

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

C.P. No.D-1592 of 2025
[Fozia & others v. Province of Sindh & others]

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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Hearing of case

1. For orders on office objections at flag 'A'
2. For orders on No.177/2026 (Ex/A)
3. For orders on CMA No.176/2026 (1 R 10 CPC)
4. For orders on CMA No.8362/2025 (Voluntarily Assistance)
5. For hearing of main case

12.01.2026

Mr. Abdul Baqi Jan Kakar, Advocate for petitioners
Mr. Ali Gul Abbasi, Advocate for applicants/interveners
Mr. Ali Raza Balouch, Additional Advocate General Sindh a/w Rafia Javed, Additional Director Private School Karachi, Syed Naveed Ali Shah, Regional Director Private School Hyderabad, Abdul Hadi Daudpoto, Regional Director Private School Mirpur Khas, Fozia Naz Mangrio, Regional Director Private School Larkana, Hameeda Jatoi, Regional Director Private School Sukkur, Hakim Ali Chandio, Assistant Registrar Private School Shaheed Benazirabad, Imran Hssan, Director ACE Hyderabad, Rafique Ahmed, Director ACE Mirpurkhas, Zahid Abbas, Director ACE Larkana, Tarique Ali, Director ACE SBA, Bashir Ahmed Channa and Rubina Kiani, Chairman and General Secretary API Sindh, SIP Ali Murad, on behalf of SSP Khairpur

Adnan Iqbal Chaudhry J. – Petitioners are the Managing Committee of Sajjad Model Higher Secondary School, Khairpur. During the hearing of the Petitioners' grievance, which is discussed infra, the Court issued certain directions on 09.10.2025 to the School Education and Literacy Department and the Directorate of Inspection and Registration of Private Institutions to submit a report whether private schools are in compliance of section 10 of the Sindh Right of Children to Free and Compulsory Education Act, 2013, which mandates that private schools shall provide free education to disadvantaged children to the extent of at least 10% of the strength of a class. On 08.12.2025, Regional Directors Private Schools submitted reports with a list of schools within their respective regions that were in compliance. In order to verify those reports, the Court ordered Regional Directors of the Anti-Corruption Establishment **[ACE]** to cross-reference them with the schools' record and by statements of parents of the children mentioned in those reports.

Today, Regional Directors of the ACE have submitted their verification reports, some of them final, some interim. At the same time, there are around 50 persons before us from various private schools,

some of them represented by counsel, who complain of coercive action by the ACE. They submit that the verification exercise taken and being undertaken by the ACE at private schools is more like a criminal investigation, where school staff, mostly females, are intimidated and required to wait for long hours whilst the ACE sifts through school records, and which exercise has halted normal school activities. The learned AAG Sindh states that he too has received similar complaints.

Upon perusal of the order dated 08.12.2025, we note that directions by the Court to the ACE for verifying reports submitted by Regional Directors Private Schools, was intended only to ascertain the veracity of those reports, and surely not to depute the ACE to investigate private schools for non-compliance with provisions of the Sindh Right of Children to Free and Compulsory Education Act, 2013. The legal framework for the latter is provided in the Act itself, and in the Right of Free and Compulsory Education Rules, 2016. With that observation, we order closure of the verification exercise by the ACE. The ACE shall provide copies of the verification reports for the record of the Directorate of Inspection and Registration of Private Institutions **[DIRPR]**, which is the prescribed authority under aforesaid Rules of 2016. We expect that the DIRPR will examine the verification reports to ensure that schools continue to comply with section 10 of the Sindh Right of Children to Free and Compulsory Education Act, 2013.

Adverting now to the grievance for which the petition was brought viz. for police protection against harassment by private Respondents at the school premises. The latter, on the other hand, allege that they have a money claim against the husband of Petitioner No.1 for goods sold to him, and that the petition has concealed true facts. Be that as it may, as per the comments of the SHO PS S.M. Mirani and SSP Khairpur, a police constable has been deployed outside the school premises to ensure safety of the school staff and children during school hours. In our view, that serves the purpose of the petition. The petition is therefore **disposed of** along with all pending applications.

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*M.Ali**