



YOUTH GENERAL ASSEMBLY

AN ANALYSIS OF ACTS OF SINDH ASSEMBLY 2018-20



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Youth General Assembly is an autonomous assembly that has been formed in order to provide a credible platform that instigates a true sense of policy & strategy making, equitable administration and non-customary legislative, public speaking and social issues by empowering enthusiasm in youth for being the future ambassadors and democrats.

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Printed in Pakistan

Published: January 2023

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YOUTH GENERAL ASSEMBLY

SINDH ASSEMBLY ACTS

ACT NO. 1 OF 2019

SINDH ZAKAT AND USHR (AMENDMENT) ACT 2018

Executive summary:

The amendment was proposed by the minister of Zakat and Ushr. On 11th January 2019, bill was passed from the Sindh Assembly and was assented by the governor on 24th January, 2019 and hence published as an "Act". The amendment was passed unanimously and faced no opposition. This act is valid all over Sindh and came into force at once.

Problem statement:

- The word district was changed by the word revenue district. [section 14 subsection 1 of zakat and Ushr act, 2011]
- The Council shall constitute a District Zakat and Ushr Committee in each Revenue District.

Background:

The zakat and ushr system in Pakistan was introduced through Zakat and Ushr (Organisation) Ordinance, 1979, issued on June 24, 1979, for the establishment of zakat organisations at national, provincial, district, sub district and local (village/ward) levels. Subsequently, Zakat and Ushr Ordinance, 1980 was promulgated on June 20, 1980. The provisions relating to zakat came into force immediately while those relating to ushr, which is zakat on agricultural produce, were made operative on March 15, 1983. At the federal level, the Zakat and Ushr Ordinance, 1980 is administered by the Zakat and Ushr Division, Ministry of Finance. Policies are formulated by the central zakat council. It exercises general control and superintendence over the affairs of zakat and ushr in the country.

District zakat and ushr committees are responsible for exercising control over the affairs of the district, area and local zakat committees. Local zakat committees form the backbone of the system. These committees identify a musta'hiq (deserving of receiving assistance from the zakat (fund)). Amendments as introduced in the Finance Bill 1994-95 have rendered the provincial tier ineffective. Hence, the center deals directly with the district organisations. After 18th Amendment provisions have control and distribution on this that's why zakat and ushr act 2011 came into force at once and it was valid in all over Sindh.

Conclusion:

In the manifesto, PPPP mentioned that they need ideas for economic restructuring and growth – for rebuilding an economy that works for all people – over and beyond the crisis management that are to come. There should be plans to escape the stop-start-stop trap, which need to be based, ultimately, on valuing the resources and activities of all our people. They, therefore, are determined to initiate immediate measures for course correction, but also deeper reforms taxation and resource mobilization. This amendment is a part of the Civil Service Reform under chapter of Strengthening Democracy (pages 38-40).

ACT NO. 2 OF 2019

THE SHAHEED MOHTARMA BENAZIR BHUTTO INSTITUTE OF TRAUMA AT KARACHI ACT, 2018

Executive Summary:

This act was made to restructure and reconstruct the administration of SMBB that was not accordingly as expected. The bill was forwarded by the Health Minister of Sindh. The bill passed from Sindh Assembly on 14th January after the final report from the selected committee was presented. And then the same was converted into an Act on 14th February 2019.

Problem Statement:

- The Functions of the Institute shall be as follows:
 - i. To acquire latest physical facilities necessary for carrying out investigation and treatment of various diseases and injuries in the field of Orthopedic Surgery, Neurosurgery, Traumatology, Vascular Surgery and Rehabilitation;
 - ii. To provide the optimum, emergency, subsequent definite treatment and post-trauma rehabilitation to the road accident victims, triaged from accident site and referred from Karachi, outskirts, satellite trauma center of the Institute at other districts of the Province of Sindh.
 - iii. To undertake postgraduate teaching programs such as FCPS, M.S., M.D., Ph.D., and other Diploma in the field of Orthopedic Surgery, Neurosurgery, Traumatology, Vascular Surgery, Rehabilitation and Emergency Medicines, in collaboration with the College of Physicians and Surgeons Pakistan or University of Medical or Health Sciences recognized by the Higher Education Commission (HEC) and Pakistan Medical and Dental Council(PDMC).
 - iv. To carry out and promote research, surveys, experiments and demonstrations and to develop data base registry to be used for improvement of services, preventive methodologies and future planning in the field of Orthopedic Surgery, Neurosurgery, Traumatology, Vascular Surgery, Emergency Medicines and Rehabilitation.
- The Institute shall be open to all persons of either sex of whatever religion, race creed, caste, color or domicile who are academically qualified for admission on merit to the

courses of study offered by the Institute and no person shall be denied the privilege on the ground of mere sex, religion, race, creed, caste, color or domicile.

- Unless a Member ceases to hold office, the term of office of member, other than ex-officio member, shall be three years.
- When a person is appointed to be a member by virtue of holding an office, he shall cease to be such member when he ceases to hold that office.
- In discharging of its functions and duties, the Board shall be guided by the policy in the light of any instructions given to it from time to time by the government.

Background:

In order to meet the challenges of management of Trauma related emergencies, it became imperative for the Health Department, Government of Sindh to visualize future needs and establish a specified facility of emergency healthcare and trauma management, complying the standard criteria of level I Trauma Centre and having capacity of in-house training for personal. Across Pakistan, as even in tertiary care hospitals, the doctors working on accident cases and emergency department are not properly trained to treat the traumatized patients. Considering these facts, the government of Sindh decided to establish a state-of-the-art trauma centre at Dr. Ruth K. M. Pfau Civil Hospital Karachi, named after Shaheed Mohtarma Benazir Bhutto (SMBB). The SMBB Institute of Trauma is a level I trauma center and the first specified in South Asia. The different levels refer to resource available, the degree of readiness and the number of patients admitted annually. They are capable of providing total care for every aspect of injury, from prevention to rehabilitation. Its salient elements include: 24 hours in house coverage and prompt availability of care from relevant specialties; 500 beds for different Specialized Emergency Care & Management; Emergency receiving room – ER with 97 dedicated specialized beds; Fully equipped ICU and HDU; Eighteen fully equipped Operating Rooms dedicated for Emergency and Elective Surgery; Purpose built sophisticated Isolation Rooms for infectious diseases; Completely equipped dedicated examination clinics for Eye, ENT & Oral Maxillofacial Department; Medical Imaging Department with all range of modalities; In addition to Neurosurgery, Orthopedics and Cardiothoracic Surgery are also available; Incorporates comprehensive quality assessment program: Operates an organized teaching and research plan to direct innovations in trauma care; Provides leadership in prevention and public awareness about trauma; Provides continuing education and training of the trauma team members.

