



SINDH ACT NO.III OF 2023 THE SINDH PROTECTION OF HUMAN RIGHTS (AMENDED & INTEGRATED) ACT, 2023

SINDH ACT NO.XIII OF 2011 The sindh protection of Human Rights Act, 2011

RULES OF IMPLEMENTATION OF THE SINDH PROTECTION OF HUMAN RIGHTS ACT, (SPHRA) 2013

(CHAIRPERSON AND MEMBERS) CONDITION OF SERVICE RULES, 2023

CONTENTS

Page

1

SINDH ACT NO.III OF 2023 THE SINDH PROTECTION OF HUMAN RIGHTS (AMENDED & INTEGRATED) ACT, 2023	2-13
SINDH ACT NO.XIII OF 2011 THE SINDH PROTECTION OF	
HUMAN RIGHTS ACT, 2011	14-21
RULES OF IMPLEMENTATION OF	
THE SINDH PROTECTION OF HUMAN RIGHTS ACT, (SPHRA) 2013	22-29
(CHAIRPERSON AND MEMBERS)	
CONDITION OF SERVICE RULES, 2023	. 30-35

Preface

In Sindh, a province with a rich and diverse cultural heritage, the essence of human rights lies in the recognition of the inherent dignity and worth of every human being, regardless of their origin, beliefs, faith or circumstances. Human rights are not just a set of legal principles, but a testimony to our commitment as a nation to protect and uphold the fundamental values of justice, freedom and equality.

The Sindh Protection of Human Rights Act, 2011, (SPHRA, 2011) is a testament to the province's commitment to human rights. This Act was enacted to ensure the protection, promotion and realization of human rights and paved the way for the establishment of the Sindh Human Rights Commission (SHRC). This commission is an important institution entrusted with the responsibility of protecting human rights in Sindh province.

The Sindh Human Rights Commission has been vested with a wide range of powers and functions to effectively fulfil its mandate. These powers include inquiring complaints of human rights violations and abuses, conducting investigations, summoning witnesses and recommending appropriate action and remedial measures. In addition, the Commission has a mandate to monitor the human rights situation and conditions, review laws, policies and practices, and advise the government on human rights issues.

The SPHRA, 2011 was amended in 2023. The Commission has been given new responsibilities, including the task of investigating reported violations and abuses and assessing the working conditions of business enterprises. In addition, the Commission is to serve as an Alternative Dispute Resolution (ADR) body and accountability mechanism for business-related abuses.

By working with both government and civil society to recognize and respect the rights of every citizen, we reaffirm our commitment to building a more just, inclusive and harmonious society.

Iqbal Ahmed Detho

Iqbal Ahmed Detho Chairperson Sindh Human Rights Commission

SINDH ACT NO.III OF 2023 THE SINDH PROTECTION OF HUMAN RIGHTS (AMENDED & INTEGRATED) ACT, 2023

SINDH ACT NO.III OF 2023 THE SINDH PROTECTION OF HUMAN RIGHTS (AMENDED & INTEGRATED) ACT, 2023

Singh Human Blahts Curamission Gevenment of Sindh WAA 12022 MAGE NO. NO. All: 2 NO.S. Legis: 2(13)2008/Pt-II/ 258 202 GOVERNMENT OF SINDH LAW, PARLIAMENTARY AFFAIRS AND CRIMINAL PROSECUTION DEPARTMENT

Off: 2021-99213803 Fax #. 021-99212038 "SAY NO TO CORRUPTION"

Karachi, dated the 16 August, 2023.



Τo,

The Chairperson Sindh Human Rights Commission Government of Sindh **Karachi**

SUBJECT: REQUEST FOR PUBLISHING OF INTEGRATED LAW I.E SINDH PROTECTION OF HUMAN RIGHTS ACT, 2011 AND AMENDMENT OF 2023

I am directed to refer to your letter No.SHRC/GOS/15099/024/ 2023 dated 31st July, 2023, on the subject noted above and to enclose herewith a copy of integrated Law titled " the Sindh Human Rights Protection Act, 2011" (as amended in 2023) for taking further necessary action.

16.8.2023 (SHAFOUAT ALI LARIK) SECTION OFFICER (LEGISLATION) FOR SECRETARY TO GOVT. OF SINDH LAW DEPARTMENT

CONTENTS

Preamble Sections

PART-I PRELIMINARY

- 1. Short title, extent and commencement.
- 2. Definitions.

PART-II ESTABLISHMENT OF THE COMMISSION

3. Establishment of the Commission.

PART-III POWERS AND FUNCTIONS OF THE COMMISSION

4. Powers and Functions of the Commission.

PART-IV MEETING OF THE COMMISSION

- 5. Meetings of the Commission.
- 6. Removal of Chairperson or member.
- 7. Powers and Functions of the Secretary.

PART-V FUND, ACCOUNTS AND AUDIT

8. Fund.

PART-VI MISCELLANEOUS

- 9. Returns, statement etc.
- 10. Delegation of Powers.
- 11. Public Servant.
- 12. Rules.
- 13. Jurisdiction of courts barred.
- 14. Indemnity.

[9th June, 2011]

An Act to provide for protection of the human rights in the Province of Sindh.

WHEREAS it is expedient to provide for protection of **Preamble**. the human rights in the Province of Sindh and to provide for matters connected therewith or ancillary thereto.

It is hereby enacted as follows:-

PART-I PRELIMINARY

1.	(1)	This Act may be called the Sindh Protection of	Short title, extent
Huma	an Rigł	nts Act, 2011.	and
			commencement.
	(2)	It shall extend to the whole Province of Sindh.	

(3) It shall come into force on such date as Government may, by notification in the official gazette, specify.

2. In this Act, unless there is anything repugnant in the **Definitions.** subject or context -

- (i) "Chairperson" means the Chairperson of the Commission;
- ¹[(i-a) "business and human rights" means the rights envisaged under the United Nations Guiding Principles (UNGPs) and corporate related human rights abuses;
- (i-b) "Chief Minister" means the Chief Minister, Sindh;];
- (ii) "Commission" means the Sindh Human Rights Commission constituted under section 3;
- ²[(ii-a) "Department" means the Sindh Human Rights Department, Government of Sindh;];
- (iii) "Government" means the Government of Sindh;

¹ New "Clauses (i-a) and (i-b)", inserted by the Sindh Act No.III of 2023, dated:13-02-2023.

