

IN THE SUPREME COURT OF PAKISTAN
(Original Jurisdiction)

Present

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.
Mr. Justice Jawwad S. Khawaja
Mr. Justice Khilji Arif Hussain

CMA Nos.3685-3686/12

(6th and 7th progress report by the NAB in RPPs Case)

IN

Human Rights Case No.7734-G/2009

On Court's Notice: Mr. Fauzi Kazmi, ADPGA
Mr. Raza Khan, Director
Mr. Kamran Faisal, Astt. Director/I.O.

Date of hearing : 14.09.2012.

O R D E R

Iftikhar Muhammad Chaudhry, CJ. In this case judgment was passed as back as on 30th March, 2012 wherein alleged corruption in rental power plants contracts was highlighted in its different paras. In paragraphs 25 and 27 as well as in the concluding paragraph of the impugned judgment dated 30th March, 2012 corruption and corrupt practices has been specifically mentioned as well as criminal actions on the part of the persons who had taken the benefits. In fact, the judgment itself speaks about the misappropriation made by the concerned authorities. Despite specific directions for implementing the judgment in letter and spirit the NAB authorities had intentionally avoided to implement the same which is a clear violation of directions/observations of this Court and thereby prima facie committed contempt of Court as envisaged under Article 204 of the Constitution read with Section 3 of the Contempt of Court Ordinance, 2003. Mr. Fauzi Kazmi, ADPG NAB when questioned, stated that Muhammad Rafi, Amir Shahid, Ashgar Khan and presently Kamran Faisal is the I.O. in the case. Mr. Raza Khan, Zahir Shah were also supervising the investigation. One Col. Shahzad Anwar Bhatti, D.G.

was also heading the investigation team. Show Cause notice be issued to the Chairman NAB as well as the above named officers to appear and show cause as to why the contempt proceedings may not be initiated against them for non-implementing the Court judgment. We may note that the Chairman NAB shall be responsible if the officers responsible for delaying the implementation of this Court's judgment are gone out of country or take any other evasive measures. The reply to the show cause notice shall be submitted within seven days. The case shall be relisted on 25th September, 2012.

CJ.

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Islamabad,
14.09.2012.
M. Azhar Malik