Conclusion:

In the manifesto of PPPP, under the section of Health Care for All (pages 7-10), they stated that every person has right to access basic medical facilities. The Pakistan Peoples Party Parliamentarians will pass legislations at federal and provincial levels to ensure the provision of basic health facilities for all. It will be mandatory for the federal and provincial governments to provide basic health facilities of good quality to the people. Our proposals under the Health Care for All – Expanding, Linking-Up and Joining-In (ELAJ) program involve:

- (i) Expansion of services along the successful models of the LHW and primary, secondary and tertiary care initiatives in Sindh.
- (ii) A Family Health Service linking all elements of health provisioning into a unified individual-centered system. Both of which are ensured in the act above.

Hospital upgradation needs to continue at the district and sub-district levels, and there is need for further specialist hospitals and treatment facilities beyond the main cities. This expansion is already planned, at least in Sindh, through the province's annual development plan.

ACT NO. 3 OF 2019

SINDH INSTITUTE OF CARDIOVASCULAR DISEASES ACT, 2018

Executive Summary:

The bill was introduced by the health minister of Sindh. On 10th January 2019, bill was passed and sent to governor but the same was returned to the assembly. Sindh Assembly again on its sitting on 30th January, 2019 passed the bill and sent it to Governor accordingly. The governor did not give his assent this time and under the clause (3) of article 116 of the constitution the time of 10 days was finished therefore it was published as an Act. In this Act it is stated that in the mentioned districts cardiovascular disease centres would be formed and framework of their working is also present. The centres will not only treat the patients but they will also work on research and development on finding the new treatments and to cover the other aspects of this field. This Act came into force at once and was extended all over Sindh.

Problem Statement:

It provided the establishment of an institution as Sindh Institute of Cardiovascular Diseases.

- “Branch” means the branch of the Institute;
- “Governing Body” means the Governing Body of the Institute;
- The headquarters of the Institute shall be at Karachi or Sukkur.
- Any hospital or a unit, as may be transferred to the institute by Government.
- The Institute shall be a body corporate, to be called the Sindh Institute of Cardiovascular Diseases, having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both moveable and immoveable, and shall by the said name sue and be sued.
- To enter into agreement and joint venture with the international and foreign universities, institutes, hospitals and other agencies, with the prior approval of Government in furtherance of the objectives of the institute.
- A person who is or has remained as Professor in the field of cardiovascular diseases or having experience of Management of Medical Sciences Institute shall be appointed as Executive Director by the Government for a period of four years, which may be extended

for another term or terms, on such terms and conditions as the Government may determine.

- The Governing Body may, from time to time, appoint such working groups or committees from amongst its members as it may consider necessary to assist it in the performance of its functions and to discharge such of its functions as it may assign to them.
- The accounts of the Institute shall be audited by one or more auditors who are Chartered Accountants within the meaning of the Chartered Accountants Ordinance, 1961; and are appointed by the Institute in consultation with the Accountant General of Sindh.
- No suit or legal proceeding shall lie against Government, the Governing Body or any person in respect of anything which is done or purported to have been done or intended to be, or has been done in good faith under this Act.

Background:

The headquarters of the proposed SICVD would be either in Karachi or Sukkur. According to Sindh Institute of Cardiovascular Diseases Bill 2018, the new institute would comprise a 250-bed cardiac-care hospital in Sukkur as well as all the eight existing NICVD's satellite centres in Hyderabad, Tando Muhammad Khan, Sukkur, Sehwan, Khairpur, Mithi, Larkana and Nawabshah. In addition to satellite centres, all the seven chest pain units of the NICVD in Karachi, situated in Gulshan-e-Iqbal, Malir Halt, Gulbai, Nagan Chowrangi, Qayyumabad, I.I. Chundrigar Road and Sindh Government Lyari General Hospital, along with the under-construction Pediatric Cardiology Institute at the main NICVD are to be included in the SICVD.

Conclusion:

PPPP has been associated with a number of significant advances in health policy and program in Pakistan. Every person has right to access basic medical facilities. The Pakistan Peoples' Party Parliamentarians promised to pass legislations at federal and provincial levels to ensure the provision of basic health facilities for all. It will be mandatory for the federal and provincial governments to provide basic health facilities of good quality to the people. They, therefore, propose a radical raft of measures to expand health provisioning in order to fill missing gaps, join up the dots from primary health care to tertiary, provide effective health management systems, and ensure that some of the most vulnerable join in to utilize the services provided. Their proposals under the Health Care for All – Expanding, Linking-Up and Joining-In (ELAJ) program involve expansion of services along the successful models of the LHW and primary, secondary and tertiary care initiatives in Sindh, under the Healthcare for all chapter of the manifesto.

ACT NO. 4 OF 2019

THE CODE OF CIVIL PROCEDURE (SINDH AMENDMENT) ACT, 2018

Executive summary:

The bill was introduced by the Sindh government and passed on 30th January, 2019 and was assented by the governor on 12th February, 2019. In this amendment an addition was made to lessen the burden on courts. ADR was proposed to settle civil and commercial disputes outside the court. The court will first review the case and then it will refer that case to designated mediator and the time frame to solve that case would be given to him. In order to reduce workload and expenses in the court system, Alternate Dispute Resolution (ADR) mechanism and measures such as mediation and conciliation are being considered through amendments particularly in section 89-A, Code of Civil Procedure (Act V of 1908) and Order X in 2002.

Problem Statement:

- “Alternative Dispute Resolution” means procedure for settling disputes without court trial, namely arbitration, mediation, conciliation or negotiation.
- That by submitting to the jurisdiction of the Court, the court shall presume that parties by mutual consent agree to refer the dispute for ADR if so ordered by the Court for securing expeditious disposal.
- That a case may be forwarded for ADR by referral of the cases to a mediator/conciliator as identified under Order X, Rule 1C of this Code, in the following circumstances:
 - i. Upon presentation of a plaint, the court shall at the first instance, examine and assess the possibility of resolving the case in a way which is to the advantage of all parties under one of the methods of ADR;
 - ii. If at any stage of the case, before or after the recording of admissions and denials, the court considers the possibility of resolving the case in a way which is to the advantage of all parties under one of the methods of ADR.
- The Court may adopt any lawful procedure not inconsistent with the provisions of this Code and adopt any method of Alternative Dispute Resolution (hereinafter referred to as “ADR”) under Section 89A of this Code.”
- No communication or any kind of documentation made during the ADR process can be produced in court with regards to the case or any other related proceedings.

- Persons, who have undergone a minimum of 40 hours' skills-based training in mediation and/or conciliation and have been accredited as mediators or conciliators by a reputable organization or institution.
- The Court, upon deciding to refer a case to ADR, may determine the amount of fee, if any, to be paid to the mediator/conciliator by the party or parties.
- Upon referring the case for ADR, the court shall direct the parties to appear before the appointed mediator/conciliator on the date and time fixed by the court and shall set a time for returning of the reference which shall not be more than sixty (60) days from the date of reference. The mediator/conciliator may submit a written request for extension of time period which may be extended for no longer than thirty (30) days by the Court, on showing good cause which shall be noted in a court order.
- Parties who have resolved any dispute of civil or commercial nature through the use of an ADR method before initiating any legal proceeding may file an application along with settlement duly signed by the parties and other relevant documents in the court having jurisdiction which shall be registered as a "Judicial Miscellaneous" matter. The court after hearing the parties shall pass judgment and decree as under this Code.

