



NEWSLETTER

LAW DEPARTMENT Government of Sindh

Issue No. 2
Date : 02-03-2018



PROVINCIAL ASSEMBLY OF SINDH

HISTORY AT A GLANCE

The two-story building of the Sindh Assembly consists of the camp office of the Chief Minister, offices of the Speaker, Deputy Speaker, ministers, Leader of the Opposition, Secretariat, Law Department of the Government of Sindh, and Library. The foundation stone of the building was laid by Sir Lancelot Graham, the Governor of Sindh, on 11 March 1940. The construction of the building – declared open by Sir Hugh Dow, the Governor of Sindh, on 4 March 1942 – was completed within a span of two years. In 1971, after a lapse of about 24 years, it was again declared as the Sindh Assembly building. Since then it has been used as such. Presently, the central portion of the building, the Assembly Hall, seats a capacity of 168 Legislators.

PAKISTAN RESOLUTION

This house recommends to government to convey to his majesty's government through his excellency the viceroy, the sentiments and wishes of the muslims of this province that whereas muslims of india are a seprate nation possessing religion, philosophy, social customs, literature, traditions, political and economic theories of their own, quite diffierent from those of the hindus. They are justy entitled to the right, as a single, seprate nation to have independent national states of their own carved out in the zones where they are in majority in the sub-continent of india. Wherefore they emphatically declare that no constitution shall be acceptable to them that will place the muslim under a central government dominated by another nation as In order to be able to play their part freely on their own distinct lines in the order of thing to come it is necessary for them to have independent national states of their own and hence any attempt to subject the muslims of india under one central government is round to result in civil war with grave unhappy consequences.

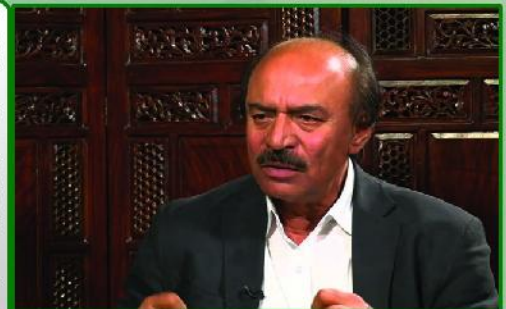
It is indeed a matter of immense pride for me to learn that Law & Parliamentary affairs department has decided to bring out the second edition of the "Newsletter" to highlight its activities and upcoming legislations introduced in the parliament, I am confident that this 2nd newsletter will be of great importance and awareness among the relevant departments and stakeholders.

The law and Parliamentary Affairs Department is an administrative department of the Government of Sindh and its functions are mainly of advisory nature. It tenders advice to the Provincial Government Departments on all legal, constitutional and legislative matters, besides conducting litigation in criminal and civil courts on behalf of the state and the Provincial Government. As State Minister for Parliamentary Affairs, my first endeavor will be to improve the effectiveness and efficiency of the service delivery of this institution. In addition, through promoting the political prestige of the institution, I will strive to establish the necessary coordination among the members of the parliament of Sindh Government.

I am sure the 2nd Newsletter will also be of interest to provinces and other Departments of the country, I appreciate the hard work put by the officers and staff of the Law Department and wish them all the best in their future endeavours.

IFTIKHAR ALI SHALLWANI

Law Secretary



NISAR AHMED KHORO

Minister for Parliamentary Affairs

It is again the matter of pride and satisfaction that Law Department is issuing its 2nd Newsletter. The newsletter depicts its activities and initiatives during the last quarter and reflects the dynamic leadership of the Chief Minister and Law Minister, their guidance to make the Law Department updated and modernized. Law Department has followed the lead and initiated various legislations under their guidance.

I wish my team all the best and appreciate their hard work to make this Newsletter a reality.



