ORDER SHEET IN THE HIGH COURT OF SINDH, KARACHI CP.No.S-251 of 2019

C1.1NU.5-251 01 2019

Date

Order with signature of Judge

For directions

- 1. For orders on MA No. 7960 of 2022.
- 2. For further orders

27th February 2024

None present for the petitioner

Mr. Jawad Dero A.G. Sindh

Mr. Ihsanullah Laghari, Focal Person (Judicial), College Education Department.

Ms. Fakhra Mubarak, Focal Person (Legal) (DG Office CED.

Mr. Abdul Jabbar Shahani, Additional Director (PD&R) School Education & Literacy Deptt.

Mr. Irshad Ahmed, Chief Engineer, Education Works Karachi.

Mr Jabir Jabbar, Assistant to Law Officer to Secretary Services SGA & CD.

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Salahuddin Panhwar, J:- Focal person, Education Department files statement alongwith a notification showing therein that Government High School Girhoro Sharif has been upgraded up to a Higher Secondary School vide Notification dated 19.02.2024 and similarly, Government Girls Middle School Girhoro Sharif has been upgraded to the level of High School vide Notification dated 23.02.2024. Accordingly, the SNE proposals of the aforesaid schools have been called from the Director School Education Department and forwarded to the Finance Department for approval thereof. In view of above, Secretary, Finance is hereby directed to ensure approval of SNEs within 15 days with compliance report.

2. Learned AAG files notification with regard to appointment of a full-fledged Director General, Planning, Development & Research, School Education & Literacy Department, which is taken on record. Needless to mention that School Education Department shall ensure that acting charge shall not be provided to any person for this post, which is the spine of School Education Department and needs more emphasis.

- 3. Focal Person, Education Department seeks time to comply with paragraph-8 of the order dated 15.01.2024, whereby directions were issued that School Education Department shall submit the total number of teachers, who are going on superannuation within two years (up to 2025).
- 4. At this juncture, Chief Engineer, Education Works Karachi on behalf of Chief Engineer Sukkur and Mirpukhas submits development works schemes, which are taken on record.
- 5. With regard to the quality of work in the construction of schools i.e. Government High School Purani Mirpurkhas, Government Boys High Schools Girhore Sharif, Government Boys High School Kahai, and Government High Secondary School Dhiliar, Taluka Khipro, District Sanghar as referred in last two orders, the learned Districts & Sessions Judges of respective Districts Sanghar and Mirpurkhas would be competent to call Executive Engineer and ensure that there shall be no compromise on the quality of work as per the mandate of the contract awarded to the contractor and would be competent to inspect the site through any Magistrate by surprise visit. In case of failure, they would be competent to report to the concerned Secretary with regard to any negligence.
- 6. Focal Person, Education Department contends that the recruitment process is ongoing by the Sindh Public Service Commission regarding HSTs, Subject Specialists and Head Masters.
- 7. At this juncture, it would be conducive to call report with regard to the recruitment process of the Sindh Public Service Commission to ascertain whether it is transparent and in line with the spirit of orders passed by this Court in II-Appeal No.32 of 2017 and in the case of **Muhammad Sammi Abro v. Province of Sindh and others** [2017 PLC (CS) 419] whereby Sindh Public Service Commission was required and consented that they will outsource the screening of all teaching posts, including lecturers, through third party testing agency. Accordingly, Chairman, Controller and Secretary of Sindh Public Service Commission shall submit report. Needless to mention that violation of above referred orders/judgment would amount to a pejorative act of the Commission liable for contempt proceedings.
- 8. Secretary School Education Department shall call report from all Directors, who shall submit complete vacancy positions in their divisions, and thereafter requisition by corrigendum shall be issued to the Sindh Public

Service Commission for completing all vacant positions. This report shall be submitted before the next date of hearing.

9. At this juncture, Chief Engineer Education Works Department Karachi has submitted reports on physical visits to schools in the Karachi Region. In view of his report, in Districts *Kemari* and *Malir*, buildings are unsatisfactory and basic facilities are lacking. Accordingly, Director General, Planning, Development & Research, School Education & Literacy Department as notified shall ensure that basic facilities are provided to the scattered areas of Karachi, particularly in two districts as pointed out in the report by Chief Engineer Education Works Department, on priority basis. Learned MIT-II shall communicate paragraph-5 of this order to concerned learned judges for compliance

To come up on 18th March 2024 at 11:00 a.m. as part heard.

JUDGE

Sajid