Background:

It was passed in 1908 and was extended all over Pakistan. It states and gives laws regarding the courts of Pakistan. Later on, due to 18th amendment made changes in it accordingly. Civil Procedure Code lays down the procedure, which the courts of civil jurisdiction have to follow. The procedural law is framed to provide the courts a uniform and unquestionable procedure to avoid diversity in dealing with civil cases. The object of the code is clear from its preamble, the code intended to consolidate and amend the laws relating to the procedure of civil courts. The code, being a general law, in case of conflict between the code and special law, the latter prevails over the former. It can be concluded that Civil Procedure Code as a civil law describes the formation of civil courts, its procedure, classification, powers and discretion of the judges.

Conclusion:

Lack of good governance stalks virtually all avenues of state functioning and service delivery in Pakistan. This is generally ascribed to a lack of political will and corruption amongst politicians. While politicians take responsibility and are held accountable for lack of effective leadership, we believe that a necessary condition to improve administration and policy implementation is the conduct of the bureaucracy. Pakistan's bureaucratic structure needs to be restructured and re-oriented with the aim of improving governance and serving citizens substantively.

ACT NO. 5 OF 2019

THE SINDH LOCAL GOVERNMENT (AMENDMENT) ACT, 2019

Executive Summary:

Local government amendment bill was introduced by the Sindh government and was passed on 23rd January, 2019 and it was assented by the governor on 20th February, 2019. After this amendment, the elected local government councils will reportedly be able to remove the mayor and district chairperson through a simple majority. According to the current law, the mayor and district chairperson can only be removed by a two-third majority. MQM-P showed concerns on this amendment. Opposition leader announced to table the amendment on 18th January, 2020 he further added MQM-P and GDA would be taken on board as well.

Problem Statement:

- Under the Amendment of section **27** of Sindh Act of 2013, it was stated that: A Mayor, Deputy Mayor, Chairman or Vice-Chairman, except the Chairman and the Vice Chairman of the Union Committee and Union Council shall be removed from office if a vote of no confidence is passed against him or her by simple majority of the total number of the Members of the Council concerned.
- Under the Amendment of section **53** of Sindh Act of 2013, it was stated that: In case of election to a Council, where, after the conclusion of the trail there is an equality of votes between contesting candidates, the Election Tribunal shall declare both the candidates as returned candidates and each one of them shall be entitled to represent his constituency in the Council for half of its term of office.
- In the said Act, for section **58**: Undue Influence. A person is guilty of exercising undue influence if he directly or indirectly, by himself or by any other person on his behalf – uses any place of religious worship, or any place reserved for the performance of religious rites, for the purpose of canvassing for the votes or not to vote at an election or for a particular candidate.
- Under the Amendment of section **59** of Sindh Act of 2013, it was stated that: the following shall be substituted Illegal Practice, if he obtains or procures, or attempts to obtain or procure, the assistance of any person in the service of Pakistan to further or hinder the election of a candidate.
- In the said Act, for section **62**, the following shall be substituted: a person is guilty of

tampering with papers, if he intentionally takes out of the polling station, any ballot paper or puts into any ballot box any ballot paper other than the ballot paper he is authorized by law to put in; without due authority.

Background:

Under the Sindh Local Government (LG) law, now provincial government has retained the right to set up a Board, Authority or any corporate body to perform any one or more functions of any Council, singly or jointly with any public or private body, and may acquire, continue, manage or operate any commercial venture or activity as deemed necessary in the public interest. Sindh LG Law also authorises the provincial government to appoint Chief Executives of Councils, who are required by law to supervise financial and executive administration of the Councils while all licenses and permissions under law, rules or by- laws can only be issued, granted or given under the signature of the Chief Executive. Provincial government retains the authority to advise a Council to revise a decision, resolution, order or action and holds authority for final decision. It also retains the authority to direct any Council, or any person or Authority.

Conclusion:

Under the chapter of Strengthening Democracy, the PPPP manifesto discusses *Accountability at all levels* (page 39), something that is kept in focus in the act revised above. The Party believes in across the board accountability of all those who are beneficiaries of the state exchequer. The political rhetoric on corruption has become meaningless noise, as it just addresses the disease without treating the cause. Accountability must be holistic, otherwise, it provides fodder to the victim narrative used by politicians such as those currently in power. It is a fact that politicians are most vulnerable to accountability mechanisms. Unfortunately, these mechanisms are currently ridden with legal, administrative and implementation flaws.

ACT NO. 6 OF 2019

THE SINDH LOCAL GOVERNMENT (SECOND AMENDMENT) ACT, 2019

Executive Summary:

Local government (2nd amendment) bill was introduced by the Sindh government and was passed on 7th February, 2019 and it was assented by the governor on 20th February, 2019. After this amendment the elected local government councils will reportedly be able to remove the mayor and district chairperson through a simple majority. According to the current law, the mayor and district chairperson can only be removed by a two-third majority. MQM-P showed concerns on this amendment. Opposition leader announced to table the amendment on 18th January, 2020 he further added MQM-P and GDA would be taken on board as well.

Problem Statement:

- For the words “to the Council”, the words “to the Chief Executive of the Council” shall be substituted.
- For the word “the Council”, the words “the Chief Executive of the Council” and for the word “Government”, the words “Secretary, Local Government” shall respectively be substituted.

Background:

Sindh Local Government Act, 2013 has been passed by the provincial assembly of Sindh and enacted on 29-08-2013. Sindh Local Government Act, 2013 is mainly based on local government ordinance, 1979 following local government tiers have been retained as; metropolitan corporation, district municipal corporations in Karachi, municipal corporations, district councils, municipal committees, town committees and union councils in Karachi, there will be one metropolitan corporation, five district municipal corporations and one district council for the rural areas of Karachi.

There will be three municipal corporations i.e. Hyderabad, Sukkur and Larkana. The Sindh Local Government Act, 2013 exclusively deals with local government / municipal functions and it has no concern with the revenue, police or any other department. The local councils established under this law shall be body corporate and shall function under the provincial framework.

Under the law “local government commission” is to be established for administrative accountability of elected functionaries. The commission shall comprise of two members of the provincial assembly one each to be nominated by the leader of the house and the leader of the opposition, two technocrats to be nominated by the government, secretary law and secretary local government. The minister, local government will be the chairman of the commission.

Conclusion:

According to the PPPP manifesto the Pakistan Peoples’ Party Parliamentarians believes that robust internal defense starts with sound law enforcement, and securing Pakistan internally and externally will entail a coordinated strategy with all agencies at the local, provincial and state levels.

ACT NO. 7 of 2019

THE SINDH INSTITUTE OF CHILD HEALTH AND NEONATOLOGY ACT, 2018.

