

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-3959 of 2015

Date

Order with signature of Judge

Present

Mr. Justice Muhammad Ali Mazhar

Mr. Justice Agha Faisal

United Human Rights Commission Pakistan.....Petitioner

Versus

Government of Sindh & others.....Respondents

31.05.2018

Ms. Rahat Baig, Advocate for the Petitioner.

Mr. Iqbal Khurram, Advocate for KMC.

Ms. Rukhsana Durrani, State Counsel.

Dr. Syed Saif-ur-Rehman, Metropolitan Commissioner,
K.M.C.

Mr. Iqbal Pervaiz, Director Graveyard, Municipal
Services, KMC.

Mr. Muhammad Sarwar Alam, Deputy Director,
Municipal Services, KMC.

Muhammad Ali Mazhar, J: In compliance of the order dated 23.05.2018, Mr. Iqbal Pervaiz, Director Graveyard, Municipal Services, KMC submitted a statement on 30.5.2018. He was directed to place on record latest update as to what efforts are being made for new graveyards. According to the statement dated 30.5.2018 and documents annexed, a piece of and measuring 9.75 acres has been earmarked in Surjani Town, Sector 16-A and tender has already been sanctioned for the construction of Model Graveyard. In the same statement it has been pointed out that 425 acres of land has been allocated for graveyard at Super Highway Link Road M-5. The learned counsel for the petitioner wants to focus only to the schemes of new graveyards through this petition and she is satisfied that after all some provisions have been made by the KMC for the new graveyards. The Director Graveyard, Municipal Services, KMC submits that boundary wall will be

erected at Surjani Town plot within three months and for the remaining 22 acres land out of 425 acres graveyard land situated at Super Highway Link Road M-5, he submits that the tender will be published in the month of July, 2018 and after awarding contract the work will be completed within six months. The Metropolitan Commissioner, KMC as well as the Director Graveyard, Municipal Services, KMC shall ensure that the work shall be completed in both newly earmarked graveyards in accordance with the timeline given in this order and compliance report shall be submitted to the MIT-II. He further submits that remaining land shall also be used for the graveyard only. In case of noncompliance, the petitioner's counsel may move application for appropriate action by this court.

2. Yesterday, Mr. Iqbal Pervaiz, Director Graveyard, Municipal Services, KMC informed us that though they have a specific Department for providing Municipal Services but due to lack of staff they cannot perform properly. On this statement, we directed Mr. Iqbal Khurram, learned counsel for KMC to call Metropolitan Commissioner, KMC. Today, Dr. Syed Saif-ur-Rehman, Metropolitan Commissioner is present and he has submitted the copy of order dated 30.5.2018 issued by Senior Director, Human Resources Management, KMC to show that as per directives of the competent authority, the services of 37 employees have been placed at the disposal of Additional Director, Graveyard Municipal Services, KMC. The names of all such officials are mentioned in the table. Now after this placement/transfer of aforesaid employees, the Metropolitan Commissioner submits that the Department will become completely functional and they will perform their assigned duties properly and diligently. This will also include the proper registration of Gorkans/undertakers in different graveyards of the city. The Metropolitan Commissioner further contended that some directions are required to be issued to the Board of Revenue for making

necessary provisions/arrangement of Graveyards in all new schemes at State Lands as admittedly no ample space available for Graveyards in District East, South and Central, whereas the old Graveyards have already been filled up and all old Graveyards have been declared closed much earlier. The suggestions of learned Metropolitan Commissioner is quite appropriate and reasonable. The respondent No.7 is Senior Member Board of Revenue in this petition, who is directed to ensure that in all new schemes, proper piece of land should be earmarked for the purpose of Graveyards in the master plan.

3. The petition is disposed of accordingly. The copy of this order may be transmitted to the Mayor Karachi, Chief Secretary, Senior Member Board of Revenue and Commissioner Karachi for information and compliance.

JUDGE

JUDGE

Arif
ns