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THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

MR. JUSTICE AMIR HANI MUSLIM
MR. JUSTICE MUSHIR ALAM
MR. JUSTICE MAQBOOL BAQAR
MR. JUSTICE FAISAL ARAB
MR. JUSTICE KHILJI ARIF HUSSAIN

SMC No. 16/2011 & 07/2016 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. Salman Talibuddin Addl. Attorney General.
Mr. Arif Ahmed Khan Secretary Interior,
Mr. Siddique Memon Chief Secretary Sindh.
Mr. Riaz Soomro Home Secretary.
Mr. A.D. Khowaja I.G. Police Sindh.
Mr. Mushtaq Mehar Addl. I.G.P.
Mr. Sanaullah Abbasi DIG, C.T.D.
Mr. Munir A. Shaikh DIG South.
Mr. Kamran Fazal DIG East.
Mr. Sultan Khawaja DIG CIA.
Mr. Ghulam Shabbir Memon AIG Legal.
Mr. Niaz Ali Abbasi Ex-Home Secretary.
Dr. Saeed A. Qureshi focal person to Chief Secy.
Mr. Amanullah Zardari Focal person to Home Secy.

Date of hearing : 21st July 2016

ORDER

1. The Chief Secretary, Sindh, requested for time to submit report in regard to the ongoing enquiry on the issue of parole. A period of 10 days was granted by this Court for the submission of this report.

2. The I.G. Police has submitted a report in which he has referred to the enquiry conducted by Mr. Kamran Fazal, D.I.G. (East) Police, against the police officials in and below the rank of BS-16. According to the report, 24 police personnel were found guilty and their matters have been referred to the competent Authority for initiating a departmental enquiry. In this regard, Show Cause Notices have been issued to all these police officials and on conclusion of the proposed departmental enquiry, a report shall be submitted by the I.G. Police to this Court.

3. Another report has been submitted by the Chief Secretary, Sindh, for another group of police officers belonging to the rank of BS-17 and above in the Police Service of Pakistan (PSP). A fact finding enquiry was conducted by Mr. Ghulam Qadir Thebo, Chairman Anti-Corruption. We have perused this enquiry report and found that the conclusion drawn besides the manner in which it has been conducted was not proper. Under these circumstances, we refer the matter of these officers to the Secretary Establishment for holding a departmental enquiry against them vis-à-vis their role on the date of the abduction of Owais Ali Shah. For the purpose of this departmental enquiry, the Secretary Establishment will be at liberty to join any other officer of the said PSP group against whom any material surfaced during the enquiry, other than these four officers, namely Dr. Muhammad Farooq Ahmed SSP, Amjad Hayat SP, Dr. Assad Ejaz SP, and Muhammad Tariq Nawaz ASP. The departmental enquiry against the police officers shall be completed at an early date and its report shall be submitted to this Court for perusal.

4. In response to paragraph 3 of our order dated 15.07.2016, a report has been submitted by the Attorney General's office. The I.G. Police submits that

they only have two 2G-locators available to them, whereas they require 3G and 4G locators for investigations. He states that it is expected that this problem will be resolved in parity to other Provinces. He further states that more locators are needed, at the least, a minimum one for each Police division and there are six divisions in the Police. The Attorney General shall intervene in this process and will submit a report reflecting the reasoning as to why the Sindh Police should not be provided more than two locators of 4G.

5. As far as the other issues regarding NADRA and geo-fencing are concerned, since the Attorney General is presently out of the country and is likely to return on the 26th of July, 2016, this matter is adjourned to 28th July 2016, when Attorney General should be in attendance with instructions from the relevant quarters as to why these facilities, which are crucial for the purpose of investigation, should not be extended to the different Provinces. The Secretary Interior, present in Court today, shall also appear on the said date after discussing the matter with the relevant quarters.

6. The Chief Secretary, Sindh, has submitted a report in regard to the directives contained in paragraph 4 of the said order of the Court. We have not perused this report as yet and therefore, we will address this issue on the next date of hearing.