Executive Summary:

This Bill was introduced by Sindh government and passed from the assembly on 28th January 2019 and was sent to the governor for his assent and came out as an Act on 22nd February 2019.

It came into force at once and was applied all over Sindh. This bill establishes an institution named as “The Sindh Institute of Child Health and Neonatology”. Moving forward the functions of that institution that are properly explained and it is open for persons of all sex, cast, creed, or colour. Admission policy for this institution would be framed by the academic council of the institution. Chief Minister Sindh would be the Patron of this Institution. Minister health shall work as chairperson. Later on powers of the board of this institution are mentioned.

Problem Statement:

- “Academic Council” means the Academic Council of the Institute.
- “Board” means the Board of Directors of the Institute.
- “Chairperson” means the Chairperson of the Board.
- “Trainee” means the Postgraduate/Paramedic Trainee of the Institute.
- Institution shall be established at Karachi along with its branches all over Sindh.
- It would be an independent degree awarding institution.
- To provide full technical support and supervision to other child established health care facilities established in various government health entities other than its branches.
- To develop methodology and standardize technique and protocols for investigations and treatment of diseases or injuries in the field of pediatrics, neonatology and new-born screening.
- The general direction and administration of the institute and its affairs shall vest in the Board, which may exercise all powers and do all acts and things which may be exercised or done by the Institute.

- The board will hold control and administer the property, funds and resources of the Institute and borrow or raise money for the purpose of the Institute
- Board shall cause the accounts of Institute to be maintained properly in respect of each financial year in such a form and manner as may be prescribed or in such manner as may be specified by Government, showing the estimated receipt and current expenditure and the sums to be required from Government during next financial year.
- The annual statement of the accounts and audit report thereon shall be submitted by the Auditor for consideration of the Board for such action as deemed necessary.
- Government may make rules for carrying out the purposes of this Act.

Background:

The Child Health Institute bill had been introduced in the Assembly on January 4 and subsequently referred to a special committee for second reading and amendments. "The law is being passed giving the need of specialized health care for neonates and children," said Minister for Parliamentary Affairs Mukesh Kumar Chawla. "The Government of Sindh is planning to set up a child health institute so that numerous child health outlets can be established under its Umbrella.

According to the new law, technical expertise and trained human resource will be provided to all child emergency centers established in different health facilities of the provincial government. The Sindh Assembly also passed a bill to provide medical aid and treatment to any injured children before completion of 'medico-legal formalities'. The bill was called for after the killing of 10-year-old Amal Umer, during a police shootout with robbers in Defense Housing Authority in August last year. The child had later died due to the alleged negligence of the hospital she was rushed to. The law states that it would be the duty of a hospital to provide compulsory medical treatment to the injured person on a priority basis. The government would penalize hospitals for not giving "first-aid" to injured persons [due to firing, traffic accident, assault or any other cause].

Conclusion:

Pakistan has made several commitments internationally and to its people for the provision of health care, particularly to the most vulnerable. The country has agreed to the United Nations' Sustainable Development Goals (SDGs) related to health and family planning which include: Reducing maternal mortality rate by 2030 to 70 per 100,000 live births, the infant mortality rate to 12 or less per 1,000 live births, and the under-5 mortality to 25 or less per 1,000 live births; Achieving 100 per cent immunization coverage for routine immunizations for under 2-year olds,

in order to reduce morbidity and mortality associated with the incidence of communicable diseases. This act is an implementation of *Freeing All Our People from Hunger and Helplessness* from PPPP manifesto, under the topic of *Healthcare for All*.

ACT NO. 8 OF 2019

THE SINDH INJURED PERSONS COMPULSORY MEDICAL TREATMENT (AMAL UMER) ACT, 2019

Executive Summary:

This bill was introduced by Sindh government and it was passed on 28th January, 2019 and was sent to governor for his assent and it came out as an Act on 11th March, 2019. It came into force at once and was applied all over Sindh. This act makes it compulsory for hospitals, both private and government, to provide treatment to any injured person "without any delay, on a priority basis, without complying with medico-legal formalities or demanding payment prior to the administering of compulsory medical treatment". Under the law, police will not be allowed to "interrupt or interfere" until the person is deemed out of danger. Doctors will also not be bound to obtain consent of relatives while providing compulsory treatment. This act will revoke The Sindh Injured Persons (Medical Aid) Act, 2015

Problem Statement:

- It is compulsory to provide medical aid and treatment without any fear, to any injured person, to save his or her life and protect his or her health during an emergency.
- "Emergency medical condition" means the health condition of an injured person which requires immediate medical attention and/or compulsory medical treatment and denial of which is likely to aggravate the health of an injured person or cause the death of an injured person.
- No hospital or doctor shall demand any payment for providing compulsory medical treatment or such other medical assistance as may be required to be administered to the injured person, if such injured person is unable to make the payment, the

cost of the compulsory medical treatment in such cases shall be borne by the concerned hospital.

- No police officer or any other officer of a law enforcement agency shall interrupt or interfere with the administering of compulsory medical treatment or seek to interrogate an injured person while he or she is receiving compulsory medical treatment in a hospital.
- Under no circumstances, an injured person shall be taken to a police station or any medico-legal procedure be commenced or undertaken before the necessary compulsory medical treatment has been fully provided to such person.
- The hospital shall, upon the request of an injured person or his or her legal heirs, disclose and provide copies of all records and information maintained by the hospital in respect of the injured person within fourteen (14) days of the receipt of such request.
- An awareness campaign shall be regularly carried out by the Department in cooperation with other government Departments and private entities to educate the public, medical professionals and police officers and officers of law enforcement agencies on the duties and obligations of this Act.

Background:

A private hospital wasted 40 minutes of a child's life due to medico-legal formalities. Amal had suffered bullet wounds during an exchange of fire between policemen and robbers during an 'encounter' in Karachi. According to her mother, she was taken to the National Medical Centre where the minor girl was denied treatment and the family was told to take her either to the Jinnah Postgraduate Medical Centre or to Aga Khan University Hospital. Umar passed away due to the delay in treatment. Her death sparked public anger and questions were raised over police performance as well as the negligence of hospitals in such cases.

Conclusion:

Under the chapter of Healthcare for All, in the PPPP manifesto, it states that every person has right to access basic medical facilities. The Pakistan Peoples' Party Parliamentarians will pass legislations at federal and provincial levels to ensure the provision of basic health facilities for all. It will be mandatory for the federal and provincial governments to provide basic health facilities of good quality to the people. We, therefore, propose a radical raft of measures to expand health provisioning in order to fill missing gaps, join up the dots from primary health care to tertiary,

provide effective health management systems, and ensure that some of the most vulnerable join in to utilize the services provided; proposals under the Health Care for All – Expanding, Linking-Up and Joining-In (ELAJ) program. This act specifically focuses on this part of the manifesto and an attentive and concerned implementation of it.