² New "Clause (ii-a), inserted., ibid.

- (iv) "human rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution of the Islamic Republic of Pakistan and enforceable by law;
- (v) "member" means the member of the Commission;
- "I(v-i) "National Action plan on Business and Human Rights" means the National Action Plan on Business and Human Rights formulated by the Ministry of Human rights in keeping with UNGPs to ensure protection of human rights abuses by engaging business to foster corporate respect and due diligence for human rights;]
- (vi) "prescribed" means prescribed by rules;
- (vii) "rules" means the rules made under this Act; and
- (viii) "Secretary" means the Secretary of the Commission.

PART-II ESTABLISHMENT OF THE COMMISSION

3. (1) As soon as may be, after the commencement **Establishment** of this Act, there shall be established a Commission to be known as the Sindh Human Rights Commission. **Establishment** Of the Commission.

- (2) The Commission shall consist of -
- ²[(i) A person who has been a **Chairperson** Judge of High Court, was or is qualified as such, or a person having a demonstrable experience of fifteen (15) years in the field of Human Rights, to be appointed by Chief Minister];
- (ii) ³[three] persons who have been Members District and Sessions Judges or Additional District and Sessions

¹ "New Clause (v-i)", inserted by the Sindh Act No.III of 2023, dated:13-02-2023

² Subs, in sec-3, sub-sec-2, for clause (i), ibid.

³ Subs for the word "two", in sec-3, sub-sec-2, in clause (ii), ibid.

Judges to be appointed by Government;

- ¹[(iii) two Mem bers of the Provincial **Members** Assembly of Sindh, to be nominated by the Speaker, provincial Assembly of Sindh];
- ²[(iii-a) Four persons with Members demonstrable experience in the field of Human Rights, atleast one of whom shall be from minority community and one shall have considerable experience in Business and Human Rights, to be appointed by Chief Minister;
- (iii-b) An Additional Secretary or Member Deputy Secretary of the Department to be nominated by the Secretary of department];
- (iv) Secretary of Commission to be appointed by Government. Member

(3) The Commission shall be a body corporate having perpetual succession and a common seal with powers, subject to the provisions of this Act, to enter into agreements, contracts, acquire and hold property, both moveable and immovable, and to sue and be sued in its name.

(4) The headquarters of the Commission shall be at Karachi and the Commission may with the previous approval of Government, establish offices at district level.

³[(4-A) The Chairperson and Members appointed under clause (i), (ii) and (iii a) of sub-section (2), shall not be more than sixty five years of age.]

⁴[(5) The Chairperson and Members shall, unless resigned or removed earlier, hold office for a single non renewable term of four years.].

¹ Subs, in sec-3, sub-sec-2, for clause (iii), by the Sindh Act No.III of 2023, dated:13-02-2023.

² New clauses (iii-a) and (iii-b), inserted., ibid.

³ New Sub-section (4-A), inserted., ibid.

⁴ Subs, for sub-section (5)., ibid.

(6) In case of death, resignation or removal of such Chairperson or a member, another Chairperson or as the case may be, a member may be appointed in his place for the un-expired term of such Chairperson or member.

(7) The salaries, allowances and other conditions of service of Chairperson and Members shall be such as may be prescribed; provided that neither the salary and allowances nor the other terms and conditions of service of a Chairperson or Member shall be varied to his disadvantage after his appointment.

(8) There shall be a Secretary who shall be the Chief Executive Officer of the Commission and shall exercise such powers and discharge such functions of the Commission as it may assign to him.

(9) The Chairperson or a member may, by writing under his hand, resign from his office but his resignation shall not take effect until it is accepted by Government.

(10) No act or proceedings of the Commission shall be invalid by reason only of existence of a vacancy in, or the Constitution of the Commission.

PART-III POWERS AND FUNCTIONS OF THE COMMISSION

4. The Commission shall –

(a)

- (i) inquire, suo moto or on a petition presented to it by a victim or any person on his behalf, into complaint of –
 - nplaint of violation of human rights or abetment
 - thereof;
 - (b) negligence in the prevention of such violation, by a public servant;
- (ii) recommend to Government the remedial measures including action to be taken against the persons involved in violation of human rights;

Powers and Functions of the Commission.

- I(ii-a) serve as an alternate dispute resolution and accountability mechanism for business related abuse of human rights and providing easy access to remedy;];
- (iii) formulate, implement and regularly update policies with a view to protect human rights;
- (iv) visit, under intimation to Government, any jail or institution under the control of Government where persons are kept or detained or admitted for purpose of treatment, reformation or protection to see the living conditions of the inmates and make recommendations thereon;
- 2[(iv-a) to visit any business enterprise or corporate entity, with prior intimation to the concerned corporate entity's supervisory body or authority, to ascertain the reported violations or abuse and the working conditions of employees, workers or inmates of the supply chain or the value chain, as the case may be:];
- ³[(v) review the safe guards provided by or under the Constitution or any law for the time being in force for protection of human rights and also in the sphere of Business and Human Rights and National Action Plan on Business and Human rights to ensure accountability and access to remedy as an alternate dispute forum and to recommend measures for effective implementation of laid down procedure and for due diligence in business enterprises;];
- (vi) study treaties and other international instruments on human rights and make recommendations for their effective implementation;
- (vii) undertake and promote research in the field of human rights;

¹ New clause (ii-a), inserted by the Sindh Act No.III of 2023, dated:13-02-2023.

² New clause (iv-a), inserted, ibid.

³ Subs for clause (v)., ibid.

