

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

Date

Order with Signature of Judge(s)

C.P. No.D-2141 of 2019

M. Jaffer Raza & Others.....Petitioners

Versus

Federation of Pakistan and Others.....Respondents

1. For hearing of CMA No.9628/2019.
2. For hearing of main case.

Date of hearing 07.11.2019

Mr. Asad Iftikhar, advocate for the petitioners.
Petitioners, Syed Mustafa Hassan Zaidi and Syed Asim Kamal
are also present.
Mr. Jawad Dero, Additional Advocate General Sindh.
Mr. Ishrat Zahid Alvi, and Mr. Hussain Bohra, Assistant
Attorney General.
Dr. Shakir Qayyom Khanzada, Additional Secretary, Sports &
Youth Affairs, Government of Sindh.
Lt. Cdr. Imran-ul-Haq, Director (Legal), Pakistan Maritime
Security Agency, Karachi.

Muhammad Ali Mazhar, J.: In compliance of the last order dated 29.10.2019, the Chief Secretary, Government of Sindh was directed to convene a meeting with all the stakeholders as well as the representative of the Culture, Tourism and Antiquities Department, to sort out the issue. Today the learned Additional Advocate General Sindh filed a statement alongwith copy of the minutes of meeting dated 01.11.2019. The minutes were forwarded by the Section Officer, Services, General Administration & Coordination Department, Government of Sindh, to the Secretary, Sports & Youth Affairs Department, the Secretary, Culture & Tourism Department, Mr. Asad Iftikhar, advocate, Mr. Jawad Dero, Additional Advocate General Sindh, Lt. Cdr. Imran-ul-Haq, Director (Legal), Pakistan Maritime Security Agency and Dr. Shakir Qayyom Khanzada, Additional Secretary, Sports & Youth Affairs, Government of Sindh. After due deliberation the certain decisions were taken in the meeting which have been incorporated in the minutes of the

aforesaid meeting. Paragraph 7 of the minutes is reproduced as under:

“After due deliberations, the following decisions were made:

- i) A Committee will be constituted to prepare draft rules and regulations with regard to coastal leisure sports/tourism including scuba diving, snorkelling, jet-skiing, para-sailing, etc., within a period of thirty days. The composition of the committee will be as under:
 - i. Secretary, Sports & Youth Affairs Department, Government of Sindh
 - ii. Secretary, Culture & Tourism Department, Government of Sindh
 - iii. Commander Muhammad Akhtar, Deputy Director National Institute of Maritime Affairs, Bahria University.
 - iv. Commander Imamul Haq, Director Legal Affairs, Pakistan Maritime Security Agency
 - v. Managing Director, Costal Development Authority
 - vi. Representative SEPA (Sindh Environmental Protection Agency)
 - vii. Mr. Mustafa Hassan (Diving Instructor)
 - viii. Mr. Farhan Farooq (Water Sports)
 - ix. Mr. Shuja Ghouri (Water Sports)
 - x. Mr. Junaid Rahim (Dive Master)
- ii) The Additional Advocate General Sindh shall appear before the High Court and inform that a committee has been constitute to prepare the draft rules and regulations concerning coastal leisure sports/tourism. The Court may further be requested to give a time of two months, for preparation of the rules and regulations.
- iii) All the stakeholders agreed that till new rules and regulations are framed they would not restrain the water sports activities during months of November and December as requested by the water sports persons/instructors. However, they would maintain safety standards.” (emphasis applied)

2. By virtue of aforesaid minutes of the meeting, a notification has also been issued on the same date by the Chief Secretary, Sindh, whereby a committee has been constituted to prepare the draft rules and regulations with regard to the costal leisure sports/tourism including scuba diving, snorkelling, jet-skiing, para-sailing etc. In this notification, 10 members committee has been constituted and the convener is the Secretary, Sports & Youth Affairs Department, Government of Sindh. In this notification, terms of reference are also mentioned whereby task has been given to the committee to draft the rules and regulations, to determine scope of

the activities mentioned in ToR vis-à-vis tourism and sports, prepare safety standards to protect the visitors and to draft laws/rules in light of the international practices with proper safety/security. It is further stated in the same notification that committee shall submit its report within 30 days. Learned AAG assured that committee shall submit their report and further action shall be taken by the Government of Sindh for notifying the rules and regulations in the official gazette within 30 days. So far as intervening period is concerned, all the stakeholders in minutes of meeting have already decided that till new rules and regulations are framed, they would not be restrained from water sports activities during months of November and December, however, they would maintain safety standards.

3. Lt. Cdr. Imran-ul-Haq, Director (Legal), Pakistan Maritime Security Agency, Karachi also participated in the above meeting and agrees that till rules are framed the petitioners will be allowed to do sporting activities as per international standards subject to following the proper safety and security clearance by the Pakistan Maritime Security Agency. The committee is directed to submit their draft report to Government of Sindh within 30 days so that Rules/Regulations for the above sporting activities may be notified in the official gazette. Till framing of rules/regulations, the petitioners shall not be restrained from aforesaid sporting activities as already agreed in the meeting amongst all the stakeholders, provided that they shall follow all requisite safety measures/standards and security clearance.

4. The petition is disposed of in above terms alongwith the pending application/s.

JUDGE

JUDGE