ACT NO. 9 OF 2019

THE SINDH TECHNICAL EDUCATION AND VOCATIONAL TRAINING AUTHORITY (AMENDMENT) ACT, 2019.

Executive Summary:

This bill was introduced by Sindh government and was passed on 1st March, 2019 and then sent to the governor for his assent and it came out as an act on 15th march, 2019. It came into force at once.

Problem Statement:

- For the word “Government”, the words “Chief Minister” shall be substituted.
- Minister or Advisor or Special Assistant to Chief Minister, as the case may be, for the Sindh Technical Education and Vocational Training Authority (STEVTA), or any other person nominated by the Chief Minister will be the Chairperson of STEVTA.
- Vice chair person shall be appointed by the chief minister as well.
- Two members from the provincial assembly shall be nominated by the speaker.

Background:

Keeping in view, the changing Domestic and International labor market requirement and in line with the scheme of reorganization of TEVT Institutions adopted by other provinces, Government established Sindh TEVTA to undertake & manage TEVT Institutions in the province. In order to extend complete autonomy & effective management, the policy making task was entrusted to the STEVTA Board consisting of eminent professionals, from Public & Private Sector, Representatives from leading industries, universities etc. And it came into force in 2009.

ACT NO. 10 OF 2019

THE SINDH PRISONS AND CORRECTIONS SERVICES ACT, 2019

Executive Summary:

This bill was introduced by Sindh Government and it was passed on 17th May, 2019 and was sent to the governor for his assent and it came out as an Act on 29th May, 2019. Prisons Acts of 1894 was primarily punitive in nature and it lacked certain aspects such as reformation, adequate security, clarity on policy and management and also lacked core focus on development of prison human resources. It has total 14 chapters.

- **Chapter 1** deals with important definitions.
- **Chapter 2** deals with declaration of prisons, sub-jail, judicial lock-ups.
- **Chapter 3** deals with establishment of Prison policy board and management committees.
- **Chapter 4** contains duties of IG and other officers and with establishment of Prison Training Academy, recruitment, transfer, posting, discipline and performance and powers of officers and the medical officer.
- **Chapter 5** contains treatment of lawful custody under which UTPs to be treated differently from convicted prisoners. Admission process, rights of inmates, security classification- high, medium and low, introduction of biometric, rights to lawyer and legal aid and undergo on health examination on admission are given in this chapter.
- **Chapter 6** It segregates prisoners on the basis of gender, age, and conviction status, danger, condemned and with contagious diseases etc. It also has the clauses of adequate diet provision- needs of the patients, pregnant women, children and religious requirements, entitlement of one-hour daily exercise.
- **Chapter 7** is about transfer of prisoners - inter-provincial, international, extradition etc.,
- **Chapter 8** about discharge or early discharge of a prisoner for certain reasons of incapacitated, incurable, infirm, above age of 65 and good conduct rules.
- **Chapter 9** deals with prisoners' wellbeing rehabilitation such as non-discrimination, meaningful remunerated employment opportunities, minimum one visit for one hour per month, education, vocational training, health facilities and social and psychological services.

- **Chapter 10** deals with visits and correspondence such as prisoners can send or receive letters, visits – supervised, audio or video recorded etc.
- **Chapter 11** has the provisions of board of visitors, prisoners’ oversight committee visits, inspections, testing of food and inquiries into complaints.
- **Chapters 12** states punishments.
- **Chapter 13** states offences by prisoners and
- **Chapter 14** is about general provision. It came into force at once and was applied all over Sindh.

Problem Statement:

- The purpose of the Prison system is to contribute to the maintenance and protection of a just, peaceful and safe society by assisting the welfare and rehabilitation of prisoners and their reintegration into the society as law abiding citizen through provisions of reformation programs.
- An environment will be created in which Prisoners will be able to live with dignity and develop the ability to lead a socially responsible and crime-free life and such opportunities shall be available to all prisoners without discrimination.
- Sindh Prisons and Correctional Facilities and Corrections Service shall be designed at promoting self-respect and responsibility on part of the Prisoners.
- The Government may by order Provide Classification for Prisons and Correctional Facilities.
- Government shall establish a prison policy board.
- A prison officer shall ensure the security of Prison whilst on duty and report to the Officer-In-charge in any matter which may jeopardize the security of the Prison or the welfare of the prisoners.
- An Officer may use reasonable force against any Prisoner or any person to maintain discipline under an extra ordinary situation, if it occurs.
- Conduct periodic check-ups of all prisoners.
- The Officer In-charge shall cause to ensure that every person admitted to Prison under a warrant or order, is confined in accordance with the provisions of rules, until the person is lawfully released from Prison.
- Government shall provide for the accommodation of Prisoners in Prisons.

- Prisoners sentenced to death shall be kept separately.
- Each Prisoner shall be provided with an adequate diet to promote good health.
- Every Prisoner shall be given the opportunity to exercise and engage in outdoor sports.
- Prisoner shall be treated with the respect due to the Prisoner's inherent dignity and value as a human being.
- Prisoner shall enjoy freedom of religion.
- Primary, secondary school and college shall be established by the Education Department, Sindh.
- STEVTA or any other authority as approved by the Government shall establish vocational training centres in each Prison.
- A computer lab should be set up and internet facilities shall be provided so that prisoners have access to outside libraries.

Background:

The Sindh Assembly on Friday, through a majority vote, passed into law the Sindh Prisons and Correctional Facilities Bill, 2019 to transform the prisons in Sindh into correctional facilities in order to grant opportunities to the jail inmates to participate in a reformation process to become responsible members of society once they are freed. The bill was passed amid a protest of the opposition MPAs against the outbreak of HIV in Sindh. Sindh Parliamentary Affairs Minister Mukesh Kumar Chawla tabled the revised draft of the bill in the House for its clause-by-clause approval. Adviser to the Sindh Chief Minister on Information and Law Barrister Murtaza Wahab claimed that Sindh was the first province of the country where a law was going to be enacted to transform jails into correctional centers. Wahab explained that the new law aimed at preserving self-respect of the prisoners so that once they are freed, they could live dignified lives and play a positive role in society. He said the Sindh Assembly had the honor of making rules for the welfare of the dwellers of the province and vulnerable segments of society including women, children and minorities.

Conclusion:

Under the *Truth and Reconciliation Commission* section of the PPPP manifesto (page 50), the party enthusiasts write that they reaffirm the belief that advancing and protecting rights goes hand in hand with establishing the writ of the state and effective law enforcement to ensure security and rights for our people and our state. The announcement of this act reflects the party sentiments in its elaborate and concerned nature.

ACT NO. 11 OF 2019
THE SINDH (REPEAL OF THE POLICE ACT, 1861 AND REVIVAL OF
POLICE ORDER, 2002) (AMENDMENT) ACT, 2019.

