

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

C.P. No.D- 260 of 2023
C.P. No.D- 355 of 2023

Date of hearing	Order with signature of Judge.
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Hearing of Case(Priority)

1. For orders on office objections.
2. For orders on CMA 1194/23(S/A)
3. For Hearing of Main Case

09-03-2023

Petitioners present in person.

M/s Shafi Muhammad Chandio, Additional A.G and Ali Raza Baloch, Assistant A.G Sindh along with Dr. Nasim ul Ghani, Secretary, Culture, Tourism, Antiquities & Archives Department, Government of Sindh, Roshan Ali Kanasiro, Resident Director, Culture, Aijaz Ahmed Shaikh, D.G, Libraries, Muhammad Arshad Patoli, Director Libraries Sindh, Hassan Zafar, Assistant Commissioner, Moro, Liaquat Ali ADC-I on behalf of Deputy Commissioner, Sukkur and Niaz Hussain, Focal Person on behalf of Deputy Commissioner, Khairpur.

Secretary, Culture, Tourism, Antiquities & Archives Department,

Government of Sindh is present and has submitted compliance report,

which is taken on record. Being relevant, same is reduced as under:-

“The existing facility of Library in Culture Centers has two reading halls one hall having capacity of 80 students and second with capacity of 50 students. Now, it has been doubled with addition of two more halls having capacity of 220 students. 300 students can now benefit from this library.

Further, it is pertinent to mention here that a Memorandum of Understanding has been signed between Culture Department and Sukkur Arts Council on 21st September 2022. The Culture Department has provided Auditorium, Art Gallery and some rooms.

With regard to Para- 10 of the aforementioned order, the conservation of the building of “Azeem Khan Durani” will be completed in June 2023 and same will be handed over to the Director General Libraries. However, SNE for this library for the financial year

2023-2024 has been sent to the Finance Department, Government of Sindh for approval.

With regard to the Para-11, it is submitted that the double story building situated adjacent to the Comprehensive Boys High School, Shikarpur Road, Sukkur has been taken over by the Culture Department on 8th of March 2023. However, the building of said library was visited by the Director Sukkur Division and he submitted the report. The report speaks that the building of said library is in poor condition and it needs to be restored before opening for the public”.

Learned Secretary further contends that they have two more rooms at Culture Centers at Sukkur for library. They have also taken over possession of the building and they will establish library specially for girls having girls staff. Such SNE shall be moved before the Secretary, Finance and the Secretary, Finance shall approve the same after receiving within a period of 15-days. Besides, Secretary, Culture contends that they will re-visit the Culture Centers approved map of all Culture Centers and they will erect one more floor at Culture Center for the purpose of library in addition to ground floors, which is used for library at Sukkur and will enhance libraries in view of earlier orders.

The petitioner in C.P.No. D-355 of 2023 has placed on record a picture showing running of shops and hotels under the Rohri Municipal Library. In such circumstances, the Deputy Commissioner, Sukkur shall visit Rohri Municipal Library and ensure that same is restored to its original condition as per approved map and if there is any allotment, same shall be cancelled with notice by giving sufficient time to allottees to vacate their shops/hotels etc. and such compliance report shall be submitted within three days. Deputy Commissioner, Sukkur shall submit approved map of Mir Masoom Shah Library, Sukkur and shall also depute any responsible officer who shall submit report with

regard to illegal occupation of the area, which is meant for library. Unless, SNE is approved, Deputy Commissioner, Sukkur shall ensure that responsible officers are appointed from Revenue or Local Government Departments to handle the affairs of Mir Masoom Shah Library, Sukkur and qualified Librarians shall be appointed through third party testing. SEPCO authorities shall ensure uninterrupted electricity to the libraries from 09-00 a.m. to 09-00 p.m. Deputy Commissioner, Sukkur shall submit compliance of orders with regard to availability of electricity and availability of books for competitive exams and general knowledge. The D.G, Libraries shall ensure timing of libraries in Sindh from 09-00 a.m. to 09-00 p.m, from Monday to Saturday.

Secretary, Local Government Department has failed to cause his appearance though *vide* orders dated 15.02.2023 and 01.03.2023, directions were given, but none is in attendance on his behalf. Besides, it has come on record that OZT share is being received for salary, non-salary, pension and development expenditures. Accordingly, OZT share of all Municipal Corporations and District Councils especially for development schemes in Sukkur is hereby stayed, unless libraries are restored. However, OZT share to the extent of salary, non-salary and pension shall remain continued. Secretary, Local Government Department shall be in attendance before this Court on the next date of hearing and submit compliance reports of orders, as referred to above.

Assistant Commissioner, Moro has submitted report with regard to Digital Library and Children Park and proposed Culture Center and

place at old Bus Stand, which is taken on record. The Secretary, Culture contends that the project is under ADP scheme and there is need of funds to expedite and complete the project. It is expected that Moro Library shall be established within one year having sufficient area for the library purpose in Culture Center.

Besides, this Court takes judicial notice that the libraries are not functional within Local Government Department and there is need for library in every Taluka and district. Accordingly, the Secretary, Culture, Tourism, Antiquities & Archives Department shall work out this issue and submit summary for the libraries where the libraries are missing, they will submit such schemes for placing under the ADP schemes 2023-2024. Accordingly, this exercise shall be completed within a period of one month under compliance report to this Court.

Besides, Deputy Commissioners, Sukkur, Khairpur, Ghotki and Naushehro Feroze shall visit all government buildings, more particularly buildings of Education Department and if they are in good condition having no use, they shall be handed over to the Culture Department for library purpose and shall submit report with regard to release of funds.

Office shall communicate this order and earlier order dated 01.03.2023 to the Chief Secretary, Sindh, Secretary, Finance and Secretary, Local Government, Government of Sindh for compliance so also to all Deputy Commissioners through Chief Secretary, Sindh in whole Sindh for mutation of entries, as already ordered.

Notice to DAG. Adjourned to **15.03.2023** to be taken up at **09-30 a.m.**, when Secretary Local Government shall be in attendance. Personal appearance of Secretary, Culture, Tourism, Antiquities & Archives Department and D.G, Libraries is dispensed with.

Office to place a signed copy of this order in captioned connected matter.

JUDGE

JUDGE

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