LAW DEPARTMENT

NEWSLETTER

HISTORY OF SINDH

Sindh has been known by various names in the past. The name Sindh comes from the Indo-Aryans whose legends claimed that the Indus River flowed from the mouth of a lion or Sinh-ka-bab. In Sanskrit, the province was dubbed Sindhu meaning an ocean. The Assyrians (as early as the seventh century BCE) knew the region as Sinda, the Persians Abisind, the Greeks Sinthus, the Romans Sindus, the Chinese Sintow, while the Arabs dubbed it Sind. Also, in ancient times, the territory of the modern Sindh province was sometimes known as Sovira (or Souveera) and also as Sindhudesh, Sindhu being the original name for Indus river and the suffix 'desh' roughly corresponding to country or territory.

The first known village settlements date as far back as 7000 BCE. Permanent settlements at Mehrgarh to the west expanded into Sindh. The linguistic and ethnic identities of the inhabitants of ancient Sindh (as well as other regions of the Indian Subcontinent) during this time period are not yet known. Michael Witzel proposes an underlying prefixing language (or languages) related to the Munda languages, known as Proto-Munda (or Para-Munda), as a candidate for a language of the Indus Valley Civilization and its precursor, Mehrgarh; other possibilities include a Dravidian identity. Concerning the Harappan language, in the case of Dravidian composition, further speculation within the Elamo-Dravidian languages hypothesis claims that Dravidians may have migrated from the Iranian plateau and settled in the Indus valley around 4000 BCE, blossoming over the centuries to give rise to the Indus Valley Civilization around 3000 BCE. The Indus Valley Civilization rivaled the contemporary civilizations of Ancient Egypt and Mesopotamia in both size and scope numbering nearly half a million inhabitants at its height with well-planned grid cities and sewer systems. Speculation remains as to how and why the civilization declined and may have been a combination of natural disasters such as flooding and internecine conflicts. The Indus Valley Civilization spanned much of what is today Pakistan and Northwestern India, but suddenly went into decline just prior to the rise of Indo-Iranians. A branch of these tribes called the Indo-Aryans are believed to have founded the Vedic Civilization that have existed between Sarasvati River and Ganges river around 1500 BCE. This civilization helped shape subsequent cultures in the Indian subcontinent.

Sindh was conquered by the Persian Achaemenid Empire in the 6th century BCE, and became part of the Persian satrapy (province) of Hindush centred in the Punjab to the north. Persian speech had a tendency to replace 'S' with an 'H' resulting in 'Sindu' being pronounced and written as 'Hindu'. They introduced the Kharoshthi script and links to the west in the region. Subsequently, conquered by Greeks led by Alexander the Great, the region came under loose Greek control for a few decades until Alexander's death and brief Seleucid rule and then was conquered by the Mauryans led by Chandragupta in 305 BCE. Later, during the reign of the Buddhist king Ashoka the region would solidly become a Buddhist domain. Following a century of Mauryan rule which ended by 232 BCE, the region came under the Greco-Bactrians based in what is today Afghanistan and these rulers would also convert to and proliferate Buddhism in the region. The Buddhist city of Siraj-e-Takri is located along the western limestone terraces of the Rohri Hills in the Khairpur district of Upper Sindh, along the road that leads to Sorah. Its ruins are still visible on the top of three different mesas, in the form of stone and mud-brick walls and small mounds, whilst other architectural remains were observed along the slopes of the hills in the 1980s. This city is not mentioned from any text dealing with the history of the Buddhist period of Sindh.

The Scythians shattered the Greco-Bactrians fledgling empire and then the Tocharian Kushan Empire annexed Sindh by the 1st century CE. The Kushans under Kanishka adopted Buddhism and sponsored many building projects for local beliefs. The Kushan Empire was defeated in the mid 3rd century CE by the Sassanid Empire of Persia, who installed vassals known as the Kushanshahs in these far eastern territories. These rulers were defeated by the Kidarites in the late 4th century. It then came under the Gupta Empire after dealing with the Kidarites. By the late 5th century, attacks by Hephthalite tribes known as the Indo-Hephthalites or Hunas broke through the Gupta Empire's northwestern borders and overran much of northwestern India. Concurrently, Ror dynasty ruled parts of the region for several centuries. Afterwards, Sindh came under the rule of Emperor Harshavardhan, then the Rai Dynasty around 478. The Rais were overthrown by Chachar of Alor around 632. The Brahman dynasty ruled a vast territory that stretched from Multan in the north to the Rann of Kutch, Alor was their capital.