Executive Summary:

The bill was introduced by Sindh government and it was passed on 13th June, 2019. This bill faced a lot of criticism and opposition from PTI, MQM-P and GDA. The bill was forwarded to governor, then it was sent back for the amendment, after that the bill was forwarded to governor again, due to no response within 10 days the bill considered as passed through the act of Article 116(3) and came into force at 26th June, 2019.

The bill was proposed with the amendments to The Police Order 2002 that increased the duties of the police in the province. The monetary increment for the police to cater additional services was not allocated in this bill. Capital City Police was omitted from the bill. The Police complaint commission is added with the 1/3 portion of elected members of national and provincial assembly and then 1/3 district councilors. This bill proposed the structure to police duties. This bill majorly proposes 3 years tenure for the Inspector General of the province.

This bill was highly opposed by the opposition and they predicted that this will make worst situation for the provincial police. Government of Sindh itself abrogated the Article 12(2) by removing IG Sindh Kaleem Imam, this act gives 3 years tenure for every IG to be posted for the province.

Problem Statement:

- Under exceptional circumstances, due to exigency of service or on grounds of misconduct and inefficiency which warrant major penalty under the relevant rules, the Deputy Inspector General of Police and Senior Superintendent of Police may be transferred, with the approval of the Government, before completion of the term of office.
- The head of investigation in the province shall be an officer of the rank of Deputy Inspector General of Police and the head of investigation in a district shall be an officer of the rank of the Superintendent of Police.
- There shall be a Provincial Public Safety and Police Complaints Commission for police oversight and public complaint redress.
- The Commission shall have its independent budget under a separate budgetary head of account, Drawing and Disbursing Officer and the Chairperson of the Commission shall be its Principal Accounting Officer.

- There shall be a District Public Safety and Police Complaints Commission in every District for police oversight and public complaint redress, consisting of nine members one of whom shall be the Chairperson.

Background:

Inherited colonial policing model primarily catered to rural needs, although PO 2002 tried to address issues confronting both rural and urban policing. To meet urban challenges, PO 2002 introduced the concept of Capital City Police (CCP), but the recently adopted law omitted it. For big cities, Sir Oliver Gilbert Grace and Justice Cornelius recommended the commissioner system in 1950 and 1962, which ensured functional autonomy of the police chief and improved public safety. The police committee headed by Aslam Hayat in 1985 also advised restructuring policing on the lines of a commissioner system; they believed it would improve decision-making, response and accountability within the police.

Conclusion:

According to PPPP manifesto, we need ideas for economic restructuring and growth – for rebuilding an economy that works for all our people – over and beyond the crisis management that is to come. There needs to be a plan to escape the stop-start-stop trap, and that plan needs to be based, ultimately, on valuing the resources and activities of all our people. They, therefore, pledge not only immediate measures for course correction, but also deeper reforms which will create a sustainable base for tackling precarious and narrowly-shared growth, external imbalances, and public finances. Their party believes that the struggle against violent extremism as well as other forms of violence which threaten our people and our state must be based on the rule of law.

Under the topic of *Ensuring Rights, Securing Peace: For our State And our People*, they exclaim *Reaffirming the Writ of the State* (page 44). This states that they will channel resources, build political consensus, bolster law enforcement capacity for implementation, and ensure that the use of force remains under the sole monopoly of the state. Their party, therefore, believes that:

- The writ of the state must be constantly reaffirmed through the rule of law
- Effective implementation of a comprehensive National Action Plan against Violent Extremism
- The law must encode, protect and advance the rights of all our people
- Law enforcement must be effective and judicious

ACT NO. 12 OF 2019

THE SINDH FINANCE ACT, 2019

Executive Summary:

The bill was prepared by the Sindh government and then forwarded to the Governor Sindh. Governor Sindh approved the bill on 5th July 2020. The bill was proposed as the finance bill for the financial year 2019-20. The taxes on shops and rents were increased, 5% tax was increased on online shopping. Rs1.217 trillion worth bill was passed that included financial details for every sector of the province.

This budget faced a cut in operating expenses, and budget expenditure were reduced from Rs.1.144 trillion to Rs.956.779 billion. Budget deficit was reduced from expected Rs.20.45 billion to Rs.11 billion.

Conclusion:

Under the section of Taxation Measures and Resource Mobilization in PPPP manifesto of 2018, (pages 35-36) which puts great attention on the discussion of finances, the party has very clearly explained their preference. Progressively increasing the tax-GDP ratio to 15 per cent in the next five years will require a range of measures. Ideally, the economy needs to shift towards direct taxation. This will happen if there is greater formalization of the economy with more individuals and economic entities being brought into the tax net. A significant untapped source of development financing remains in the functions of the central bank, which is mandated (SBP Act 1956) to “regulate the monetary and credit system of Pakistan and foster its growth with a view to securing monetary stability and fuller utilization of the country’s productive resources.” Since 1991, the SBP has practically abandoned its developmental role. There is virtually no directed credit and no long-term credit instruments.

ACT NO. 13 OF 2019

THE PROVINCIAL MOTOR VEHICLES (AMENDMENT) ACT, 2019

Executive Summary:

This bill was introduced by Mukesh Kumar Chawla from PPPP and it was unanimously adopted on 8th November, 2019 it came out as an act on 27th November, 2019. The bill was presented to allow the hearing-impaired persons to acquire the driving license. The bill also directed to make the special arrangements by the special people that includes mirrors, and the device that can enable them to hear the horn. They have also made the special provision at traffic license office for hearing-impaired people, who can get driving license without any fee and they will be assisted with sign language. That enabled the disable people to get the access of the driving license and this bill got international coverage. All the members of the assembly appreciated the bill and MQM-P apprised this kind of bills, PTI member suggested to bring bills for disables for job provision.

Problem Statement:

- After the words “defect or disability”, the words “including differently abled persons with hearing impairment” shall be inserted.
- He applicant with hearing impairment having up to 40 DB hearing loss shall wear hearing aids and in case the hearing loss exceeds 40 DB, the applicant shall use assistive technology devices or means.
- The person who will take the driving test should know sign language or should be assisted by a person who knows sign language.
- No license fee shall be charged from such person.
- Provided that the vehicles of such persons shall attach mandatory stickers on their vehicles, as may be prescribed.

Background:

It was introduced in 1965. In section it has short titles and definitions. It is further divided into 9 chapters and 14 sections.

Conclusion:

PPPP acknowledges that they need ideas for economic restructuring and growth – for rebuilding an economy that works for all our people – over and beyond the crisis management that is to come. There needs to be a plan to escape the stop-start-stop trap, and that plan needs to be based, ultimately, on valuing the resources and activities of all people. The Pakistan Peoples' Party Parliamentarians believes that an inclusive society is one in which all individuals are integrated irrespective of variation in physical, intellectual, or sensory abilities, whether visible or invisible. An individual's different ability is no excuse to deny them their rights. We propose to develop new strategies, strengthen existing policies and undertake legislative measures to secure the rights of all differently-abled people. This amendment can be credited to the section: *A More Inclusive Society: Integration of Differently-Abled People* in PPPP manifesto (pages 15-16), under the topic: *Accessible environments*. It ensures sentiments of carrying out a review of and updating current legislation/laws and regulations concerning the accessibility of all differently-abled people in public as well as private buildings, facilities and wherever else necessary. Also, taking measures to ensure the serious implementation of accessibility laws and regulations, and diligently taking action against non-compliant organizations according to the manifesto.

