

THE SUPREME COURT OF PAKISTAN
 (Appellate Jurisdiction)

Present:

MR. JUSTICE AMIR HANI MUSLIM
 MR. JUSTICE GULZAR AHMED
 MR. JUSTICE MUSHIR ALAM
 MR. JUSTICE FAISAL ARAB
 MR. JUSTICE KHILJI ARIF HUSSAIN

SMC No.16 of 2011 & 07 of 2016 etc.

(Suo Moto Action regarding Karachi Law & Order situation)

In Attendance

Mr. Zamir Ghumro A.G. Sindh
 Mr. Adnan Karim Addl. A.G. Sindh
 Barrister Gh. Mustafa Mahesar AAG.
 Mr. Shahadat Awan P.G. Sindh
 Mr. Salman Talibuddin Addl. Attorney General.
 Mr. Siddique Memon Chief Secretary Sindh.
 Mr. A.D. Khowaja I.G. Police Sindh.
 Mr. Nusrat Mangan I.G Prison Sindh.
 Mr. Mushtaq Mehar Addl. I.G.P.
 Mr. Munir A. Shaikh DIG South.
 Mr. Kamran Fazal DIG East.
 Mr. Zulfiqar Ali Larik DIG West.
 Mr. Sultan Khawaja DIG CIA.
 Dr. Ghulam Sarwar Jamali DIG Admin
 Mr. Ghulam Shabbir Memon AIG Legal.
 Mr. Nazeer Kazi Superintendent Central Jail Karachi
 Major Shahzad Saleem Legal Officer Coast Guard.
 Comd. M. Afzal Director PMSA.
 Mr. Niaz Ali Abbasi Ex-Home Secretary.
 Mr. Sohaib Suddle Ex-I.G. Police Sindh.

Date of hearing : 15.07.2016

ORDER

1. In compliance with the first part of the order dated 04.07.2016, a report has been submitted by the Chief Secretary Sindh numbered as 62/2016, in which he has stated that observations made by this Court on the issue of parole, a Committee has been formed by the Sindh Government comprising Senior Member, Board of Revenue, Additional Secretary (Admin) Home Department and Additional Secretary (Services-1)

S&GAD, Government of Sindh, who after enquiry will submit a report. This Committee shall complete its enquiry within the stipulated time given in the report of the Chief Secretary. On completion of enquiry, copy of such report shall be submitted to this Court. Reply in response to Parole by Mr. Niaz Abbasi will be considered on the next date after submission of the report of the aforesaid Committee.

2. The I.G. Police has submitted that as per the report of the enquiry conducted by DIG (East) against the police officials of the Clifton Police Station as well as Madadgar-15, the officials were found guilty. The I.G. Police has recommended departmental action to the S&GAD for the police officers in BS-17 and above, whereas, remaining police officials, who are below the rank of BS-17, the action has been ordered by the C.C.P.O. Karachi. The CCPO states that he has already issued show cause notices to all such officials and departmental enquiry will be conducted after the completion of codal formalities. The Advocate General Sindh states that all the police officers, who are found guilty by the enquiry officer, shall be proceeded against in accordance with law. Let these enquires be concluded in accordance with law and report shall be submitted to this Court immediately thereafter. The enquiry report of the S.S.P (South) shall also be placed before us.

3. Our attention has been drawn to paras (v) to (vii) of the report of the I.G. Police, which relates to Federal Government and we have put to notice the Additional Attorney General for the reply, after seeking instructions from the relevant Authorities.

4. The Sindh Government shall submit the compliance report of the directions issued by this Court in para 131 of the judgment in the case cited as Watan Party vs. Federation of Pakistan reported in (PLD 2011 Supreme Court 997).

Adjourned. To come up on 21.07.2016.

5. CMA No.747-K/2016 in SMC No.16/2011. Dr. Muhammad Shoaib Suddle and others have filed this application challenging the vires of the Police Act, 2011. We asked Mr. Shoaib Suddle to file separate Constitution Petition to challenge the vires as such an application cannot be entertained. He sought permission to withdraw the application and file a Constitution Petition. Order accordingly.

Sd/= Amir Hani Muslim,
Sd/= Gulzar Ahmed, HCJ
Sd/= Mushir Alam, J
Sd/= Faisal Aran, J
Sd/= Khilji Arif Hussain,

Karachi.
Wasim PS

