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PART-I

NOTIFICATIONS BY THE GOVERNMENT OF SINDH

LAW, PARLIAMENTARY AFFAIRS AND CRIMINAL
PROSECUTION SERVICE DEPARTMENT

NO.S.LEGIS:2(35)/2020/246

Karachi, dated the 22nd June, 2021

NO.S.LEGIS:2(35)/2020:- In exercise of the powers conferred by sub-section (3) of section 1 of the Sindh Letters of Administration and Succession Certificates Act, 2021 (Sindh Act No.VII of 2021), the Government of Sindh are pleased to appoint the 15th May, 2021, the date on which the said Act comes into force.

SOCIAL WELFARE DEPARTMENT

Karachi dated the 10th June 2021.

No.SO(Coord)SWD/Senior Citizens/2021: In exercise of the powers conferred by section 19 of the Sindh Senior Citizens Welfare Act 2014, the Government of Sindh are pleased to make the following rules, namely:-

1. (1) These rules may be called the Sindh Senior Citizens Welfare Rules, 2021. **Short title and commencement.**

(2) They shall come into force at once.

2. (1) In these rules, unless there is anything repugnant in the subject or context - **Definitions.**

(a) "Act" means the Sindh Senior Citizens Welfare Act-2014 (Sindh Act No. XXI of 2014);

(b) "Chairperson" means the Chairperson of the Council;

(c) "Council" means the Sindh Senior Citizens Council established under section 3;

- (d) "Department" means the Social Welfare Department, Government of Sindh
- (e) "District Committee" means the District Senior Citizens Welfare Committee constituted under rule 16;
- (f) "Member" means the Member of the Council;
- (g) "Secretary" means the Secretary of the Council;
- (h) "Schedule" means the Schedule appended to these rules; and
- (i) "section" means a section of the Act.

(2) The words and expressions used but not defined in these rules shall have the same meanings as assigned to them in the Act.

3. (1) The Council shall issue the Senior Citizen (Azadi Card) to the eligible permanent residents of the Province of Sindh, subject to the production of documents listed in Schedule-A.

Procedure relating to the issuance of Senior Citizens Card (Azadi Card).

(2) For acquiring the Senior Citizen (Azadi Card), a senior citizen shall make an application on the format as indicated in Schedule-B.

4. Subject to rule 5, all business of the Council shall, to the extent provided under the Act, be disposed of at the meetings contained herein.

Disposal of business of the Council.

5. (1) There shall be ordinary, special and emergent meetings.

Ordinary, special and emergency meetings.

(2) Every matter required by any provision of the Act or the rules to be decided by the Council may be transacted at any ordinary meeting unless required by the Act or these rules to be transacted at a special meeting.

(3) Any matter to be decided by the Council concerning the circumstances of emergency may be transacted at an emergency or special meeting.

6. (1) An ordinary meeting may be held as often as may be necessary but at least once in two months.

Meetings.

(2) An emergency or special meeting may be convened by the Chairperson on his motion or on receipt of a requisition in writing by at least three members.

(3) The Secretary under the instructions of the Chairperson may convene meetings on such date and time as fixed by the Chairperson.

(4) An emergency meeting may have priority over a special meeting and a special meeting shall have priority over an ordinary meeting.

7. (1) Seven days clear notice may be given for an ordinary meeting and not exceeding twenty-four hours clear notice for an emergency or special meeting.

Notice of meeting.

(2) The Secretary may cause a notice to be served on the members and a copy thereof be posted at the office of the Council to each member at his/her residential address, through courier post or by any electronic communication at least three days before the scheduled meeting.

(3) The notice shall inter alia specify the place, date and time of the meeting and be accompanied by an agenda.

(4) In case of an emergency meeting convened by the Chairperson, one day notice is required to be issued and communicated to each using electronic communication.