The British conquered Sindh in 1843. General Charles Napier is said to have reported victory to the Governor General with a one-word telegram, namely "Pecavi" – or "I have sinned" (Latin). In fact, this pun first appeared as a cartoon in Punch magazine. The British had two objectives in their rule of Sindh: the consolidation of British rule and the use of Sindh as a market for British products and a source of revenue and raw materials. With the appropriate infrastructure in place, the British hoped to utilise Sindh for its economic potential.

LEGISLATION IN SINDH PROVINCE

RECENT ENACTED LEGISLATION

The Sindh Differently Aabled Persons (Employment, Rehabilitation and Welfare (Amendment) Act, 2017
The Sindh Removal from Service (Special Powers) (Repeal) Act, 2017
The Code of Criminal Procedure (Sindh Amendment) Act, 2017- Relating to DNA Testing
The Sindh prohibition of Employment of Children Act, 2017
The Sindh Civil Servants (Amendment) Act, 2017
The Sindh Livestock Registration and Trade Authority Bill, 2017
The Sindh Transparency and Right to Information Act, 2016
The Sindh Food Authority Act, 2016
The Sindh Prohibition of Corporal Punishment Act, 2016
The Sindh Sacked Employees (Reinstatement) Act, 2016
The Sindh Employees Old Age Benefits (Amendment) Act, 2016
The Sindh Hindu Marriage Act, 2016
The Sindh Employees Social Security Act, 2016

FUTURE LEGISLATION

The Sohail University Bill, 2017
The University of Modern Sciences, Tando Muhammad Khan Bill, 2017
The Z.A. Bhutto Institute of Cardiovascular Disease Bill, 2017
The Benazir Bhutto Shaheed Human Resources and Development Board (Amendment) Bill, 2017
The Sindh Employees Exchange Bill, 2017
The Sindh Accountability Bill, 2017
The Sindh Societies Bill, 2017
The Sindh Animal Health Institute Bill, 2017
The Sindh Internal Audit Bill, 2016
The Shaheed Zulfiqar Ali Bhutto University of Law, Karachi (Amendment) Bill, 2016
The Mehran Institute of Cardiovascular and Chest Disease Bill, 2016
The Peoples University of Medical and Health Sciences for Women (Amendment) Bill, 2016
The Sindh Teaching Hospitals (Establishment and Management Boards) Bill, 2016
The Holy Quran (Printing, Recording and disposal of Damages or Shaheed and Sacred Auras) Bill, 2016

APPOINTMENTS OF ASSISTANT PROSECUTOR GENERALS

Law Department Nominated Mr. Babar Qadeer (Additional Secretary), to assist the Sindh Public Service Commission, Hyderabad for interviews of the eligible candidates for the post of Assistant Prosecutor General BPS-17.

Interviews were held at Karachi and Hyderabad, from 19th September, 2017 to 12th October, 2017.

All selected 77 candidates were recommended on merit by Sindh Public Service Commission and they were appointment or given offer letters in January, 2018 by the Law Department, Sindh

OUR ATTACH DEPARTMENTS

ADVOCATE GENERAL, SINDH

Advocate General is assigned the work of giving advices to the Administrative Departments in the legal matters when there is a difference of opinion between the Law Department and the Administrative Department and to defend the interest of provincial and local functionaries of Government in Constitutional Petitions and Civil matters before the High Court and Supreme Court.

CRIMINAL PROSECUTION SERVICE DEPARTMENT

Prosecution Services (Constitution, Function and Powers) Ordinance, 2007 under the Administrative Control of an independent Secretary of the Prosecution Service and thereafter with the Approval of Hon'ble Chief Minister Sindh, the Criminal Prosecution Service was placed under the Control of Law Department and the Criminal Prosecution Service was declared an attached department and thereafter Sindh Criminal Prosecution Act, 2009 was passed by the Sindh Assembly. It has two field offices namely Prosecutor General and Director Monitoring. There are two hierarchy of the service viz: Prosecutor General, Additional Prosecutor General, Deputy Prosecutor General and Assistant Prosecutor General at Hon'ble Supreme Court, Federal Shariat Court, High Court and all Special Court level and the other one District Public Prosecutor, Deputy District Public Prosecutor and Assistant District Public Prosecutor at District levels.

