chachar, Secretary Culture.

Mr. Roshan Ali Kanasro, Director Archive, Resident Director, PDM & I Cell.

Mr. Aijaz Ahmed Shiakh, D.G. Public Libraries.

Mr. Muhammad Arshad Patoli, Director Libraries Sindh

Mr. Zahid Abbas Akhund, Focal Person/Director Culture Tourism, Antiquities Department.

Mr. Usman Moazzam, Special Secretary Local Govt.

Mr. Mansoor Ahmed Lakhan, Section Officer (Admin), Local Government.

Muhammad Yousuf Alvi, Law Officer, SPCS.

Mr. Suhail Latif Memon, advocate

Mr. Zahid Hussain Hulio, Central General Secretary Sindh Professors and subject Specialists Association/Intervener.

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Salahuddin Panhwar,J, Pursuant to order of this Court, Special Secretary, Local Government is present submits interim compliance report. Being relevant, same is reproduced herewith:-

**“INTERIM COMPLIANCE REPORT ON BEHALF OF
ADDITIONAL CHIEF SECRETARY, LOCAL GOVERNMENT &
HTP DEPARTMENT.**

In compliance to the order dated 16-10-2023 passed by the Honourable High Court of Sindh in IInd Appeal No. 32 of 2017, the undersigned submits the progress report as under;

- It is submitted that in compliance of the Honourable Court's Order dated 16.10.2023 (Annexure-I) a meeting was held on 03rd November, 2023 under the Chairmanship of Chief Secretary, Sindh wherein it was decided that a new committee

shall be re-notified with new composition and TORS. The minutes of the meeting are at (Annexure-II). Subsequently, a committee was constituted under the Chairmanship of Additional Chief Secretary, Local Government & HTP Department vide notification dated 06.11.2023 (Annex-III)

- In pursuance of SGA&CD's Notification Dated 6th November, 2023 a meeting of the Committee was held on 5th December, under the Chairmanship of Additional Chief Secretary, Local Government & HTP Department. In this regard, it was decided that the sub-committees shall be constituted for submission of comprehensive report on prescribed proforma based on the physical visit and findings accumulated thereof with fifteen days for Karachi Division and seven days for other divisions. The minutes of the meeting is annexed at (Annex-IV). However the Sub-Committees were constituted on 06.12.2023 (Annex-V, VI & VII).
- The committees have stated visiting all the libraries physically recording all the relevant details about each library including its operation, infrastructure, basic facilities and daily visitors. The data so gathered, shall be instrumental on deciding the creation of Local Government Directorate of Libraries, its structure, funding required and HR so needed. Moreover department has established close liaison with the library wing of Culture and Tourism Department for deciding important arrangements like to frame the recruitment rules for the post of Director General Library, schedule of establishment, budgeting, purchasing of library material i.e books, repair of buildings and equipment for establishing the digital libraries divisional to town level and learn from the successful operational experiences.
- Furthermore, in compliance of the notification dated 06.12.2023, various divisional wise comprehensive reports on prescribed proforma based on the physical visit and findings accumulated thereof have been received from the Regional Directorates and annexed at (Annex-VIII)."

Further, he seeks one month's time for the implementation of order of this Court and for establishing a separate Directorate of Libraries like Culture Department and Local Government Department having sufficient funds as well as a source of funds, whether from OZT share or a special grant by the Government of Sindh. Such interim report shows that committees are working. Accordingly, one month's time is granted. It is expected that Special Secretary Libraries will come with a positive report as the issues relates to the public at large and that shall be the priority of the Government of Sindh.

2. At this juncture, Mr. Sohail Latif advocate, who is present in Court, is hereby appointed as Amicus Curiae in this issue. Special Secretary Libraries is directed to submit details of libraries, which are in 16 in number, who undertakes to provide the copies to other side including Amicus Curiae. It is pertinent to mention the names of these libraries:-.

1. Bedil Bekas library for Girls Rohri.
2. Culture Complex Sukkur Arts Council Library Sukkur.
3. Ghotki Public Library,
4. Ameer Bukhari Library, Ghotki.
5. Warah Library, District Larkana.
6. Wafa Nathan Shahi Library KN Shah.
7. Abdul Raheem Girhori Public Library Khipro
8. Watayo Faqeer Library.
9. Karampur Library Sehwan.
10. Lucky Library Town Committee Rajo Khanani.
11. Daulatpur Safan Library
12. Laad bai Library Jang Shahi.
13. Library in the city Jam Sahib.
14. Bhagat Kanwar Ram Cultural Centre and Ibne Hayat Panhwar Public Library in Jhampeer,
15. Local Government Library Qamber Shahdadkot.
16. Public Library Mahrabpur.

3. Accordingly, the committee shall also visit these libraries as well as other libraries as per their mandate. Besides, Deputy Commissioners of the respective districts shall personally visits these libraries and ensure restoration of these libraries along with sufficient books, computers and shall prefer to provide internet connections and solar systems.

4. Despite recommendations and orders of this court, no one is in attendance on behalf of the Energy Department to provide solar facilities at division and district levels to the libraries which are under the domain of Culture Department. Secretary Culture Tourism Antiquities & Archives Department present, submits a progress report which is taken on record. Further, he contends that a meeting was held under the chair of Chief Secretary Sindh wherein such directions were issued that Directors of Culture Department would coordinate with the Energy Department and will jointly visit libraries and prepare a feasibility report about the actual requirement of electricity.

5. Director General Libraries, present, contends that despite letters, they are not cooperating for joint visits. Accordingly, Secretary Energy shall be in attendance to submit explanation with further direction to ensure that libraries as referred to above are switched over to a solar system, enabling the citizens/students to take benefits from libraries uninterrupted with internet facilities. At this juncture, Secretary Culture Department contends that they will ensure wifi facilities in the libraries in first phase at the division and district level.

6. Secretary Social Welfare Department vide order dated 06.04.2023 in CP.Nos.D-260 of 2023 and D-355 of 2023, was directed by this court to vacate the building of the Public Library, Mehrabpur within 30 days and possession shall be handed over to the Culture Department, but he has failed to comply with the order. Accordingly, Deputy Commissioner Nosheroferoz shall ensure that the premises are vacated and possession is handed over to the Culture Department.

7. Law officer Sindh Public Service Commission files a compliance report which shows progress and further they undertake that they will complete the process of appointment of all posts in the Literacy Department falling in different categories. Relevant paragraph No.4 is reproduced herewith:

“The SPSC has also advertised region wise posts of Secondary School Teacher (BPS-16) Science Category and General Category in School Education 7 Literacy Department, Government of Sindh vide advertisement No. 09/2022 dated 11.11.2022..... In response 126744 applied for Science Category and 158707 for General Category, total 285451.”

8. Further, Secretary Schools and Secretary Colleges shall submit requisitions of vacant seats within one month with further direction that all seats in Schools and Colleges Education side shall be filled within three months; failure thereof would be deemed as a pejorative act of the delinquent officials, liable to be penal action.

9. Deputy Commissioner Sukkur and Regional Director Local Government shall ensure compliance of order passed in CP.No.D-260 of 2023 with regard to Bedil Bekas library for Girls Rohri and submit a report

alongwith photographs on the next date. In case of failure they shall appear in person.

10. Chairman SPSC shall ensure that result of the viva is prepared on the same day with the signatures of members and shall be sealed on the same day.

Being a part heard matter, adjourned, to come up on 12.02.2024 at 11:00 a.m. Attendance of Secretary Culture and Special Secretary, Government of Sindh is dispensed with till further orders.

J U D G E

Sajid