

facilitation of the non-formal educational system, ensuring its operation in compliance with established legal and regulatory standards.

3. Deputy Secretary Law (SE&LD) present contends that subject specialist teachers as recommended by the SPSC will be issued appointment orders within 15 days. Further, it reflects that approximately 540 viable closed schools have been opened and currently 2769 viable schools are without teachers in Sindh. However, the recruitment process has been restarted. With regard to the increase in the strength of schools as per census, a committee has been notified. Accordingly, appointment orders to subject specialists shall be issued within ten days by completing all formalities.

4. With regard to budget for repair of schools, the Finance Department has been approached by a letter dated 13.05.2024. On the issue of the subject “**internet of Things**” it is decided that in the first phase, 250 public sector high schools are selected and this was also the recommendation of Japan International Cooperation Agency. Needless to mention here that directions have already been given by this Court that 3rd component of Technical Education up to Metric level with a syllabus in consultation with the Technical Board shall be introduced in all high schools. In accordance with the foregoing, the Secretary Schools Education Department shall ensure compliance with the Court’s directive in letter and spirit, without any excuse. In the event of any non-compliance, the Secretary shall be required to appear in person.

5. In the context of implementing solar panel systems at educational institutions to ensure consistent electrical supply, the Department of Education & Literacy is currently coordinating with the Department of Energy to facilitate this initiative.

6. Besides, paragraphs Nos.7 & 8 of the above referred order are that:

“7. Additional Secretary Finance shall be in attendance and shall submit progress report with regard to SNEs submitted by the School and College Education department within two years as well as fresh SNE with regard to allocation of seats in upcoming budget; that report shall explain the approval, rejection for return of SNEs with dates.

8. Secretary School Education Department has submitted letter dated 15.03.2024 whereby request for rationalization of the posts of Subject Specialists has been made to the Finance Department. Accordingly, Secretary Finance shall ensure compliance of above referred letter and shall submit the compliance report to such effect.”

Today, the Additional Secretary of the Finance Department is notably absent without prior intimation. Consequently, a show cause notice be issued to the Additional Secretary Finance, Government of Sindh, as well as a directive to the Secretary Finance, Government of Sindh, to appear and provide an explanation for the delay in approving the SNEs submitted by the Education Department. The SNEs shall be approved forthwith, in accordance with the expedited orders issued by this Court, to ensure the uninterrupted provision of education, which is enshrined as a fundamental right of every citizen.

7. At this juncture, Secretary Schools Education Department is required to submit a comprehensive record of all funds received from various foreign donors over the past five years. In case of non-compliance, the Secretary shall be required to appear in person.

8. Concurrently, the Executive Engineers (Education Works) has filed an application under Order 1 Rule 10 of the Civil Procedure Code (CPC) through advocate Mr. Ishrat Ali Lohar, which has been taken on record. The office is directed to assign a CMA number and issue requisite notice.

9. Focal Person of the College Department submitted a compliance report. However, M.D. STEVTA is not in attendance. M.D. STEVTA is hereby directed to comply with the aforementioned Order dated 27-02-2024, and submit a compliance report with regard to the judgment dated 25-01-2024 passed by this Court in Constitution Petition No.D-84/2023 at Sukkur. On the next hearing date, the attendance of M.D. STEVTA shall be mandatory. During the proceedings, the Focal Person contended that newly recruited lecturers are obligated to serve a minimum of five years in their native districts. However, the Deputy Secretary (Law) of the Education Department countered that the department has a documented policy imposing a two-year transfer restriction on new teachers, presumably to ensure service in their assigned districts. Nevertheless, exceptions have been granted for reasons such as wedlock policy and through different means. It is further asserted that appointments are made based on a quota system, where candidates benefit from their domicile and share in the allocated seats. Therefore, violating these terms and conditions cannot be permitted. Accordingly, the Secretary of the Schools Education Department is hereby directed to:

1. Policy Implementation:

- The Schools Education Department shall implement a policy similar to the one adopted by the College Department. This policy

mandates a **minimum service period** for newly appointed teachers within their assigned districts.

- The purpose of this policy is to ensure that teachers contribute effectively to the educational ecosystem of their respective districts, fostering a sense of commitment and familiarity with local contexts.

2. **Strict Enforcement:**

- The Schools Education Department must enforce this policy rigorously. Compliance checks should be conducted periodically to verify adherence to the minimum service period requirement.
- Any deviations from the policy should be promptly addressed, and appropriate actions taken.

3. **Inclusion in Appointment Orders:**

- All appointment orders issued to new teachers should explicitly include a clause outlining the consequences of violating the transfer policy.
- These consequences may include the **recall of the appointment order** if a teacher prematurely seeks transfer outside of his assigned district.

10. In relation to the **affiliation of the four-year Bachelor of Science program**, the designated **Focal Person** asserts that 16 colleges have initiated the BS program. However, an obstacle persists due to the **affiliation fees** levied by the University for Government Colleges. It is pertinent to note that pursuant to the cited judgment and on various occasions, such fees have been waived, given that the colleges are public sector entities operating under government funding and are remitting examination fees to the Universities. Consequently, it is contended that Universities are not justified in enforcing the imposition of affiliation fees. Nonetheless, they retain the authority to verify that all mandatory protocols have been adhered to for the establishment of four-year degree program faculties across Sindh in both degree and technical colleges under the **Sindh Technical Education and Vocational Training Authority (STEVTA)**. In accordance with the foregoing, the Secretary of the Board and Universities is obligated to promulgate guidelines, accompanied by a notification, and is required to submit a compliance report upon the fulfillment of the aforementioned mandate.

11. Furthermore, the **Chief Secretary of Sindh** is obligated to ensure adherence to all directives stipulated in the judgment dated **25-01-2024**, rendered by this Court in **C.P.No.D-84/2023**, at the forthcoming hearing.

12. With regard to the **rationalization policy**, the **Secretary of Schools** shall, in collaboration with the teacher representatives Mr. Jameel Ahmed and Mr. Zahid

Hussain Hulo, deliberate and ascertain that equitable proposals are sanctioned expeditiously in the pursuit of justice.

13. Being a part heard, to come up on 30.05.2024 at 11:00 a.m.

Sajid

JUDGE