- (viii) spread human rights literacy among various sections of society:
- promote awareness of the safeguards available (ix) for protection of human rights through print and electronic media, seminars and other available means:
- (x) encourage the efforts of -non governmental organizations and institutions working in theield of human rights;
- (xi) publish or cause to be published the various policies, details, data and information relevant to the affairs of the Commission on a regular basis and ensure reasonable access of the public to the same:
- appoint such officers and staff as may be (xii) necessary for carrying out the purposes of this Act, subject to the approval of Government: and
- shall perform such other functions necessary for (xiii) protection of human rights, as may be prescribed.

PART-IV

MEETINGS OF THE COMMISSION

There shall be at least one meeting of the Meetings of the 5. (1)Commission in each quarter of a year.

Commission.

(2) The meetings of the Commission shall be held at such time and at such places and in such manner as may be prescribed by rules or, until rules are made in this behalf, as and when convened by the Chairperson.

Notwithstanding the provisions of sub-section (3) (1), the Chairperson shall convene a meeting of the Commission if three or more members request him in writing and such meeting shall be convened after giving at least seven days notice within a period of not exceeding fifteen days of receipt of such requisition.

(4) The quorum for a meeting of the Commission shall be ¹[five members].

¹ Subs, for the words" four members", in sec-5, subsec-4, by the Sindh Act No.III of 2023, dated:13-02-2023.

(5) The Chairperson or, in his absence, a member elected by the members present in a meeting of the Commission shall preside at such meeting of the Commission.

(6) In the event of an equality of votes, the Chairperson or the member presiding a meeting shall have a casting vote.

6. Government may by notification remove the Removal of Chairperson or a member, if he -

Chairperson or member.

- (a) is incapable of discharging his responsibilities under this Act:
- ¹I(a-i) is found lunatic or become of unsound mind:
- has been declared insolvent; or (b)
- (c) has been declared to be disqualified for employment, or has been dismissed from the service of Government, or has been convicted for an offence involving moral turpitude; or
- (d) has knowingly acquired or has continued to hold without the permission, in writing, of Government, directly or indirectly or through a partner, any share or interest in any, contract or employment with or on behalf of the Commission or in any land or property which, to his knowledge, is likely to benefit or has benefited as a result of the operations of the Commission:

Provided always that no action shall be taken under this section against the Chairperson or a member without affording him an opportunity of being heard.

7. The Secretary shall be responsible for - Powers and Functions of the

¹ New clause (a-i), inserted by the Sindh Act No.III of 2023, dated:13-02-2023.

- all correspondence on behalf of the Secretary. Commission, subject to this Act, and directions from time to time, issued by the Commission or the Chairperson;
- (ii) the maintenance and safety of the records and all other property of the Commission; and
- (iii) general supervision, control and administration of the office and staff.

PART-V FUND, ACCOUNTS AND AUDIT

8. (1) There shall be a Fund known as the Sindh **Fund**. Human Rights Commission Fund.

- (2) The Fund shall consist of
 - (i) grant-in-aid from Government;
 - (ii) endowments, donations and contributions from public;
 - (iii) contributions from District Governments and other institutions;
 - (iv) sale proceeds of the publication and any bonafide income-generating means undertaken by the Commission.
- (3) (i) The Fund of the Commission shall be deposited in a scheduled Bank under such head of accounts as may be determined by the Commission.

(ii) The account of the Fund shall be audited once in every financial year by the Director General Audit Sindh or his nominee.

(iii) The audited annual statements of receipts and expenditure shall cover the period of the proceedings of financial year ending on 30th June and shall be submitted to the Commission by the

Secretary for approval.

(iv) In the Budget Meeting of the Commission, the Secretary shall submit the budget of the Commission for the financial year. The Commission shall approve the budget with such modifications, if any, as it may deem necessary.

(v) A qualified auditor shall be appointed by the Commission to authenticate and audit the accounts of the Commission.

PART-VI MISCELLANEOUS

9. Government may require the Commission to furnish to **Returns**, it any document, return, statement statistics or any other **statement etc.** information regarding any matter pertaining to the Commission and the Commission shall comply with such requisition.

10. The Commission may, by general or special order and **Delegation of** subject to such conditions as it may impose, delegate to the **Powers.** Chairperson, members or its Officers, any of its powers, duties or functions under this Act or the rules made thereunder.

11. The Chairperson, members and employees of the **Public Servant**. Commission shall, while acting or purporting to act under this Act or rules, be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code.

12. Government may make rules for carrying out the **Rules**. purposes of this Act.

13. No court shall have jurisdiction to entertain any **Jurisdiction of** proceedings or make any order in relation to anything done **courts barred**. or purported to be done under this Act.

14. No suit or legal proceedings shall lie against **Indemnity**. Government, the Commission or officer and servant in respect of anything done or purported to be donien good faith under this Act.

SINDH ACT NO.XIII OF 2011 The sindh protection of Human Rights Act, 2011

PROVINCIAL ASSEMBLY OF SINDH NOTIFICATION KARACHI, THE 9TH JUNE, 2011

NO.PAS/Legis-B-8/2011-The Sindh Protection of Human Rights Bill, 2011 having been passed by the Provincial Assembly of Sindh on 16th May, 2011 and assented to by the Governor of Sindh on 9th June, 2011 is hereby published as an Act of the Legislature of Sindh.

SINDH ACT NO: XIII OF 2011

AN ACT

to provide for protection of the human rights in the Province of Sindh.

WHEREAS it is expedient to provide for protection of the **Preamble**. human rights in the Province of Sindh and to provide for matters connected therewith or ancillary thereto.

It is hereby enacted as follows:-

PART-I PRELIMINARY

- 1. (1) This Act may be called the Sindh Protection of Human Rights Act,2011. Short title, extent and commencement.
 - (2) It shall extend to the whole Province of Sindh.
 - (3) It shall come into force on such date as Government may, by notification in the official gazette, specify.

2. In this Act, unless there is anything repugnant in the subject **Definitions.** or context -

- (i) "Chairperson" means the Chairperson of the Commission;
- (ii) "Commission" means the Sindh Human Rights Commission constituted under section 3;

(iii) "Government" means the Government of Sindh;

- (iv) "human rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution of the Islamic Republic of Pakistan and enforceable by law;
- (v) "member" means the member of the Commission;
- (vi) "prescribed" means prescribed by rules;
- (vii) "rules" means the rules made under this Act; and
- (viii) "Secretary" means the Secretary of the Commission.

