

Form No: HCJD/C-121  
**ORDER SHEET**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**JUDICIAL DEPARTMENT**

**Writ Petition No.4607 of 2021**

**Sania Shahzad**  
Versus  
**The Deputy Commissioner, Islamabad and others**

<b>S. No. of order/ proceedings</b>	<b>Date of order/ Proceedings</b>	<b>Order with signature of Judge and that of parties or counsel where necessary.</b>
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<b>09.</b>	<b>06.06.2022.</b>	<b>Ms. Shagufta Jabeen Malik, Advocate for petitioner. Mr. Ghulam Hassan, Law Officer, M/o Human Rights. Mr. Khalid Latif, Director, ICT. Ms. Afshan Tehseen, Chairperson, NCRC.</b>
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The matter before the Court relates to the obligations of the state to protect and uphold the rights of a child whose rights may be at risk while in the custody of his/her biological parents. This Court through various orders invited the Ministry of Human Rights, Government of Pakistan, the Child Protection Institute as well as the office of Chief Commissioner, Islamabad to assist the Court as to what provisions have been made by the state to protect the rights of children in Islamabad Capital Territory. In view of the representations made by the learned counsels as well as Chairperson, National Commission on the rights of Child, it appears that the provisions of Islamabad Capital Territory Child Protection Act, 2018, have not been given effect within Islamabad.

**2.** Let a notice be issued to the Ministry of Human Rights, Government of Pakistan to furnish a report stating why provisions of National Commission on the Rights of the Child Act, 2017, and the Islamabad Capital Territory Child Protection Act, 2018, have not been given effect despite the passage of many years since the promulgation of such laws.

**3.** This Court also finds it essential to constitute a committee headed by the Minister for Human Rights, Government of Pakistan and comprising (i) Secretary, Ministry of Human Rights, (ii) Chairperson, National Commission on the rights of Child, (iii) Secretary, Ministry of Planning, Development & Special Initiatives (or a representative not below the rank of BS-20), (iv) Secretary, Ministry of Finance (or a representative not below the rank of BS-20), (v) Chief Commissioner, Islamabad, (vi) Inspector General of Police, Islamabad, (vii) Chairman, NADRA (or a representative not below the rank of BS-20) and (viii) Ms. Sadia Bukhari, Council Member, Human Rights Commission of Pakistan, who will identify the steps required to establish fully functional Child Protection Institutes (with require human and financial resources) for the protection and ease of

children, both boys and girls. The committee will furnish a report stating the steps to be taken to render provisions of the National Commission on the Rights of the Child Act, 2017, and Islamabad Capital Territory Child Protection Act, 2018, functional together with resources required to put in place the institutional arrangements conceived under these two laws. The committee will also state the timeframe within the Child Protection Institutes will be rendered fully functional and the standard operating procedures and or institutional arrangements shall be in place that are required to ensure that the children in ICT who need custodial care (whether due to custody disputes or being unattended children within the meaning of ICT Child Protection Act), are afforded the benefit of the aforementioned laws in ICT. The committee will identify the point persons in the offices of Chief Commissioner, Islamabad and Inspector General of Police, Islamabad who will ensure that all children in need of care including unattended children (resorting to beggary for example) have the benefit of the institutional infrastructure and care conceived under the aforementioned laws. The committee will also identify the time period by which unattended children will be registered by NADRA within

the terms of Section 22 of the Islamabad Capital Territory Child Protection Act, 2018. The committee is being constituted to ensure that all relevant stakeholders are on the same page and are able to furnish a concrete date by which the infrastructure conceived by the two laws for protection of fundamental rights of children in ICT is in place.

**4.** Let the Secretary, Ministry of Human Rights, Government of Pakistan file the required report before this Court within a period of two months. Let a copy of this order be sent by the office to all members of the committee constituted pursuant to this order.

**5.** Re-list on **05.09.2022.**

**(BABAR SATTAR)**  
**JUDGE**

**\*M.A. Raza\***