

IN THE SUPREME COURT OF PAKISTAN  
(ORIGINAL JURISDICTION)

**PRESENT:** MR. JUSTICE MIAN SAQIB NISAR, HCJ  
MR. JUSTICE IJAZ UL AHSAN

**HUMAN RIGHTS CASE NO.20171-B OF 2018**

(In the matter regarding murder of non-payment of victims of terrorist attack on church in Quetta on 17.12.2017)

In attendance: Mr. M. Rauf Ata, A.G. Balochistan  
Sheikh Haq Baloch, Addl.A.G.  
Mr. Aurangzeb Haq, Chief Secy. Balochistan  
Mr. Wajih Ullah Kundi, Special Secretary, Home Department, Balochistan  
Syed Moazzam Ali, I.G.P. Balochistan  
Mr. Samuel Payara, Chairman International Minority Rights Forum

On Court's call Mr. Naseebullah Kakar, ADC (G) Quetta  
Mr. Babraq Kakar, AC Saddar  
Mr. Jawwad Ahmed, SSP Investigation  
Mr. Ali Mardan Police Surgeon

Date of Hearing: 11.05.2018

**ORDER**

**Quetta incident: Compensation issue**

We have been informed that on 17.12.2017, a suicide terrorist attack took place in the Methodist Church at Quetta. Eight persons lost their lives while 58 were injured. The Federal Government as well as the Provincial Government promised compensation package in the sum of Rs.1 million each for the deceased, Rs.500,000/- for the critically injured whereas Rs.1,00,000/- for less critically injured. It is stated that the Federal Government has made a sum of Rs.26.4 million available to the Provincial Government to be disbursed as compensation. In this behalf the Deputy Commissioner Quetta has been charged with the responsibility of disbursing the same amongst the legal heirs of the victims. We have been informed that before any compensation is

disbursed, there is a requirement of a Succession Certificate so that the compensation could be paid to the legal heirs who are lawfully entitled to receive such compensation. According to the record produced before us, out of the 8, the legal heirs of only one has so far submitted the succession certificate. Presumably the applications of the rest are pending before the competent fora.

2. In order to expedite the matter, we direct the Deputy Commissioner Quetta to immediately transmit the amount of compensation lying in his account to the account of the Sessions Judge Quetta, who is directed to ensure that all the applications of the legal heirs are decided within a period of one month from today. As soon as such applications are decided, he shall supervise and ensure that disbursement is made immediately to those found entitled.

3. We have also been informed that the Provincial Government has also released Rs.8 million as compensation which has already been deposited with the Deputy Commissioner Quetta for its release to the legal heirs of the victims. A further sum of Rs.16.2 million has also been released by the Provincial Government for payment of compensation to the injured persons. We have asked the concerned official whether such compensation has been disbursed. He has informed us that the matter is still under process before the District Compensation Committee.

4. We are disappointed and alarmed at the slow pace for which cases of compensation are being processed. It appears that the District Compensation Committee consists of Government officials including the ADC (G), Assistant Commissioner Quetta, Police Surgeon Quetta, Mr. Hakeem Khan and representative of the police department. Let the members of the District Compensation Committee appear before this

Court after Juma Prayer today at 2:00 p.m. to explain as to why compensation cases have so far been not decided.

5. We have noticed with dismay that all the injured who were entitled to receive compensation have not so far been paid. This is despite the lapse of number of months. The Compensation Committee comprising of Mr. Naseebullah Kakar, Additional D.C., Quetta, Mr. Babraq Khan, Assistant Commissioner, Mr. Ali Mardan, Police Surgeon and Mr. Jawwad Ahmed, SSP Investigation have been summoned. They have not been able to offer any plausible reason for the delay caused in payment of compensation to the injured.

6. Let payment be made to the persons entitled within three days. Notice is issued to the above named as to why the case of misconduct not be initiated against them departmentally for the delay caused and for the lapse committed by them. Besides why they should not be personally held liable to pay markup to the persons entitled for the period they have been deprived of the money. Let this matter be listed for hearing 17.5.2018 at Principal Seat, Islamabad.

**Complaint regarding use of the word Esai**

7. It has been complained despite the decision taken by the Council of Islamic Ideology in its 175<sup>th</sup> meeting held on 28-29<sup>th</sup> September, 2009 that there was no harm, as per Shariah Injunctions, to refer to the members of Christian community as "Masihi" instead of "Esai", no steps have been taken by the government in this regard.

8. Let the recommendations of the Council of Islamic Ideology be implemented in letter and spirit and arrangement should be made in all official records, documents, correspondence

etc. to refer to the Christian community as “Masihi” instead of “Esai”.

CHIEF JUSTICE

JUDGE

QUETTA.  
11<sup>th</sup> May, 2018.  
Not approved for reporting  
Mudassar/✽