PART-II ESTABLISHMENT OF THE COMMISSION

3. (1) As soon as may be, after the commencement of this Act, there shall be established a Commission to be known as the Sindh Human Rights Commission. Establishment

- (2) The Commission shall consist of -
 - (i) a person who has been a Judge of High Court, was or is qualified as such, to be appointed by Government;
 - (ii) two persons who have been District Members and Sessions Judges or Additional District and Sessions Judges to be appointed by Government;
 - (iii) four persons including two Members Members of Provincial Assembly to be nominated by the Speaker;
 - (iv) Secretary of Commission to be Secretary/ appointed by Government. Member

(3) The Commission shall be a body corporate having perpetual succession and a common seal with powers, subject to the provisions of this Act, to enter into agreements, contracts, acquire and hold property, both moveable and immovable, and to sue and be sued in its name.

(4) The headquarters of the Commission shall be at Karachi and the Commission may with the previous approval of Government, establish offices at district level.

(5) The Chairperson and member shall, unless resigned or removed earlier, hold office for a term of three years and shall be eligible for re-appointment for one similar term.

(6) In case of death, resignation or removal of such Chairperson or a member, another Chairperson or as the case may be, a member may be appointed in his place for the un-expired term of such Chairperson or member.

(7) The salaries, allowances and other conditions of service of Chairperson and Members shall be such as may be prescribed; provided that neither the salary and allowances nor the other terms and conditions of service of a Chairperson or Member shall be varied to his disadvantage after his appointment.

(8) There shall be a Secretary who shall be the Chief Executive Officer of the Commission and shall exercise such powers and discharge such functions of the Commission as it may assign to him.

(9) The Chairperson or a member may, by writing under his hand, resign from his office but his resignation shall not take effect until it is accepted by Government.

(10) No act or proceedings of the Commission shall be invalid by reason only of existence of a vacancy in, or the Constitution of the Commission.

PART-III POWERS AND FUNCTIONS OF THE COMMISSION

4. The Commission shall –

Powers and Functions of the Commission.

- (i) inquire, suo moto or on a petition presented to it by a victim or any person on his behalf, into complaint of
 - (a) violation of human rights or abetment thereof;
 - (b) negligence in the prevention of such violation, by a public servant;

- (ii) recommend to Government the remedial measures including action to be taken against the persons involved in violation of human rights;
- (iii) formulate, implement and regularly update policies with a view to protect human rights;
- (iv) visit, under intimation to Government, any jail or institution under the control of Government where persons are kept or detained or admitted for purpose of treatment, reformation or protection to see the living conditions of the inmates and make recommendations thereon;
- (v) review the safeguards provided by or under the Constitution or any law for the time being in force for protection of human rights and recommend measures for their effective implementation;
- (vi) study treaties and other international instruments on human rights and make recommendations for their effective implementation;
- (vii) undertake and promote research in the field of human rights;
- (viii) spread human rights literacy among various sections of society;
- (ix) promote awareness of the safeguards available for protection of human rights through print and electronic media, seminars and other available means;
- encourage the efforts of non-governmental organizations and institutions working in the field of human rights;
- (xi) publish or cause to be published the various policies, details, data and information relevant to the affairs of the Commission on a regular basis and ensure reasonable access of the public to the same;
- (xii) appoint such officers and staff as may be necessary for carrying out the purposes of this Act, subject to the approval of Government; and
- (xiii) shall perform such other functions necessary for protection of human rights, as may be prescribed.

PART-IV MEETINGS OF THE COMMISSION

5. (1) There shall be at least one meeting of the Commission in each quarter of a year.

(2) The meetings of the Commission shall be held at such time and at such places and in such manner as may be prescribed by rules or, until rules are made in this behalf, as and when convened by the Chairperson.

(3) Notwithstanding the provisions of sub-section (1), the Chairperson shall convene a meeting of the Commission if three or more members request him in writing and such meeting shall be convened after giving at least seven days notice within a period of not exceeding fifteen days of receipt of such requisition.

(4) The quorum for a meeting of the Commission shall be four members.

(5) The Chairperson or, in his absence, a member elected by the members present in a meeting of the Commission shall preside at such meeting of the Commission.

(6) In the event of an equality of votes, the Chairperson or the member presiding a meeting shall have a casting vote.

6. Government may by notification remove the Chairperson or a member, if he –

Removal of Chairperson or member.

- (a) is incapable of discharging his responsibilities under this Act;
- (b) has been declared insolvent; or
- (c) has been declared to be disqualified for employment, or has been dismissed from the service of Government, or has been convicted for an offence involving moral turpitude; or
- (d) has knowingly acquired or has continued to hold without the permission, in writing, of Government, directly or indirectly or through a partner, any share or interest in any, contract or employment with or on behalf of the Commission or in any land or property which, to his knowledge, is likely to benefit or has benefited as a result of the operations of the Commission:

Meetings of the Commission.

Provided always that no action shall be taken under this section against the Chairperson or a member without affording him an opportunity of being heard.

7. The Secretary shall be responsible for -

Powers and Functions of the Secretary.

- (i) all correspondence on behalf of the Commission, subject to this Act, and directions from time to time, issued by the Commission or the Chairperson;
- (ii) the maintenance and safety of the records and all other property of the Commission; and
- (iii) general supervision, control and administration of the office and staff.

PART-V FUND, ACCOUNTS AND AUDIT

8. (1) There shall be a Fund known as the Sindh Human Rights **Fund.** Commission Fund.

- (2) The Fund shall consist of
 - (i) grant-in-aid from Government;
 - (ii) endowments, donations and contributions from public;
 - (iii) contributions from District Governments and other institutions;
 - (iv) sale proceeds of the publication and any bonafide income-generating means undertaken by the Commission.
- (3) (i) The Fund of the Commission shall be deposited in a scheduled Bank under such head of accounts as may be determined by the Commission.
 - (ii) The account of the Fund shall be audited once in every financial year by the Director General Audit Sindh or his nominee.
 - (iii) The audited annual statements of receipts and expenditure shall cover the period of the proceedings of financial year ending on 30th June and shall be submitted to the Commission by the Secretary for approval.