8. (1) The agenda for a meeting may be prepared by the Secretary with the approval of the Chairperson. **Agenda of the meeting.**
- (2) The agenda for an ordinary meeting may be prepared in the following order:-
- confirmation of the minutes of the previous meeting;
 - all matters deferred in the previous meeting including direction of Government if any;
 - reports of the committee or sub-committee;
 - any other business with the permission of the Chairperson.
- (3) The agenda for emergent or special meeting may be prepared in the following order:-
- consideration of the matter for which the meeting has been convened;
 - any other business approved by the Chairperson.
- (4) The members may be provided copies of the 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 by the Council but the reasons for adjournment shall be recorded in writing. **Adjournment of meeting.**
10. (1) The quorum for a meeting shall be half of the total number of members, a fraction being counted as one. **Quorum.**
- (2) The quorum may be necessary throughout the meeting.
- (3) 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.
11. (1) All matters in the agenda shall be decided by the majority of votes of the members present in the meeting. **Decisions.**
- (2) The result of the voting shall be declared after the voting by the Chairperson and such declaration shall be final and conclusive.
- (3) In the case of equal voting, the Chairperson shall have a second or casting vote.
12. (1) Minutes of the proceedings of each meeting shall be drawn up by the Secretary. **Minutes of the Proceedings.**
- (2) The minutes may comprise only the names of members present at the meeting and the number of items brief notes and decisions are taken.
- (3) The minutes of the meeting shall be issued under the signature of the Secretary after getting approval of the Chairperson of the Council.
13. (1) The meetings of the Council shall take place at such place as the Chairperson decides. **Place of meeting and participation.**
- (2) The place of meeting will be communicated in the notice of the meeting; provided that any member may attend the meeting through video conference/call and such member shall be deemed to have attended the meeting.
14. (1) The Council with the consent and approval of the Chairperson may constitute a three-member committee or sub-committee from amongst the members of the Council for any specific business. **Constitution of Committee and Sub-Committee.**
- (2) The report of such Committee or Sub-Committee shall be submitted to the Secretary of the Council in the forthcoming meeting of Council.

(3) The Council may seek cooperation or co-opt any expert, authority, or department to assist the Council in the performance of its functions not inconsistent with the Act.

15. (1) Subject to the approval of the Chief Minister, the Council may appoint such administrative, technical and other staff as may be required from time to time for the effective performance of the functions of Council under the Act and these rules:

Appointment of Officers and Staff of the Council.

Provided that the codal formalities for appointment of such staff shall be observed such as publication of advertisement, test or interview;

Provided further that until such staff is appointed, the Council may, for its smooth functioning, requisite the services of officers and staff by transfer for a specific period.

(2) The powers and duties of the officers and staff of the Council shall be such as may be prescribed through the terms and condition of the job description.

16. (1) The Council may constitute the District Senior Citizens Welfare Committee for Rehabilitation and Welfare of Senior Citizens in each District.

Establishment and composition of the District Senior Citizens Welfare Committee.

(2) The District Committee shall consist of the following: -

- (i) Deputy Commissioner/Additional Deputy Commissioner or his designated representative, as the case may be, who shall be the Chairperson;
- (ii) any senior citizen to be nominated by the Deputy Commissioner, who shall be Vice-Chairperson;
- (iii) Additional or Deputy Director of District Social Welfare Officer, as the case may be, shall be the Secretary of the District Committee;
- (iv) District Health Officer and District Zakat Officer, who shall be the ex-officio members;
- (v) two Senior Citizens from civil society to be nominated by the Deputy Commissioner concerned working with Senior Citizens Organizations in the concerned District, who shall be the members.

17. (1) The members other than ex officio members of the District Committee shall be appointed by the Chief Minister to be recommended by the Council based on nominations received from the Deputy Commissioner concerned duly supported with their background of services in the field of senior citizens or allied services for the society.

Appointment of members of District Committee.

(2) The nominations of eligible persons constituting the District Committee shall be notified by the Department.

18. (1) Term of a member of the District Committee, other than ex officio, shall be for a period of three years from the date of their notification and they may be eligible for re-appointment for another term.

Term of members of District Committee other than ex officio members.

(2) A member of the District Committee may resign on his own in his/her hand addressed to the Chairperson of the Council, who shall place the resignation before the Council.

19. The District Committee shall perform the following functions:-

Functions of the District Committee.

- (a) to execute policies of the Council;
- (b) to verify and authenticate registration of Senior Citizens referred to it by the Council and report the same to Council on regular basis;
- (c) to redress the grievances of Senior Citizen received by it in writing which would be verified through the concerned official process as set forth by the District Committee;
- (d) to develop or suggest projects and initiative to the Council for the wellbeing of Senior Citizens, through its own or by way of public/private partnership; and
- (e) to facilitate the senior citizens to avail benefits and provision of Medical Care of Senior Citizens.