7. The Chief Secretary, Sindh, and the I.G. Police state that the voice recorder of 15 Madadgar shall be made workable within 15 days, for the purchase of which the required amount has been placed at the disposal of the I.G. Police. As far as the issue of CCTV cameras is concerned, the I.G. Police states that 2 Megapixel Cameras were installed in the year 2010 by the Police,

which have poor resolution and no provision was kept for their maintenance as well. We would like the Chief Secretary, Sindh, to submit a detail report on the CCTV Cameras installed in Karachi who advised installation of the CCTV Camera of such specification and the amount paid by the Sindh Government towards its cost. The Chief Secretary, Sindh, shall place before us the original summaries floated in this regard and the approvals granted at times by the competent Authority. This comprehensive report shall be placed by before this Court positively by 26.07.2016.

8. We have perused the applications referred to herein below: CMA Nos. 429-K/2012, 61-K/2013, 75-K/2013, 80-K/2013, 216-K/2013, 220-K/2013, 520-K/2013, 555-K/2013, 1075/2013, 5385/2013, 2088/2013, 2460/2013, 2461/2013, 3695/2013, 2219/2013, 1994/2013, 214-K/2013, 231-K/2013, 2027/2013, 2234/2013, 448-K/2013, 453-K/2013, 511-K/2013, 2419/2013, 2102/2013, 512-K/2013, 534-K/2013, 557-K/2013, 590-K/2013, 591-K/2013, 593-K/2013, 594-K/2013, 633-K/2013, 636-K/2013, 700-K/2013, 703-K/2013, 707-K/2013, 6794/2013, 993-K/2013, 96-K/2013, 104-K/2013, 176-K/2013, 105-K/2013, 106-K/2013, 126-K/2013, 130-K/2013, 154-K/2013, 155-K/2013, 156-K/2013, 164-K/2013, 2351/2013, 52-K/2013, 206-K/2013, 846-K/2013, 871-K/2013, 886-K/2013, 899-K/2013, 908-K/2013, 995-K/2013, 211-K/2013, 221-K/2013, 230-K/2013, 243-K/2013, 217-K/2013, 218-K/2013, 227-K/2013, 228-K/2013, 78-K/2013, 535-K/2013, 224-K/2013, 226-K/2013, 233-K/2013, 2169/2013, 2030/2013, 2025/2013, 6807/2013, 274/2013, 278/2013, 2035/2013, 47/2013, 102-K/2013, 178-K/2013, 193-K/2013, 210-K/2013, 4299/2013, 3577/2013, 563-K/2013, 472-K/2013, 615-K/2013, 699-K/2013, 870-K/2013, 994-K/2013, 152/2013, 268/2013, 2183/2013, 2379/2013, 446-K/2013, 269/2013, 2442/2013, 5295/2012, 273/2013, 222-K/2013, 457-K/2013, 458-K/2013, 459-K/2013, 443-K/2013, 488-K/2013, 838-K/2013, 841-K/2013, 843-K/2013, 830-K/2013, 834-K/2013, 474-K/2013, 2606/2013, 1999/2013, 478-K/2013, 479-K/2013, 480-K/2013, 2607/2013, 2184/2013, 2837/2013, 588-K/2013, 824-K/2013, 596-K/2013, 607-K/2013, 483-K/2013, 526/2013, 837-K/2013, 845-K/2013, 918-K/2013, 256/2013, 3247/2013, 97-

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K/2013, 103-K/2013, 107-K/2013, 125-K/2013, 127-K/2013, 129-K/2013, 143-K/2013, 151-K/2013, 153-K/2013, 161-K/2013, 169-K/2013, 180-K/2013, 212-K/2013, 451/2013, 62-K/2013, 61-K/2014, 84-K/2014, 107-K/2014, 108-K/2014, 116-K/2014, 117-K/2014, 161-K/2014, Crl.M.A.215/2013, 264/2013, 14-K/2014, H.R.C.16323-S/2013, 40539-S/2013, 25256-S/2013, Crl.Org.P.84/2013, 28-K/2014, filed in the year 2012 to 2014. The aforesaid applications have become infructuous and accordingly dismissed.

Sd/= Amir Hani Muslim, J
Sd/= Mushir Alam, J
Sd/= Maqbool Baqar, J
Sd/= Faisal Arab, J
Sd/= Khilji Arif Hussain, J