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THE SINDH STREET CHILDREN SHELTER HOME ACT, 2018. SINDH ACT NO. XXXI OF 2018.

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22ND MAY, 2018

AN ACT to provide for the welfare and protection of the rights of street children.

Whereas it is expedient to protect the rights of street children, establish Hamara Ghar, and promote their welfare until they have attained the age of 18 years.

Preamble

1. (1) This Act may be called the Sindh street Children Shelter Home, Act 2018.

Short title, extent and commencement:

(2) It shall extend to the whole of Province of Sindh.

(3) It shall come into force at once.

2. (1) "Assembly" means the Provincial Assembly of Sindh;

Definitions.

(2) "Basic Health Unit" means Basic Health Unit providing basic health facility;

(3) "Street Children" means children who have been orphan, or who have been abandoned by their families due to any reason;

(4) "Board" means a board of directors constituted for the administration of the "Hamara Ghar";

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

(6) "Opposition" means the Opposition Member of the Provincial Assembly of Sindh;

(7) "Hamara Ghar" means facility established under this Act for the street children and the availability of all the relevant facilities within the premises;

(8) "Funds" means all the funds received for the project of Hamara Ghar, including Government allocated funds or donations received by individuals or organization;

(9) "Resident" means a resident of Hamara Ghar either a boy or a girl;

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3. Hamara Ghar shall be established in two phases: **Establishment of Hamara Ghar.**
 - (1) In phase one, Hamara Ghar shall be established in All the Divisional Headquarters. The duration for the completion of phase one shall be 5 years.
 - (2) In phase two, after the successful completion of phase one, similar Hamara Ghars should be established in the rest of the divisions and districts subsequently.
 - (3) Hamara Ghar project should be managed through the public and private partnership with organizations of high repute having experience of managing such a facility for minimum of five years with good reputation and performance.
4. (i) In this facility, all possible amenities shall be provided including: **Hamara Ghar.**
 - (1) Education facility to Matric.
 - (2) Residential area
 - (3) Sports and recreational facilities
 - (4) Vocational Skills
 - (5) Basic Health Unit

(ii) There shall be a bifurcation in this facility for the boys and girls within the Hamara Ghar.

(iii) The Government shall be responsible for their welfare, education, health and all the responsibilities until they have attained the age of 18, or until they have become self-sufficient.
5. there shall be a board of directors under this Act which shall be responsible for the administration and decision making of Hamara Ghar. **Board of Directors.**
6. The Board shall consist of the following members: **Constitution of the Board.**

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1. Minister of Social Welfare, or Advisor.
 2. Two Members of the Provincial Assembly of Sindh are to be nominated by the Speaker.
 3. A retired armed services person not less than a rank of colonel.
 4. A retired bureaucrat equal to the rank of Secretary.
 5. A serving or retired doctor, or psychologist of BPS-20 or equal.
 6. A seasoned media person enjoying good reputation.
 7. A seasoned banker or economist who must have served at an eminent position.
 8. A serving or retired social scientist.
 9. Eminent scholar having uncontroversial status in the society.
 10. 50% of the members of the board shall be women.
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7. The chairperson of the Board shall be apolitical of esteemed reputation nominated by the board within 30 days of establishing of the board. **Chairperson of the Board.**
 8.
 1. To take decision for the administration of the Hamara Ghar.
 2. Take decision regarding budgeting.
 3. Policy making for the welfare, education, health and future planning.
 4. Encouraging public and private partnerships for the success of the Hamara Ghar.**Functions of the Board.**
 9. The term of the board members and the chairperson shall be 3 years. However, the tenure of the member and the chairperson may be extendable for another term if needed. **Term of the Board Members and the chairperson.**

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Before completion of the tenure of the board members and the chairperson, a new board shall be constituted, or a member shall be replaced upon completion of tenure.

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| 10. | The government shall make arrangements for the health insurance of the residents of Hamara Ghar. | Insurance of the residents. |
| | The limit for such insurance shall be upto Rs.250,000. | |
| 11. | The private hospitals shall charge 50% of the expenses and rest of the 50% shall be paid from the insurance of the residents. | Responsibility of the private organisations. |
| 12. | In case a resident's performance is outstanding in his or her studies, he or she shall be awarded fully funded scholarship by the government for any private educational institution based in the country or abroad, if a resident wants to pursue higher studies. | Scholarships for the residents. |
| 13. | The fundamental rights guaranteed in the constitution of Islamic Republic of Pakistan, 1973 shall be available to the residents without any discrimination. | Guarantee of Fundamental Rights. |
| 14. | In order to carry out the functions, funds from the following sources shall be collected: | Fund |
| | (1) Grants made by the government. | |
| | (2) Money collected through donations and Zakat. | |
| | (3) Money received or collected. | |
| | (4) Money received from the Federal Government, any International Agency or any other donor Agency. | |
| | (5) Money received from private individuals or organisations. | |
| 15. | All the funds shall be managed with the approval of the board and a quarterly and yearly audit report shall be published. | Accounts and Audit |
| 16. | In case a resident's family history is unknown due to any reason, at the place of father's name, there shall be the Hamara Ghar resident, or as may be prescribed by the superior judiciary and NADRA. | Identity of the residents. |

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| 17. | Whoever: | Offences and penalties. |
| | (1) Discriminates or violates the safeguards provided in this Act with the resident. | |
| | (2) Harasses, or harms intentionally to the resident. | |
| | (3) Involved directly, indirectly, misuses, or tries to take unfair advantage from Hamara Ghar, or its residents in any manner. | |
| | (4) Violates the provisions of this Act. | |
| | Shall be punishable with imprisonment for a term which shall not be less than six months and fine of Rs, 100,000, or with fine, or with both. | |
| 18. | The provisions of this Act shall be in addition to, and not derogation of, any other law for the time being in force. In case of contradiction, this law prevails. | Act not in derogation of any other law. |
| 19. | The Social Welfare Department after the publication in the Official Gazette shall make rules for carrying out the provisions of this Act within a month. | Power to make rules. |