ACT NO. 14 OF 2019
THE SINDH INSTITUTE OF OPHTHAMOLOGY AND VISUAL SCIENCES
(AMENDMENT) ACT, 2019

Executive Summary:

This bill was proposed by Sindh government and it was passed on 13th November, 2019. It was then sent to governor for his assent and was enforced as an act on 27th November, 2019. It came into force at once and it was applied all over Sindh. The bill faced no opposition and was unanimously passed. This amendment gave SIOVS status of degree awarding institute. This will make it as higher education institute. This bill was proposed to empower the Sindh Institute of Ophthalmology and visual Sciences this bill allowed them to get the status of higher education institute. This also promoted the students to take part in this medical field.

Problem Statement:

- The Board shall meet at least twice in a year with gap of at least three months on the date to be fixed by the Executive Director and shall be communicated to Chairman at least two weeks in advance. The meetings of the Board shall be held at the Institute.
- To hold examinations and to award and confer degree, in Ophthalmology and Visual Sciences diploma certificate and other academic distinctions to and on the persons who have been admitted to and have passed its examinations under prescribed conditions
- Eye Hospital Khairpur be handover to the Sindh Institute of Ophthalmology and Visual Sciences.
- The institute of Ophthalmology and Visual Sciences shall be an independent degree awarding Institute.
- Coordinate and collaborate with Provincial, National and International organizations in the field of ophthalmology with the approval of the Board

Background:

Sindh Institute of Ophthalmology & Visual Sciences (SIOVS) is one of the major institute in Pakistan established through legislation of Provincial Assembly of Sindh by upgrading the status of Liaquat University Eye Hospital Hyderabad. SIOVS offers patient care services, teaching, training, and research in the field of Ophthalmology. SIOVS is located in Hyderabad, the second largest city in Sindh Province.

Conclusion:

Under the chapter of *Naujawan Pakistan: Opening Opportunities for Our Children and Our Youth* of the PPPP manifesto, they claim that the future belongs to the children and the youth. Education is not just about learning academic skills, even though for our schooling system this is an essential first step. We need a well-functioning system that will fulfill the constitutional pledge of equal opportunity of quality education for all our children, and will help individuals grow who are creative, confident and compassionate, to build a future society that both we and the world will value. They have elaborated their values under headings such as *Quality and Free Education for All; Improving access for all; Fostering 21st century skills and values of critical thinking, compassion, and creativity; Fostering universities as places of excellence and Maximizing the Youth Dividend: Naujawan Pakistan* which talks about providing opportunities such as this acts to the youth in detail (pages 16-19).

ACT NO. 15 OF 2019

THE SINDH REPRODUCTIVE HEALTH CARE RIGHTS ACT, 2019

Executive Summary:

This Act is known as the Sindh Reproductive Healthcare Rights Act, 2019. It reaches out to the entire of the Province of Sindh. In this demonstration to guarantee not to reveal or share any close to home data identifying with regenerative wellbeing with others. Any rejection, limitation or discretionary qualification, made based on sex having impact or motivation behind impeding convictions, jobs, qualities and practices which advance for socialization. Public and private establishments which offer regenerative medicinal services benefits just as the staff which is working with such institutions.

Problem Statement:

It was passed on 13th November 2019 and enforced on 29th November 2019. Proposed by PPPP and opposed by PTI, MQM-P, GDA.

- In this Act “choice” means to decide freely as how to manage reproductive life;
- “confidentiality” means to assure not to disclose or share any personal information relating to reproductive health with others;
- “Continuity” means a constant process of receiving reproductive health care services for lifetime.
- “Reproductive health” means a state of complete physical, mental and social wellbeing, but does not merely mean the absence of disease and infirmity, in all matters relating to the reproductive system, its functions and processes;
- “Reproductive right” means the right of a couple to reach the highest level of reproductive health, without discrimination, coercion and violence.
- Men and women are the subject of reproductive health care and they are jointly involved and responsible for parenting and are equally entitled to access to information relating to reproductive health care and reproductive rights.
- There is a need for developing public awareness which prevents maternal deaths and suffering of women and children.
- The right of reproductive healthcare information shall be promoted by including reproductive health education in the curriculum at the secondary and higher secondary

school levels as “life Skills”.

- right to gender neutral information shall be promoted by access to information related to the reproductive rights and responsibilities with a gender perspective, which is free from stereotype, discriminatory, coercive and obscurantist customs and is presented in an objective and pluralistic manner.
- It is important to recognize that the couples have the right to information whether to start or plan a family including spacing, timing and the number of their children.
- The right to equality and to be free from all forms of discrimination shall be promoted by ensuring that all women have the right to protection from discrimination in social, domestic or employment spheres by reasons of pregnancies or motherhood “as prescribed”.
- All persons shall have the right to be free from ill treatment and to be protected from sexually transmitted diseases such as HIV/AIDS, rape, sexual assault, sexual abuse, sexual harassment and other forms of gender-based violence.
- The need of reproductive healthcare shall be accepted as to reach underserved persons by increasing access to the disadvantaged and vulnerable by strengthening the basic health units, “rural health centers,” MCH Centers, Family Welfare Centers for the provision of family planning, maternal and neonatal healthcare, in addition to other services.
- To meet health needs or requirements of men and women by or through observance of World Health Organization (WHO) standards of antenatal, inter-natal and post natal care including post abortion care which reduces the incidences such as involuntary miscarriage and to increase access to skilled birth attendants.
- The facilitation of reproductive healthcare services shall focus on the provision of quality family planning services through a range of mixed methods which may include short term, long term and permanent methods, and also includes new methods based on informed choice and that the facilities are visible to the communities through better promotion and branding.
- Provision of services to reduce infant and neonatal mortality, decrease preterm and stillbirths, all of which are linked to multiple pregnancies without birth spacing.

Background:

Men and Women are the subject of conceptive human services and they are together included and liable for child rearing and are similarly qualified for access to data identifying with conceptive health awareness and conceptive rights.

It covers entire area of Sindh. Arrangement of full scope of incorporated administrations including family arranging which will address the maternal and mortality. Arrangement of value family arranging administrations through a scope of blended strategies which may incorporate present moment, long haul and changeless methods. Training of regenerative social insurance suppliers to be sexual orientation delicate and to reflect client point of view to one side to protection and classification. Centering and organizing the turn of events and reinforcing of the essential social insurance segment. No individual will be exposed to constrained sex, pregnancy, sanitization, premature birth or anti-conception medication. Government will make rules for doing the reasons for this Act.

