

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-1414 of 2021

Date	Order with signature of Judge
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- 1.For hearing of CMA No.5921/2021
- 2.For hearing of CMA No.5922/2021
- 3.For hearing of main case

04.05.2021

Mr. Ali Lakhani advocate for the petitioners.
Mr. Usman Pervaiz advocate for the State Bank of Pakistan.
Ms. Samina Iqbal advocate for the NADRA.
Ms. Leela Kalpana Devi, AAG.
Mr. Muhammad Nadeem Khan, Assistant Attorney General.
Abdul Waheed Shaikh, Secretary, Social Welfare Department.
Ghulam Abbas Detho, Director General, Social Welfare Department.
Nisar A. Solangi, Director, Social Welfare Department.
Tahir Mehmood, Director, PMC, Social Welfare Department.
Mahmood ur Rehman, Director, V.A. Social Welfare Department.

In the last order dated 14.04.2021, the Secretary, Social Welfare Department was directed to submit the compliance report. Today, inspection report has been submitted duly signed by the Secretary, Social Welfare Department as well as Director General/Licensing Authority, Social Welfare Department which is reproduced as under:-

“INSPECTION REPORT

In compliance with the order of the Honorable High Court dated 14.04.2021 wherein, it was directed that progress report shall be submitted on the next date by the Secretary Social Welfare Department about the inspection that should be carried out by responsible officers of the Social Welfare Department to all registered orphanages and they will also highlight the features and facilities available to inmates in the registered orphanages for the consideration of the court.

2. That accordingly all the Additional Director, Social Welfare were directed to carry out the inspection of Orphanages/Dar-ul-Atfal which were registered under the Sindh Dar-ul-Atfal (Supervision and Control Act 1976), (Annexure – A)

3. That it is submitted that in compliance with the order of the Honorable High Court of Sindh, the Social Welfare Department issued notices and published a Public Notice in vernacular newspapers for Orphanages/Dar-ul-Atfal to get them registered. (Annexure B and C).

4. The Social Welfare Department prepared a detailed updated position of Orphanages/ Dar-ul-Atfals existing/working in Sindh. (Annexure D).

- 25-Orphanages have been registered.
- 03-Orphanages are under the process of registration.
- 04-Orphanages have been closed by their owner/in-charge/NGO.
- 07-Orphanages/Sweet Homes belong to Pakistan Bait-ul-Maal.
- 01-Orphanage is under construction.
- 05-Orphanages i.e. (Edhi Shelter Home for Girls, (b) Karachi Council for Child Welfare, (c). Sirat-ul-Jinnah, (d). Bilquees Edhi & (e) Edhi Children Home Super Highway have not applied for registration despite repeated notices/ correspondence.

5. In compliance with the order of the Honorable High Court, the inspection report is submitted at (Annexure – E)

Sd
Director General
Social Welfare/
Licensing Authority

Sd
Secretary to
Government of Sindh
Social Welfare Department

The copy of compliance report has been supplied to the learned counsel for the petitioner. Three volumes with regard to the inspection report and other relevant documents have also been filed and learned AAG undertakes to supply the copy of three volumes to the learned counsel for the petitioner during course of the day who may examine the same and assist this court on the next date.

The Secretary, Social Welfare Department submits that inspection was carried out after due notice and according to him, the overall condition was found good. At this juncture, we also direct the Secretary, Social Welfare Department to arrange some surprise visit in all orphanages in accordance with Section 23 of the above Act without notice so that actual position will come on record whether they are maintaining all beneficial condition for the inmates of the orphanage or not with all basic amenities and facilities of life and the report of surprise visit of all orphanage which are mentioned in the compliance report shall also be submitted on the next date. He further submits that though 25 orphanages have been registered and the notices have also been issued to some unregistered orphanages to apply and approach for registration and if they will fail to apply in terms of section 14 of Sindh Orphanage (Supervision and Control) Act, 1978 action will be taken against them in terms of Section 25 of the same Act. Further compliance report shall be submitted on the next date of hearing.

By consent adjourned to 27.05.2021.

JUDGE

JUDGE

Aadil Arab