- (iv) In the Budget Meeting of the Commission, the Secretary shall submit the budget of the Commission for the financial year. The Commission shall approve the budget with such modifications, if any, as it may deem necessary.
- (v) A qualified auditor shall be appointed by the Commission to authenticate and audit the accounts of the Commission.

PART-VI MISCELLANEOUS

9. Government may require the Commission to furnish to it any document, return, statement statistics or any other information regarding any matter pertaining to the Commission and the Commission shall comply with such requisition.	Returns, statement etc.
10. The Commission may, by general or special order and subject to such conditions as it may impose, delegate to the Chairperson, members or its Officers, any of its powers, duties or functions under this Act or the rules made thereunder.	Delegation of Powers.
11. The Chairperson, members and employees of the Commission shall, while acting or purporting to act under this Act or rules, be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code.	Public Servant.
12. Government may make rules for carrying out the purposes of this Act.	Rules.
13. No court shall have jurisdiction to entertain any proceedings or make any order in relation to anything done or purported to be done under this Act.	Jurisdiction of courts barred.
14. No suit or legal proceedings shall lie against Government, the Commission or officer and servant in respect of anything done or purported to be done in good faith under this Act.	Indemnity.

BY ORDER OF THE SPEAKER PROVINCIAL ASSEMBLY OF SINDH

HADI BUX BURIRO SECRETARY PROVINCIAL ASSEMBLY OF SINDH



Off: 2021-99213803

Fax #. 021-99212038

NO.S.REG: 4(11)2013/

GOVERNMENT OF SINDH LAW DEPARTMENT www.lawdepartment.gos.pk E-mail:law@lawdepartment.gos.pk

Karachi, dated the _____June, 2015.

To,

1. The Chairperson, Human Rights Commission, Government of Sindh, K.D.A. Building, Karachi.

 The Director, Directorate of Human Rights, Government of Sindh, <u>Karachi</u>.

SUBJECT:- THE SINDH HUMAN RIGHTS COMMISSION RULES, 2013 THE SINDH HUMAN RIGHTS COMMISSION (CHAIRPERSON AND MEMBERS) CONDITION OF SERVICE RULES, 2014.

I am directed to refer to the subject noted above and to enclose herewith Gazette copies of subject rules for record.

8

(BASHIR AHMED MEMON) DEPUTY SECRETARY (REGULATION) FOR SECRETARY TO GOVT. OF SINDH LAW DEPARTMENT

f/jalil-Legislation, All Matters 2015 No 5.REC: 4(11)2013 01-6-2015

RULES OF IMPLEMENTATION OF THE SINDH PROTECTION OF HUMAN RIGHTS ACT, (SPHRA) 2013 GOVERNMENT OF SINDH LAW, PARLIAMENTARY AFFAIRS

AND HUMAN RIGHTS DEPARTMENT

Karachi Dated the 20th December, 2013

Prote	Reg:4(11) 2013/83:- In exercise of the powers conferred by section 12 of the Sindh ction of Human Rights Act, 2011, the Government of Sindh are pleased to make the ving rules to regulate the conduct of its business:	
1. (1) (2)	These rules may be called the Sindh Human Rights Commission Rules, 2013. They shall come into force at once.	Short title and commencement
(a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (l) (m)	In these rules, unless there is anything repugnant in the subject or context. "Act" means the Sindh Protection of Human Rights Act, 2011; "agenda" means list of business to be disposed of in a meeting; "business" means the business of the Commission under theAct; "Chairperson" means the Chairperson of the Commission; "Commission" means the Sindh Human Rights Commission constituted under section 3 of Act; "Committee" means a committee or sub-committee appointed by the Commission for a particular matter; "Government" means the Government of Sindh; "human rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution of the Islamic Republic of Pakistan 1973 and enforceable by law; "meeting" means a meeting of the Commission; "Registrar" means the Registrar of the Commission; "Secretary" means the Secretary of the Commission; "section" means a section of the Act. The words and expressions used but not defined in these rules shall have the same meaning as assigned to them under the Act.	Definitions
3.	The headquarter of the Commission shall be at Karachi and the Commission may,	Headquarters
	with the previous approval of Government, establish offices at District level.	-
4. (i)	Subject to the provisions of the Act, the Commission shall sponsor, steer, encourage research to generate information, analysis and studies	Powers and Functions of the Commission
(ii)	and maintain a database relating to human rights issues; develop and maintain interaction and dialogue with non - governmental organizations, experts and individuals, association in society with similar commissions and institutions in other countries for collaboration and action to achieve the maximum target to stop violation of human rights at the national, regional and international level of training standards;	

(iii)	mobilize grants from domestic and international, including multi and bilateral agencies approved by Government for meeting any of its obligations or performing its functions;	
(iv)	seek and receive information, data and documents from any provincial source or entity in the course of performance of its functions;	
(v)	call for information or report from Provincial or District Government, civil society organization and autonomous body concerned while inquiring into complaints of violations of human rights; inspect or visit under intimation to Government and in accordance with	
(vi)	the relevant laws and rules, any jail, sub-jail or other places of custody where innocent citizens are kept, detained and admitted for treatment, reformation or protection, and to see the living conditions of the inmates and to make appropriate recommendations to the authorities concerned;	
(vii)	appoint advisors, consultants and experts, if necessary, with the approval of Government.	
5.	All business of the Commission shall be disposed of in a meeting which may be held in accordance with the provisions here in contained.	Transaction of meeting Business
6. (1) (2)	There shall be held ordinary meetings and special meetings. An ordinary meeting shall be held as often as may be necessary but at least once in three months	Meetings
(3)	A special meeting shall be convened as soon as may be on receipt of requisition in writing by at least three or more members and such meeting shall be convened after giving at least three days' notice within a period of not exceeding fifteen days of reacting the period by a period of not exceeding fifteen days.	
(4)	of receipt of such requisition. The Secretary under the instructions of the Chairperson shall convene meetings	
(5)	on such date and time as fixed by the Chairperson. A special meeting shall have priority over an ordinary meeting.	
7. (1)	Seven days clear notice shall be given for an ordinary meeting and three days clear notice for a special meeting.	Notice of meeting
(2)	The Secretary shall cause a notice with a copy of agenda to be served on the members and a copy thereof be pasted at the office of the Commission	
(3)	The notice shall inter alia specify the place, date and time of the meeting and be accompanied by an agenda.	
8. (1)	The agenda for a meeting shall be prepared by the Secretary with the approval of the Chairperson.	Agenda
(2) (2)	The agenda for an ordinary meeting shall be prepared in the following order:	
(a) (b)	confirmation of the minutes of the previous meeting; all matters deferred in previous meeting including directions of Government, if any;.	
(b) (c)	reports of the committee or subcommittee;	
(c) (d)	any other business with the permission of the Chair.	
(3) (a)	The agenda for special meeting shall be prepared in the following order: consideration of the matter for which the meeting has been convened;	
(a) (b)	any other business approved by the Chairperson;	
(4)	Subject to the availability and the orders of the Chairperson, the members shall be provided copies of documents or information relating to the matters on agenda	

