

SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

Present

Mr. Justice Amir Hani Muslim

Mr. Justice Gulzar Ahmed

Criminal Misc. Applications No. 52-K & 90-K to 92-K of 2014

In Cr.P.No. 89-K of 2014

SHO PS Sachal Malir.....Petitioner

Versus

The State and another.....Respondents

Present

:

Mr. Abdul Fateh Malik, A.G. Sindh.

Mr. Adnan Karim, Addl. A.G. Sindh.

Mr. Ghulam Haider Jamali I.G.Sindh.

Mr. Mehar Ali, AIGP Finance.

Mr. Fida Hussain Shah Ex-AIGP Finance.

Syed Mazhar Ali Shah, AIGP (Legal).

Mr. Mazhar Hussain Alvi, PDSP.

Mr. Muhammad Siddique Memon, Chief Secretary.

Dr. Saeed A. Qureshi, Focal Person to C.S.

Mr. Suhail Rajput, Secretary Finance.

Mr. Mukhtar Hussain Soomro Addl. Secy.Finance.

Mr. A.D.Khawaja Addl. I.G.P/Special Branch.

Mr. Sanaullah Abbasi, Addl. I.G.P/C.T.D.

Mr. Sultan A. Khawaja, DIG Admin.

Syed Sardar Ali Shah Jillani Advocate High Court in Cr.M.A.No. 90-K/2015.

Date of hearing

:

22.09.2015

ORDER

Mr. A.D. Khawaja along with DIGs Mr. Sanaullah Abbasi and Mr. Sultan Khawaja are in attendance pursuant to the orders passed by this Court on 21.09.2015. The Advocate General Sindh, Home Secretary and I.G. Police suggest their names for the Committee, which shall be headed by Mr. A.D. Khawaja DIGs Mr. Sanaullah Abbasi and Mr. Sultan Khawaja as its Members.

The Committee shall screen the patchy service record of the entire Sindh police in terms of the orders passed by this Court on 27.02.2015. The Committee shall specifically comply with the directions contained in Para-4 of the said order and for that purpose it shall take all the necessary steps to ensure that the 'Service Book' and or service record (profile) of all the police officers and employees is computerized besides manually maintained for safe custody. The Committee shall also ensure that 'Character Role' of the police force is maintained in accordance with Police Rules. The Committee shall exercise powers under Rule 16 of the Police Rules while screening the patchy service record of the police officers and or its employees.

2. While dictating the order, the learned Advocate General Sindh with the consent of Home Secretary and I.G. Police requested that the exercise to screen the patchy service record should not be confined to the level of the DSPs, but should be extended to the SSPs and DIGs serving in the Sindh Police Department and their 'service profile' and or service record should be screened as well in the manner observed hereinabove in order to bring reforms in the Sindh police. We appreciate the suggestion made by the learned Advocate General, Home Secretary and I.G. Police in this behalf and accordingly direct that the aforesaid Committee to undertake this exercise against the aforesaid officers as well.

3. Mr. A.D. Khawaja states that the proposed exercise is time consuming and will take at least six months besides they will be needing cooperation of the different Departments of Sindh Government and Federal Government.

4. We direct all the concerned Departments of the Sindh and Federation to facilitate the Committee in completing the aforesaid task. At the same time, if any funds are required to complete the task, it shall be placed at the disposal of the Committee by the Home Department on one week's notice without any delay.

5. We have shown our concern on the news item appearing in 'Daily Ummat' Karachi published on 21.09.2015, wherein one of the S.I namely Malik Shoaib, who was reportedly dismissed from service with other two police officers namely Ismail Lashari and Muhammad Ishaq Lashari had received injuries in a raid conducted by the Malir Police on 20.09.2015. When we confronted this fact with the I.G Police, he confirmed that all the aforesaid three police officers were dismissed from service and such report was placed before this Court way back. We are surprised to notice as to how Malik Shoaib can participate in the raid conducted by the Malir Police after his dismissal from service. We assign this enquiry to the Committee to accumulate material and furnish detailed report as to whether these officers, after their dismissal from services are still continuing in police force and with whose blessings. Such report shall be submitted within one month to the Incharge A.R for our perusal in Chambers.

6. The Committee shall submit monthly progress report in respect of the screening of service at regular intervals till the entire exercise is complete. The proposed progress report shall be submitted to the Incharge A.R, who shall place it before us for our perusal in Chambers.

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7. We further direct Sindh Government that till the aforesaid work is accomplished, the police officers of the Committee shall not be posted out from Sindh Police either by the Sindh Government or by the Federal Government.

8. Cr.M.As Nos. 90-K to 92-K of 2015, in which notices have been issued are also referred to the Committee for their decision on merits after examining the record. Accordingly, the same are disposed of.

9. Office is directed to fax copy of this order to the Chief Secretary, Home Secretary, Advocate General Sindh, ^{J.G. Police} Members of the Committee as well as the Attorney General and Establishment Secretary, Government of Pakistan for their information and compliance.

Adjourned. To come up after three months.

Sd/-J

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Karachi
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