20. (1) Meeting of the District Committee may be called at least once a month. **Meeting of the District Committee.**
- (2) All decisions of the District Committee may be authenticated by the signature of the Chairperson of the District Committee.
- (3) The quorum to constitute a meeting of the District Committee shall be half of the total members.
- (4) In case District Committee considers it appropriate, it may constitute a Sub-Committee to complete any task assigned to it within a pre-determined time frame.
- (5) The District Committee may prepare a comprehensive report on its activities and efforts in carrying out its responsibilities under provisions of these rules and submit it to the Council after every quarter.
- (6) The District Committee may associate any government functionary, private establishment or any individual from the community within its jurisdiction to assist the District Committee in the performance of its functions not inconsistent with the Act and rules made thereunder.
21. Subject to general policy guidelines notified separately by the Government, the admission to an old age house/home shall be on the application which was duly evaluated by the District Committees. **Criteria for admission to Old-age Homes.**
22. (1) Suitable recreational facilities including indoor and outdoor may be arranged to keep residents socially engaged and active. **Recreation and community engagement.**
- (2) Social activities such as birthday anniversary, music concerts, sports events and national days may be celebrated to engage residents with the mainstream of the society.
23. The visits of family members and friends to the residents of Old Age home may be facilitated in a regulated manner to keep their social relations sound and intact subject to the prior permission of the Incharge of Old-age home in his/her presence. **Meeting with residents.**
24. (1) The District Committee shall notify relevant organizations responsible for providing benefits to senior citizens in accordance with provisions of the Act. **Coordination by District Committees.**
- (2) The District Committee may hold coordination meetings with such organizations from time to time to monitor the provision of benefits to senior citizens and implementation status under provisions of the Act and these rules.
25. The District Health Officer or Medical Superintendent concerned, as the case may be, subject to the availability, may provide the following facilities to senior citizen in terms of section 9, on the recommendations of the District Committee:- **Health Facilities.**
- (i) Beds at Government Hospitals, including hospitals or medical centres, fully or partially funded by the Government;
- (ii) Treatment for chronic, terminal, geriatric, or degenerative diseases, covering medical consultation, medication, laboratory testing, health screening, minor procedure, specialist referral.
26. The Secretary of the Department shall have the full financial powers for sanctioning and incurring expenditure out of Senior Citizens Welfare Fund for items duly provided in the sanctioned budget. **Financial Powers.**
27. No authority shall transfer amounts of money from Senior Citizens Welfare Fund for investment or deposit from a government account to another bank account. **Investments or deposits.**

28. (1) The Council shall notify policy under these rules to prescribe an effective fund collection and utilization system and special purpose to anticipate needs of Senior Citizens.
- Policies for collection and utilization of Senior Citizens Welfare Fund.
- (2) The policy under sub-rule (1), inter alia, shall provide for -
- establishing institutional and administrative arrangements needed to manage the effective welfare of senior citizens and improving their well-being in society;
 - subsidized long term care services;
 - a pilot scheme on community care services voucher for elderly (CCSV);
 - services for prevention and handling of elder abuse.
29. (1) The Council and District Committees may submit their report to the Department annually in respect of their activities, which may be posted on the Department's website, to be accessed to the general public including copies of Act, rules and relevant documents in three languages viz. in English, Urdu and Sindhi languages.
- Awareness, online information system and printing.
- (2) Social Media shall be used as online tools of awareness.
- (3) The Council shall formulate and notify the procedures and guidelines to implement these rules smoothly.
- (4) Notwithstanding anything contains in these rules, or any policy guidelines, the Government may make any decision, not inconsistent with the provisions of the Act or purpose thereof, which it considers necessary to give effect to its policy in these regards, etc.
- (5) Council may launch awareness campaigns and seek assistance from reputable organizations, NPOs, INPOs concerning the execution of legislated provisions of the Act and rules including endeavours of the Government in the Province for the welfare of the senior citizens of the province of Sindh to provide support for improvements of entire wellbeing of the elderly people and matters ancillary thereto.
- (6) All the departments, organizations, institutions of the Government shall assist and coordinate with Council or District Committees, as the case may be, for implementation of provisions of the Act and these rules.
30. Subject to the approval of Government, the member of Council, Committee and Sub-Committee, shall be paid an honorarium, expenditure, including travelling, boarding and lodging cost, their rates for attending the meetings of the Council or Committee or sub-committee, as the case may be, as may be determined by the Council.
- Remuneration for members of the Council, committee or sub-committee.
31. (1) The Council may delegate all or any of its powers and functions to any of its committee or officer subject to such conditions as it may deem fit.
- Delegation of powers and functions of the Council.
32. Government may relax any of the provisions of these rules to the extent of a case or class of cases.
- Relaxation of rules.

SECRETARY TO GOVERNMENT OF SINDH

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