9.	No meeting may be adjourned until the agenda thereof is disposed of or a resolution of adjournment is passed or the Chairperson for any reason to be recorded in writing.	Adjournment of meeting
10.	The business shall be considered in the order prepared under rule 8 but the Chairperson on its own or on the motion of at least three members may change the order.	Consideration of business
11. ((i) (ii) (iii) (iv)	1) The Chairperson shall be the Chief Executive of the Commission and also shall act as Principal Accounting Officer and shall have inter-alia following functions and powers:- to coordinate, supervise and manage the work of the Commission and exercise general supervision and control the affairs of the Commission; to preside over every meeting of the Commission and in his or her absence, by the member elected by the members present in the meeting from amongst themselves and the person so elected shall exercise all the powers of the Chairperson under these rules during a meeting; to interact closely with all Ministries and Departments at Federal and Provincial level with regard to the affairs of the Commission; to delegate by general or special order, the powers and functions of the Chairperson to any member, officer or Secretary of the Commission.	Powers and Functions ofthe Chairperson
12. (i) (ii) (iii) (iv)	The Members of the Commission shall have following powers and functions:- to assist the Chairperson to coordinate and support the work of Commission; to assist the Commission in its mandate and functions particularly in the planning, implementation, monitoring and networking roles with all stakeholders including Government, civil society and the international community; to liaise with members of other similar Commissions, Provincial Secretariat and regional offices; to perform such other duties and functions as may be assigned by the Chairperson.	Functions of the Members
13. (i) (ii) (iii)	Subject to the provisions of the Act, the Secretary shall have the following powers and functions:- to prepare, under the directions of the Commission or Chairperson, three years strategic plan, annual work plan and annual budget for the approval of the Commission and forward to the concernedauthority. to carry out administrative orders and decisions of the Commission; to perform such other duties and functions as may be assigned to him by the Commission or Chairperson.	Functions of the Secretary of the Commission
14.	The Commission may co-opt any person expert or advisor to attend a meeting, if need be, but he shall not be entitled to vote.	Commission to co-opt expert or advisor

15.(1 (2) (3) (4)	.) The quorum for a meeting of the Commission shall be four members. A meeting shall be adjourned for want of a quorum but no quorum shall be necessary at a meeting held after the meeting which was adjourned for want of quorum. The members shall inform in writing to the Chairperson in advance with regard to their absence from Commission's meetings. Any member of the Commission who is absent from the Commission's three consecutive meetings without giving cogent reasons shall be issued notice and his absence would be reported to Government for action.	Quorum
16.(1 (2) (3) (4)	All matters in the agenda shall be decided by the majority of votes of the members present in the meeting. The voting shall be by show of hands. The result of the voting shall be declared after the voting by the Chairperson and such declaration shall be final and conclusive . In the case of an equality of votes, the Chairperson or member presiding a meeting shall have a casting vote.	Decision
17.(1 (2)	.) Minutes of the proceedings of each meeting shall be drawn up by the Secretary. The minutes shall comprise of, the names of members present at the meeting and the number of itemsbrief notes and decisions taken.	Minutes of the Proceedings
(3) (4)	The minutes shall be submitted to the Chairperson for approval and signed by the Chairperson or the Presiding Member and circulated amongst the members within two weeks after the meeting. A copy of the minutes of the proceedings of each meeting duly confirmed shall be recorded in a minute's book maintained for the purpose.	
18. (The Commission may appoint such number of commitees and sub-committees as may appear to it, to be necessary for technical and other advice on matters referred to it, such as – 	Appointmentof Committees and Sub- committees
(a) (b)	experts on human rights; liaising and networking between Commission, Government Departments and stakeholders;	
(c) (2)	budget and finance. The business of every committee and sub-committee shall be conducted in such manner as it may decide.	
(3)	Every committee or sub-committee shall be headed by one of the Members appointed by the Chairperson.	
(4) (5)	The Member, so appointed shall preside the meeting of the committee. The proceedings or report of the committee or sub- committee shall be submitted to the Chairperson as early as possible for placing it before the Commission.	
(6)	Any member who is absent from three consecutive meetings of the Committee and Sub-Committee without showing sufficient cause, he or she shall cease to be a member of the Committee and in his or her place another member shall be appointed.	

