

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No.D-7679 of 2019  
C.P. No.D-2786 of 2020

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Date	Order with signature of Judge
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05.05.2021

Mr. Yahya Iqbal advocate for the petitioners.  
M/s. Umaimah Anwar Khan, M. Ali Talpur and Zeeshan Bashir Khan advocate for the Zia ud Din Hospital, Karachi.  
Mr. Jam Zeeshan Ali advocate for the Agha Khan Hospital.  
Mr. Ali Nawaz advocate for the South City Hospital.  
Mr. Jawad Dero, AAG.  
Syed Mumtaz Ali Shah, Chief Secretary, Sindh.  
Dr. Saeed Akhtar Qureshi, Focal Person of Chief Secretary, Sindh.  
Abdul Waheed Shaikh, Secretary, Social Welfare Department.  
Ghulam Abbas Dehto, Director General, Social Welfare Department.  
Nisar A. Solangi, Director, Social Welfare Department.  
Tahir Mahmood, Director (PMC), Social Welfare Department a/w  
Imdad Chana, Principal, SWD.

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The purpose of calling Chief Secretary Sindh was for the assistance of this court as on the last date of hearing, the Secretary, Social Welfare Department submitted that there is a possibility of signing MOU with NADRA for registration and processing Azadi Card of the senior citizens but it has not been done so far. It was further apprised us on the last date that draft Rules in pursuance of Section 19 of Sindh Senior Citizens Welfare Act, 2014 are at vetting and approval stage. Today, Chief Secretary Sindh is present and keeping in view the importance and exigency involved in the matter, he has assured us that the Social Welfare Department will draft MOU and same will be presented before the Senior Citizens Council for approval. Once the approval is sought and terms and

conditions of MOU are negotiated the same will be executed with NADRA and entire process will be completed in a month time. The Chief Secretary Sindh has also assured us that draft Rules prepared pursuant to Section 19 of the aforesaid Act will be placed in the next cabinet meeting for approval, thereafter, the Rules will also be notified for the information of the general public. The Chief Secretary further apprised us that while discussing the terms and conditions for issuing “Azadi Card” by the NADRA, the NADRA officials informed the estimated cost of Rs. 250/- per “Azadi Card”. When we confronted Section 12 of the Sindh Senior Citizens Welfare Act, 2014 wherein the senior citizens welfare fund is to be established and in view of this provision, we asked the Chief Secretary to explore the possibility so that the fee of senior citizens card may be paid by the department from senior citizens welfare fund which will accommodate the poor senior citizens who may not afford the fee.

According to Section 8 of the Sindh Senior Citizens Welfare Act, 2014, it is the responsibility of the Government to establish and maintain such number of old age homes at accessible places at least one in each district to accommodate indigent senior citizens in such homes. We raised a query to the Chief Secretary that how many old age homes have been established on which he replied that one is under construction at Korangi and for the rest, we direct the Chief Secretary to make out some proposal/scheme and place before the Provincial Cabinet in the next meeting for the compliance of

Section 8 of the Act. Under Section 5 it is the responsibility of the Senior Citizens Council to take measures and perform the functions as may be necessary for the welfare of the senior citizens and improving their well-being. Under sub-section (2) of Section 5 various benefits and undertakings from the Council are mentioned from clause (a) to clause (l). In order to effectively implement these benefits and the undertakings some proactive approach is required. The Chief Secretary Sindh further assures us that once the Rules are framed, the implementation of this section will be more easy for the Council and the Government. We also suggest that in case of any deficiency in the draft Rules, the Chief Secretary and the Secretary, Social Welfare Department both will take care of so that necessary condition may be incorporated in the Rules to cater the basic need and requirement of Section 5. The further progress report shall be submitted by the Chief Secretary, Sindh through A.G. office and Secretary, Social Welfare Department shall be in attendance on the next date. By consent adjourned to 10.08.2021.

Copy of this order be transmitted to the Chief Secretary, Sindh, Secretary, Social Welfare Department and AAG.

JUDGE

JUDGE

Aadil Arab

