

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C. P. No. D-1937 of 2020

Alongwith

C. P. No. D-1236/2013, D-269/2015, D-1267/2016, D-2906/2016, D-8622/2017, D-955/2020, D-1414/2021, D-6969/2021 and D-3282/2022.

Date	Order with signature of Judge
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Hearing of cases

1. For order on CMA No.33251/2022
2. For hearing of main case.

17.02.2023.

Mr. Muhammad Ali Lakhani, Advocate for the Petitioners in C. P. No. D-1937/2020 and C. P. No. D-1414 of 2021. Mr. Muhammad Haseeb Jamali, Advocate for the Petitioners in C. P. No. D-3282/2022. Ms. Amna Usman, Advocate for the Petitioner in C. P. No. D-955/2020 and D-269 of 2015.

Mr. Hassan Akbar, Advocate General, Sindh. Mr. Saifullah, AAG.

Dr. Sohail Ahmed Rajput, Chief Secretary, Sindh; Nasir Ahmed Shaikh D.G Social Welfare Department, Government of Sindh, Asghar Ali Ghangaro, D. G. Sindh Child Protection Authority, Syed Mohsin Shah, Incharge D.G. Sindh Child Protection Authority, Ghulam Akbar Leghari, Secretary, Education, Government of Sindh, Syed Mohsin Hussain Shah, Focal Person to Chief Secretary Sindh, Asif Ikram, Secretary, Information Science and Technology Department are present in person.

Mr. Ali Tahir, Counsel for Intervener alongwith M. Hashim, Arifa Pirzada Advocates.

Statements have been filed by the Secretary, Information Science & Technology, Government of Sindh, (the **“Secretary I.T”**) the Secretary, School Education & Literacy Department, Government of Sindh (the **“Secretary Education”**) and the Director General, Sindh Child Protection Authority (the **“DG”**) as well as by the learned counsel for the Intervener through CMA No.33251/2022. The same are taken on record. The first of those Statements reflects that the I.T Solution proposed by the Intervener is financially unviable and that the App developed by the NITB would effectively serve the required purpose of monitoring the attendance of teachers and students at a far lower cost. The Secretary I.T is directed to submit a detailed report as to features and functionality of

the NITB App, alongwith pictorial representations of the Dashboards and its various functions.

We are disturbed to note that the Secretary I.T has shown us an image today of the Dashboard, which reflects absenteeism of teachers on a large scale in the seven Districts where the App has been deployed. On query posed, the Secretary Education submits that at the moment he is not privy to the dashboard, but submits that the matter would be looked into and that disciplinary action would be taken to supplement the action generally being taken. He states that his Department would coordinate with the Secretary, I.T in that regard. The Secretary, I.T is also directed to submit the district-wise data of the teachers' attendance all over the seven Districts for the past one week (i.e. from 13.02.2023 to 17.02.2023, both days inclusive).

On the subject of child protection, from what we have been told today by the DG, it appears that children who are being rescued from beggary are routinely being restored to the custody of their parents without any evaluation as to whether they qualify as a "Child in need of special protection measures". The DG is unaware of the protocols, if any, being followed for making such assessment/evaluation on a case to case basis. He seeks time to look into this aspect so as to improve the protocols to be followed. Let the needful be done and a report submitted in that regard. The DG is also directed to elaborate upon devise and/or the features and functionality of the CPMIS on the next date.

To come up on 06.03.2023 at 01.00 p.m. The office is directed to place a copy of this order in the Petitions listed above.

CHIEF JUSTICE

JUDGE