(2)	shall be conducted by the Chairperson through Secretary. The Secretary shall be responsible for day to day affairs of the Commission and shall perform such functions as may be assigned to him by the Commission or Chairperson	conducted by the Chairperson through Secretary
20.	The members of the committee or sub-committee shall be honorary members and shall not be paid any remuneration exceptthe expenditures which may include travelling, boarding and lodging costs, their rates may be determined by the Commission.	Remuneration for committee or sub committee.
21.(1 (2) (3) (4) (5)	 I) All petitions, applications, emails, faxes, suo-moto notice or telephonic information addressed or communicated made to the Commission, its Chairperson, members or Secretary either by name or designation shall be entertained and registered by the Commission in the register meant for the purpose. A register shall be maintained by the Commission for entering in, serial wise, the petition, application, communication and suo-moto notice and shall be placed before the Chairperson or Members for preliminary consideration, as expeditiously as possible but not later than three days from the date of its receipt. Provided that the petition, application, communication or suo-moto notice which requires urgent consideration shall be placed before the Chairperson as for as possible within twenty four hours of itsreceipt. No fee shall be chargeable on such petitions, applications, or other communications. The petition, application or other communication shall disclose the facts leading to the violation of human rights. The Chairperson or Members may issue notice to victim, applicant or petitioner for personal hearing or to any other person who in the opinion of the Chairperson or 	Petitions, applications and other communications.
(6) (7)	Members should be heard for appropriate disposal of thematter. The Commission may seek further information or affidavit as may beconsidered necessary. The Commission upon consideration of the report and personal hearing of applicant, petitioner and victim shall call comments from the concerned authority, institution or department and thereafter recommend the Government remedial	
	measures including action to be taken against the person involved in the violation of human rights.	
22. (i)	The Commission may dismiss in-limine the petition, application or other communication of the following nature:- illegal	Dismissal of petition application opther communication
(ii)	vague, anonymous, pseudonymous;	
(iii)	allegations do not make out any specific violation of human rights;	
(iv)	matter is sub-judice before court or tribunal;	
	the matter is outside the purview of the Commission on any othergrounds.	

 23. (1 (2) (3) (4) (5) (6)) Each member shall be assisted by the Registrar or any officer authorized in this behalf, when member takes up for consideration the case assigned to him or her for final disposal. It shall be the duty of the Registrar or authorized officer to study and present the cases and render such other assistance as may be required for consideration and disposal of the cases. If on consideration of the petition or application, the Commission dismisses the petition or application in-limine, the said order shall be communicated to the petitioner or applicant and the case shall be treated as closed. If on consideration of the petition, application, other communication or suomoto notice, the Commission admits and directs issuance of notice to any authority calling upon it to furnish information or report or comments, a notice shall be issued enclosing copy of the application, petition or other communication and notice shall be signed by the Registrar. On receipt of the information or report or comments called for, a detailed note in the form of a synopsis shall be prepared or caused to be prepared by the Registrar or authorized officer, whereupon the case shall be treated as ready for being placed before the Commission for final disposal. When the Commission upon consideration of the information, report or comments finally disposes of the case without any recommendation, the case shall be treated as closed. If the report, information or comments is not received from the concerned authority within the given time, the case shall be placed before the Commission for further directions. 	Disposal of petitions, other applications and suo-moto actions
24. (1) The records of all cases finally disposed of shall be transmitted to the Record Section after completing the entries in the register with regard to each such case.	Transmission of records
(2)	Unless otherwise directed by the Chairperson, the entire records of disposed of cases shall be destroyed after the expiry of a period of two years from the date of final disposal. However, register containing detailed information regarding such cases shall be retained permanently.	

MIR MUHAMMAD SHAIKH LAW SECRETARY

No.S.Reg: 4(11)2013/ Karachi, dated the 20" December, 2013. A copy is forwarded for information to:-

- 1. The Chief Secretary, Government of Sindh, Karachi.
- 2. The Principal Secretary to Chief Minister Sindh, Karachi.
- 3. The Advocate General Sindh, Karachi.
- 5. The Official Assignee, Karachi.6. The Director Line 4. The Solicitor, Government of Sindh, Karach.
- The Director, Human Rights, Government of Sindh, Karachi.
- 7. P.S. to Minister, Law & Parliamentary Affairs, Sindh, Karachi.
- 8. P.S. to Minister for Human Rights, Sindh, Karachi.
- 9. P.S. to Secretary, Law Department, Government of Sindh, Karachi.
- 10. P.S. to Secretary (Services), SGA & C Department, Govt. of Sindh, Karachi.
- 11. The Director (Press), Information Department, Govt. of Sindh, Karachi.

(BASHIR AHMED MEMON) **DEPUTY SECRETARY (REGULATION)** FOR SECRETARY TO GOVERNMENT OF SINDH LAW DEPARTMENT

(CHAIRPERSON AND MEMBERS) CONDITION OF SERVICE RULES, 2023

(CHAIRPERSON AND MEMBERS) CONDITION OF SERVICE RULES, 2023



Phone: 35148295

To,

No. SO(Admn)/387/2022-23/ 2 414 HUMAN RIGHTS DEPARTMENT GOVERNMENT OF SINDH Karachi dated the 23rd June, 2023

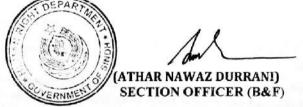
Sindh Human Rights Commission **Government of Sindh** 62221202 INWARD Ne OLSIFP 150 C 600

The Secretary, Law, Parliamentary Affairs & Criminal Prosecution Department, Government of Sindh, <u>Karachi</u>

Subject: REQUEST FOR PUBLISHING THE SINDH HUMAN RIGHTS COMMISSION (CHAIRPERSON AND MEMBERS) CONDITION OF SERVICE RULES, 2023 IN THE SINDH GOVERNMENT GAZETTE.

I am directed to refer to the subject cited above and to enclose herewith the Sindh Human Rights Commission (Chairperson and Members) Condition of Service Rules, 2023 vetted by Law Department, Govt of Sindh and approved by the Provincial Cabinet of Sindh.

2. It is therefore, requested to kindly publish the Sindh Human Rights Commission (Chairperson and Members) Condition of Service Rules, 2023 in the Sindh Government Gazette.



A copy is forwarded for information:-

- · PS to Secretary, Human Rights Department, Govt of Sindh, Karachi.
- PS to Chairperson of Sindh Human Rights Commission, Govt of Sindh, Karachi.
- Office Record File.





GOVERNMENT OF SINDH HUMAN RIGHTS DEPARTMENT

Karachi dated the ____ May, 2023.

