

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

MR. JUSTICE EJAZ AFZAL KHAN
MR. JUSTICE SH. AZMAT SAEED
MR. JUSTICE IJAZ UL AHSAN

C. M. A. NO. 2939 OF 2017 IN CONSTITUTION PETITION NO. 29 OF 2016 ETC.

Imran Ahmed Khan and others. ...Applicant(s)

Versus

Mian Muhammad Nawaz Sharif,
Prime Minister of Pakistan. ...Respondent(s)

In attendance : Mr. Ashtar Ausaf Ali, A. G. for Pakistan.
 Mr. Riaz Riazuddin, Governor State Bank of
 Pakistan.
 Mr. Zafar Hijazi, Chairman SECP.

Date of Hearing: 05.05.2017

ORDER

On the last date of hearing we observed as under :-

*“Pursuant to our directions, names of the Officers have been sent by all the Departments/Institutions but since we have reservations about the names given by the Governor State Bank of Pakistan and the Chairman Security & Exchange Commission of Pakistan, let both of them appear before us day after tomorrow i.e. **05.05.2017** at **11:00** a.m. with the lists of all the scale 18 and above Officers or equivalent so that we may consider them for approval as Members of JIT.*

2. Today, the Governor State Bank of Pakistan and the Chairman SECP appeared with the lists they were directed to produce. We examined the lists and deliberated over our choice. We from the list submitted by the Governor State Bank of Pakistan select and nominate Mr. Amer Aziz, an Officer of (BS-21) who is on deputation with NIBAF, as a Member JIT. We also examined the list submitted by the Chairman SECP and deliberated over the names. We from the said list select and nominate Mr. Bilal Rasool who is

Executive Director, SECP, presently working at the Commission's Secretariat, Media and Corporate Communication and Translation Department as a Member JIT. We have also examined the lists submitted by the Chairman NAB. We after due deliberation select and nominate Mr. Irfan Naeem Mangi, Director (BS-20) as a Member JIT. We also examined the list submitted by the Director General ISI. We after due thought and deliberation select and nominate Brig. Muhammad Nauman Saeed as a Member JIT. We have also examined the list submitted by the Military Intelligence (M.I.). We after due consideration select and nominate Brig. Kamran Khurshid as a Member JIT. We also examined the list submitted by the Director General, FIA. We having considered the background and antecedents of the Officers in the list decided to select and nominate Mr. Wajid Zia, Additional Director General (Immigration), FIA to head the JIT.

3. We further direct as follows :-

- i) The Secretariat of the JIT shall be housed in the Building of the Federal Judicial Academy, Islamabad where they shall be provided adequate office accommodation and related facilities. The requisite approval has been obtained from Hon'ble The Chief Justice of Pakistan.
- ii) Since the JIT in connection with the investigation would need funds, the Federal Government is directed to provide them necessary funds. We direct the Federal Government to initially provide an amount to the tune of rupees twenty million

forthwith so that the JIT may not feel handicapped in its movement in any direction. The funds shall be placed at the disposal of the Head of the JIT.

- iii) The Head and Members of the JIT shall arrange secretarial staff of their choice from their respective departments. The JIT would also be at liberty to utilize the expertise available in their departments and any other department of the Federal or Provincial Governments as and when required by it.
- iv) The boarding, lodging and transportation of the Members of JIT shall also be provided by their respective Departments in accordance with the rules.
- v) The JIT shall have the power to engage and associate local and/or foreign experts to facilitate the investigation and collection of evidence in line with the letter and spirit of order dated 20.04.2017 of this Court.
- vi) The JIT shall have all the powers given by the law relating to investigation including those available in the Code of Criminal Procedure, 1898, National Accountability Bureau Ordinance, 1999 and the Federal Investigation Agency Act, 1975.
- vii) As the JIT, in essence and substance, is acting on the direction of the Supreme Court of Pakistan,

all the Executive Authorities throughout Pakistan shall act in aid of the JIT.

viii) If and when any person fails or refuses to associate with or appear before the JIT or refuses to cooperate or provide oral or documentary information required by it, the same be immediately brought to the notice of the Court for taking appropriate action.

ix) The Secretary Interior, Government of Pakistan is directed to ensure necessary security arrangements for the Secretariat and the Members of the JIT.

4. The JIT is directed to commence and complete the investigation and submit its final report in terms of the order dated 20.04.2017. It shall also submit fortnightly progress reports as stipulated in the said order.

5. For further proceedings to come up on **22.05.2017.**

JUDGE

JUDGE

JUDGE

ISLAMABAD.

05.05.2017.

M. Azhar Malik