SOLICITOR DEPARTMENT, SINDH

The main functions of department are to protect the interest of Provincial Government and its functionaries before judicial and quasi-judicial forums viz Court of Senior Civil Judges / Assistant Sessions Judges, District & Sessions Judges, High Court, Supreme Court and Sindh Service Tribunal etc.

The Deputy Solicitor (BS-18) and Assistant Solicitor (BS-17), assist the Solicitor in the aforementioned functions.

There are 27 posts of District Attorneys (BS-19) and 188 posts of Deputy District Attorneys (BS-18), presently 153 Deputy District Attorneys are working and 35 posts of Deputy District Attorneys are lying vacant which are to be filled through Sindh Public Service Commission.

It tends legal advices whether the suit is worth to be defended or instituted at public expenses or not. It supervises the working of Law Officers.

OFFICIAL ASSIGNEE, SINDH

The post of the Official Assignee is created under the Act known as the Insolvency (Karachi Division) Act and operates within the limits of Karachi. Under this Act, the Administration of Insolvency Jurisdiction within the limits of the Karachi is to be exercised by the Official Assignee under the Superintendence of the High Court. It is the duty of the Official Assignee to investigate the cases of every person or the firm who/which is adjudicated insolvent in order to find out the causes of insolvency, the property, if any, which insolvent owns, the property, if any, which the insolvent may have transferred by sale, mortgage etc. Prior to the insolvency and the reasons for such transfer and if the transfer appears to be bogus or mala fide, to take appropriate steps to have the said transfer set aside so that the property may be available for satisfying the claims of the insolvent's creditors, to examine the insolvent's account books, if any, so as to find out if there has been any leakage of assets and if the books have been properly maintained, to recover the property of the insolvent, which may consist on the actionable claims such as debts due to insolvents, to invite creditors to file their claims and to examine such claims when filed, to distribute the assets of the insolvent amongst creditors, and to finally report to the Court on the entire case when an insolvent applies to be discharged as insolvent.



RECONSTITUTION OF PROVINCIAL TREATY IMPLEMENTATION CELL IN THE PROVINCE OF SINDH

Treaty Implementation Cell (TIS), requires to meet the demand of the internal fora, the functional scope of TIC has enhanced. The Role of other provincial relevant department has also emerged, keeping that in view the emerging role, the number of member departments of the TIC is increased, which include the following:-

- i. Chairperson, Sindh Human Rights Commission
- ii. Planning & Development Board
- iii. Human Rights Department
- iv. School Education Department
- v. College Education Department
- vi. Special Education Department

- vii. Local Government Department
- viii. Population Welfare Department
- ix. Minorities Affairs Department
- x. Excise & Taxation Department
- xi. Religious Affairs, Auzaf and Zakat Department
- xii. Environment and Coastal Development Department

TRAINING PROGRAM ON LEGISLATIVE DRAFTING IN SINDH JUDICIAL ACADEMY

The officers of Law and Parliamentary Affairs Department attended a training program on legislative drafting in the Sindh Judicial Academy on 27 and 28 December, 2017 along with the officers of Law Department, Balochistan.

The Day started with the welcome address of Mr. Justice Khaliji Arif Hussain, former Judge Supreme Court of Pakistan and Presently Director General of Sindh Judicial Academy, Mr. Justice Nasir Islam Zahid and Mr. Justice S.A. Rabbani imparted thought provoking lectures. Mr. Shahid Shafiq Faculty member and Mr. Kashi ur Rehman Joint Secretary Ministry of Law gave lecture on how to draft legislative documents.