DRAFT VETTED BY Ka LAW DEPARTMENT GOVERNMENT OF SINDH 8.0. Coglishation) :- In exercise of

NO._____:- In exercise of the powers conferred by section 12 read with sub-section (7) of section 3 of the Sindh Protection of Human Rights Act, 2011, the Government of Sindh are pleased to make the following rules:-

1. (1) These rules may be called the Sindh Human Rights Short title and Commission (Chairperson and Members) Condition of commencement. Service Rules, 2023.

(2) They shall come into force at once.

2. In these rules, unless there is anything repugnant in the **Definitions**. subject or context –

- (a) "Act" means the Sindh Protection of Human Rights Act, 2011 (Sindh Act No.XIII of 2011);
- (b) "Chairperson" means the Chairperson of the Commission;
- (c) "Member" means the Member of the Commission;

(d) "Schedule" means Schedule to these rules; and

(e) "section" means a section of the Act.

3. (1) The Chairperson appointed under clause (i) of subsection (2) of section 3 and Members appointed under clauses a (ii) and (iii-a) shall be entitled to pay, allowances and (perquisites as specified in the Schedule.

(2) The Members nominated under clause (iii) and (iii-b) of sub-section (2) of section 3 shall receive honorarium for attending the meetings of the Commission as may be determined by Government.

4. The services of Chairperson or Member mentioned **Pension**. under rule 3(1) shall not qualify for pension for their services in the Commission.

Pay, allowances and perquisites of Chairperson and Members. 5. The Chairperson or Members mentioned under rule 3(1) Leave. shall be entitled to leave as admissible to the civil servants under the Sindh Civil Servants (Leave) Rules, 1986 as amended from time to time.

The Chairperson or Members mentioned under rule 3(1) Medical facilities. 6. shall be entitled to the medical facilities admissible under the Sindh Civil Servants (Medical Attendance) Rules, 1993.

The Chairperson or Members mentioned under rule 3(1) Conduct. shall be governed by such rules or instructions made or issued by Government as are applicable to the conduct of civil servants.

No contribution towards the General Provident Fund General Provident 8. shall be made by the Chairperson or Members mentioned under Fund. rule 3(1).

The Sindh Human Rights Commission (Chairperson and Repeal. 9. Members) Conditions of Service Rules, 2014 (amended from time to time) shall, on commencement of these rules, stand repealed.

(CHAIRPERSON AND MEMBERS) CONDITION OF SERVICE RULES, 2023

SCHEDULE (see rule 2 (d)

SALARY, ALLOWANCES & UTILITIES OF THE CHAIRPERSON AND MEMBERS

	Items	Chairperson	Members
L. TED DT RTMENT OF AND S.J. Outout	Pay SFI	 (i) A Judge of the High Court, if appointed as the Chairperson, shall be entitled to receive Pay last drawn by him or her as the Judge of High Court. OR (ii) A person having a demonstrable experience of fifteen (15) years in the field of Human Rights, if appointed as Chairperson, shall be entitled to receive pay of rupees five hundred thousand per month. 	 (i) The Members appointed under section 3(2)(ii), shall be entitled to receive Pay last drawn by them as the District & Sessions Judge or Additional District & Sessions Judge, as the case may be. AND (ii) The Members appointed under section 3(2)(iii-a) shall be entitled to receive an allowance of rupees one hundred thousand per month.
2.	House Rent Allowance	The Chairperson shall be entitled to free unfurnished residential accommodation for the term of his office and fifteen (15) days after ceasing to hold his office, and in case the accommodation is not provided, he/she will be allowed house rent at such rate as admissible to a serving Judge of the High Court of Sindh or at such rate admissible to the civil servants of highest grades, as the case may be, per month.	The Members appointed under section 3(2)(ii) shall be entitled to house rent at such rate as admissible to an officer of BPS-21 or BPS-20, as the case may be, per month.
3.	Utilities	Fifty thousand rupees per month.	The Members appointed under section 3(2)(ii) shall be entitled to Utilities allowance at the rate of rupees of thirty thousand, per month.
		FACILITIES	

(CHAIRPERSON AND MEMBERS) CONDITION OF SERVICE RULES, 2023

	1	Government expense for official use.	admissible to use the official car of 1300cc.	shall be entitled to use the official car of 1000cc.
				AND
DRAFT V LAW DB GOVEINN	ARTIED B ARTINE ENTOPEN 8.0.04	I NT NDII NDII		(ii) Members appointed under section 3(2)(iii-a) shall be entitled to use official car as and when required for official purpose from transport pool of the Commission.
	2.	Petrol Limit	300 liters per month	The Members appointed under section 3(2)(ii) shall be entitled to 180 liters per month.
	3.	TA/DA	As admissible to civil servants of highest grades as per Policy.	The Members appointed under section 3(2)(ii) and 3(2)(iii-a) shall be entitled to TA/DA as admissible to the civil servants of grade 21 or 20, as the case may be.
	4.	TA/DA on official duty abroad	As admissible to civil servants of highest grades as per Policy.	The Members appointed under section 3(2)(ii) and 3(2)(iii-a) shall be entitled to TA/DA as admissible to the civil servants of grade 21 or 20, as the case may be.
	5.	Medical facilities	In respective of leave, medical attendance and other matters, the Chairman shall be governed by the Rules, for the time being applicable, to the highest grades of civil servants Government as per prevailing Policy.	medical attendance and other matters, the Members appointed under section 3(2)(ii) and 3(2)(iii-a) shall be shall be governed by the Rules of the time being





HUMAN RIGHTS FOR ALL

<u>Our Vision</u>

To create a society free of violence, extremism & enduring human rights & have an environment of peace, interfaith and justice. We are thriving really hard on achieving our goal

Our Mission

To promote &protect the Human Rights enshrined in the Constitution of Islamic Republic of Pakistan& in international human rights standards

Regional Office Sukkur: District Women Development Complex, Near SRSO Complex, Main Shikarpur Road, National Highway, Opposite Govt. College of Physical Education, Sukkur. Tel: 071-5824055, Fax: 071-5824053, Email:shrcsukkur.gos@gmail.com

Regional Office Larkana: Linar Cancer Hospital Road, Commissioner Office Larkana