Conclusion:

Under the section; Healthcare for all (page 7) of the PPPP manifesto its leaders have promised Reducing maternal mortality rate by 2030 to 70 per 100,000 live births, the infant mortality rate to 12 or less per 1,000 live births, and the under-5 mortality to 25 or less per 1,000 live births . Pakistan has made several commitments internationally and to its people for the provision of health care, particularly to the most vulnerable. The country has agreed to the United Nations' Sustainable Development Goals (SDGs) related to health and family planning which include the above mentioned clause.

ACT NO. 16 OF 2019

THE SINDH CHARITIES REGISTRATION AND REGULATION ACT, 2019

Executive Summary:

The proposed law will provide a legal basis for action against the organizations involved in criminal or political activities while operating under the veil of charity. The proposed law makes it necessary to register the charity organizations, promoters and the fundraising campaigns. The donors would have to inform about their source of income, the draft of the law suggests.

After the law is implemented in the province, it will be mandatory for all charitable organization to get registered with the commission. The commission may cancel the registration of such organizations if they commit violations of the provision under this Act or its rules. Besides, the commission may appoint a charity trustee or any officer or office-bearer of a charity within a period of six months, if such charity fails to remove a trustee involved in moral turpitude, dishonesty or deception or if he/she has been adjudged bankrupt. After enactment of the Sindh Charities Act 2019, action will be launched against unregistered non-profit organizations.

Problem Statement:

- It extends to whole of the Sindh and shall come into force at once.
- It will entail promotion of education and learning; provision of health and lifesaving services; community development; promotion of arts, culture and heritage; promotion of human rights, conflict resolution and reconciliation activities and encourage environmental protection and environmental improvement.
- Defined 'charity' in elaboration.
- As soon as after commencement of this Act, Government shall, by notification in the official gazette, establish a Commission known as the Charities Registration and Regulation Commission.
- Functions of the Commission shall entail Without prejudice to the generality of the foregoing powers, the Commission shall – maintain public trust and confidence in charities; register, regulate and sanction fund raising of the charities; protect charities and the beneficiaries and establish a central database and mention a website of commission.
- The Commission may sanction the collection subject to such conditions as it may consider necessary for ensuring the proper custody of the fund and its due administration and utilization for the objects and purposes of the charitable fund.
- The Commission may request to Chief Secretary/Chief Minister or as the case may be to nominate any officer of the Department of Government who shall be a civil servant of BS-19/20 to carry out the function of monitoring and evaluation.

- If, after evaluation or audit, the Commission is satisfied that any charity has failed to comply with the obligations envisaged under this Act, the Commission may – (a) suspend or cancel the registration of that charity under this Act; and (b) impose fine, not exceeding one million rupees, on the charity or organization.
- The charity trustees shall ensure that accurate accounting records are maintained in respect of the charity. The accounting records shall also mention all the transactions of the charity and shall also reflect on the financial position of the charity.
- A person who contravenes any provision of this Act or the rules or of any order made, direction given or condition imposed under this Act shall be liable to punishment of imprisonment for a term which may extend to one year but which shall not be less than six months and fine which shall not be less than fifty thousand rupees or more than one hundred thousand rupees.

Background:

Act no. XVI entails The Sindh Charities Registration and Regulation Bill, 2019. The bill was presented to the Sindh parliament on Friday, 21st November 2019 passed by majority votes in the parliament and regulated on 22nd November, 2019. It was passed on 22nd November, 2019 and was enforced on 2nd December, 2019. While it was proposed by PPPP, it was opposed by MQM and GDA.

The Sindh Assembly passed this bill to keep a check on funds and donations collected by charitable organizations and other institutions to ensure that the money is not used for any criminal or terror activities in the province. In the bill, there is a provision for the creation of a commission, titled, 'Charities, Registration and Regulation Commission' which will have 12 members, including two MPAs nominated by the Sindh Assembly speaker. The commission will discharge its functions, exercise its powers and conduct its proceedings in the prescribed manner. The minister, adviser or special assistant to the chief minister on social welfare will be the chairperson of the commission and in his absence, it may be any other person nominated by the CM.

Conclusion:

Under the Social Protection to Poverty Reduction PPPP claims that they, need to move towards a comprehensive social protection system in Pakistan that will address a wide range of risks and vulnerabilities of the poorest. The BISP represented a paradigm shift in social programming in Pakistan in terms of Scale, Beneficiaries, Targeting method, Partnerships where this act of charity regulation is an implementation of 'targeting methods'. It is expedient to make effective provisions for the registration, administration and regulation of charities, fund-raising and collection and utilization of charitable funds for charities and other institutions or for any other purposes.

ACT NO. 1 OF 2020

THE AGRICULTURAL PROCEDURE MARKETS (AMENDMENT) ACT,

2019

Executive Summary:

The Agricultural Procedure Markets (Amendment) Bill, 2019 having been passed by the Provincial Assembly of Sindh on 4th December, 2019 and was approved by the Governor of Sindh on 7th January, 2020 and then published as an Act of the Legislature of Sindh.

Major Statement:

- This Act may be called the Agricultural Produce Markets (Amendment) Act, 2019.
- Under the Amendment of Act V of 1939; In the Agricultural Produce Markets Act, 1939, for the word “Government” wherever occurring, the words “Minister for Agriculture” shall be substituted.

ACT NO. 7 OF 2020

THE ESTABLISHMENT OF THE OFFICE OF THE OMBUDSMAN FOR THE PROVINCE OF SINDH (AMENDMENT) ACT, 2020

Executive Summary:

This Act was passed on 23rd January 2020 and enforced on 6th February 2020. The Provincial Assembly of Sindh in its sitting held on 08th January, 2020 passed the Establishment of the Office of the Ombudsman for the Province of Sindh (Amendment) Bill, 2020. The Provincial Assembly of Sindh in its sitting held on 23rd January, 2020 reconsidered the Bill and passed it again without any amendment which was accordingly sent to the Governor.

Problem Statement:

- In the said Act, for the word "Governor", the words "Chief Minister" shall be substituted.

Background:

The Ombudsman shall hold office for a non-renewable term of four years. In the Establishment of the Office of the Ombudsman for the Province of Sindh Act 1991, hereinafter alluded to as the said Act for the word "Governor", the words "Chief Minister" will be substituted; the individual will be who has been or is able to be a Judge of the High Court has stayed government employee of BS-20 or above; or is known for honesty and social greatness. The rules were notified by the cabinet wing of the provincial government and have been amended under the 18th Amendment. This has made Sindh the first province where the functions or powers of the governor transferred to the chief minister.

Conclusion:

Constitutional disparities regarding the distribution of power between the governor and the chief executive have been restored by the 18th Amendment, restoring the pre-1985 position. Previously, the constitution empowered the governor to frame the rules for transaction of the business of the government. Now, this authority has been shifted to the chief minister. Therefore, changing the name in all formal documentation as mentioned in chapter *Devolution as Ongoing Process: The 18th Amendment* of the PPPP manifesto (page 40)



YOUTH GENERAL ASSEMBLY