PICTORIAL GALLERY



MINISTER FOR LAW & PRISONS PRESIDED MEETING REGARDING ALTERNATE DISPUTE RESOLUTION



THIRD UNIVERSAL PERIODIC REPORT ON 13TH NOVEMBER, 2017 IN GENEVA, SWITZERLAND



SEMINAR ON "IMPLEMENTATING STRATEGY OF THE MoU BETWEEN LAW DEPARTMENT AND GPCCI"



JUDICIAL ACADEMY TRAINING PROGRAM FOR THE OFFICERS OF LAW DEPARTMENT, GOVERNMENT OF SINDH HELD AT JUDICIAL ACADEMY



AUTOMATION & I.T CENTER OF LAW DEPARTMENT

1. NEW AND IMPROVED LAW OFFICIAL WEB PORTAL (www.sindhlaws.gov.pk)

Law Department has introduced new and improved official web portal, to create uniformity with all Law Sites of other Provinces as per Law Justice Commission of Pakistan initiative. The new website has following features:-

• MULTILINGUAL.

The whole website is available in below languages:-

1. **ENGLISH**,
2. **URDU** (National Language), and
3. **SINDHI** (Provincial Language)

• The Legislation is available in three languages as well.



2. MOBILE APPLICATION (ANDROID PLAY STORE)

Law Department introduced its official mobile application for android users and soon it will be available on IOS as well, the mobile application will make easier access to the following documents

- Gazette Legislation
- Sindh Code
- Latest News
- Our information



INFORMATION BOX FOR FEEDBACK

Feedback and comments are welcomed and appreciated



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Facebook page: <https://www.facebook.com/lawdepartmentsindh/>

Address: Law Department, Ground floor, Sindh Assembly Building, Court Road, Karachi.

SECRETARIES OF LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT SINDH

S.#	NAME	FROM	TO
1.	MR. Z.A. CHANNA	01.07.1970	31.07.1971
2.	MR. B.G.N. KAZI	01.08.1971	22.02.1973
3.	MR. MUNAWAR ALI KHAN	01.03.1973	08.03.1979
4.	MR. G.M. KOUREJO	09.03.1979	16.05.1980
5.	MR. MUNAWAR ALI KHAN	29.05.1980	25.11.1981
6.	SYED ALLY MADAD SHAH	02.01.1982	16.07.1983
7.	MR. AHMED ALI-U-QURESHI	18.08.1983	29.07.1985
8.	MR ABDUL QADIR SIDDIQUI	16.09.1985	22.08.1994
9.	MR. AGHA RAFIQ AHMED KHAN	23.08.1994	09.04.1995
10.	MR. ABDUR RASHID.A. SHAIKH	04.05.1995	18.09.1996
11.	MR. AGHA RAFIQ AHMED KHAN	18.09.1996	16.11.1996
12.	MR. ARJAN RAM K. TALREJA (ACTING)	16-11-1996	01-12-1996
13.	MR. ALI AHMED JUNEJO	02.12.1996	04.11.1998
14.	SAYED GHULAM NABI SHAH	04.11.1998	08.05.2008
15.	MR. MIR MUHAMMAD SHAIKH(ACTING)	09.05.2008	17.06.2008
16.	MR. SADIQ HUSSAIN BHATTI	17.06.2008	15.12.2008
17.	MR. MIR MUHAMMAD SHAIKH	15.12.2008	20.05.2009
18.	SAYED GHULAM NABI SHAH	20.05.2009	19-07-2013
19.	MR. RIAZ AHMED SIDDIQUI (ACTING)	22-07-2013	02-08-2013
20.	MR. PARKASH LAL AMBWANI (ACTING)	02-08-2013	16-12-2013
21.	MR. MIR MUHAMMAD SHAIKH	16-12-2013	31-12-2015
22.	MR. MUHAMMAD ASLAM SHAIKH(ACTING)	14-10-2015	24-05-2016
23.	MR. PARKASH LAL AMBWANI (ACTING)	24-05-2016	08-03-2017
24.	MR. IFTIKHAR ALI SHALLWANI (PAS)	08-03-2017	

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