

IN THE SUPREME COURT OF PAKISTAN

(Original Jurisdiction)

Present:

**Mr. Justice Iftikhar Muhammad Chaudhry, HCJ.
Mr. Justice Jawwad S. Khawaja
Mr. Justice Khilji Arif Hussain
Mr. Justice Amir Hani Muslim
Mr. Justice Ejaz Afzal Khan**

CMA No.1652/2013 in SMC No.16 of 2011

On Court's Notice: Mr. Qasim Mir Jat, Addl. A.G. Sindh
Mr. Zafar Abbas Bokhari, DIG (West), Karachi
Mr. Amir Farooqi, SSP (Central), Karachi.

Date of Hearing: 29.03.2013

ORDER

Iftikhar Muhammad Chaudhry, CJ. The Daily EXPRESS TRIBUNE published a story on March, 23rd, 2013 under caption "WHERE LAW ENFORCERS FEAR TO TREAD: THE ENTRY FEE FOR THESE SPOTS OF KARACHI MAY BE YOUR LIFE". The publisher had also appended a sketch; contents whereof have shown "NO-GO AREAS ONLY FOR A PARTICULAR ETHNICITY IN TIMES OF ETHNIC VIOLENCE" AND "COMPLETE NO-GO AREAS BECAUSE OF THE PRESENCE OF MILITANTS OR GANGSTERS". The report and the sketch are hereby made part of the instant proceedings and instead of making reference of its contents it is considered appropriate to reproduce the same *in extenso*.

"Shortly after the armed forces launched the Kalosha II operation in South Waziristan back in 2004, the crocodiles lazing in the murky natural pond in Manghopir got new neighbours. Suddenly, they weren't the most dangerous residents of the area.

Embedded in the increased influx of Mehsud tribesmen coming to Karachi were militants who settled in Pakhtun-dominated areas of the city, attempting to blend in unnoticed. They would soon go on to disrupt the life of the city's residents – including the crocodiles at Hazrat Khawaja Hassan's shrine, which was closed for over a month following the [bomb attack in 2010 on Abdullah Shah Ghazi's shrine](#).

"First, the hunters – the law enforcers – used to only get hurt when they dared to put their hands in the den of the lions, the militants. Now it seems as if the lions have come out of the den and are stalking the hunters themselves," DSP Qamar Ahmed told The Express Tribune.

The militants, including Tehreek-e-Taliban Pakistan (TTP) members, now have an iron grip over parts of the city, including Sohrab Goth, Manghopir and Ittehad Town. Over the years, they made increasingly brazen attacks, including one on Sohrab Goth police station on January 29 this year

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DSP Qamar Ahmed

SHO Ashfaq Baloch of the Manghopir police station admits that it is difficult to impose the writ of the state in his jurisdiction and that standard operating procedures followed by law enforcers elsewhere in the city have to be bent – very drastically.

“When a killing occurs somewhere else in the city, a lone constable usually hops onto a motorcycle and speeds off to the scene of the crime. Here, we can’t think of doing that unless we have a death wish,” he said. “We have to make sure our weapons are loaded. Then an entire team, headed by me, gets into a police mobile. Only when we pacify the criminals that we haven’t come to apprehend them can we advance safely to retrieve the body.”

SHO Baloch added that he prefers not to send the officers on duty to pick up a body. “We often wait for a body to turn up at one of the hospitals and then head there to question the family and any eyewitnesses.” What about raids and patrols in the area? SHO Baloch shakes his head.

DSP Ahmed’s statement seems to suggest that no-go areas in the city will grow organically like cancer. Should we fear that criminals want all-out anarchy where the law of the jungle is followed all over the city? SSP Amir Farooqi, who heads the police’s Orangi division, doesn’t think so. “They don’t want to turn Karachi into a war zone.

“They’re here to recruit people and generate funds to send back to their comrades along the tribal belt. Setting the economic hot spot of Pakistan ablaze wouldn’t exactly be conducive for this purpose.”

No-go areas only for a particular ethnicity in times of ethnic violence (Orange)

1. Safoora Goth
2. Area near Micassa apartment
3. Area around Old Sabzi Mandi
4. Shireen Jinnah Colony
5. Shah Rasool Colony
6. Hijrat Colony and Sultanabad
7. Memon Goth
8. Sharifabad
9. Kati Pahari
10. Quaidabad
11. Bilawal Shah Noorani Goth
12. Pehlwan Goth
13. Hazara Goth
14. Sherpao Basti
15. Natha Khan Goth
16. Bizerta Lines
17. Delhi Colony
18. Chanesar Goth
19. Ilyas Goth
20. PIB Colony
21. Parts of New Karachi
22. Azizabad
23. Jamali Goth

24. Areas along Drigh Road

25. Jackson and docks

26. Khokrapar

27. Mehran Town

28. Parts of Landhi

29. Shershah

Complete no-go areas because of the presence of militants or gangsters (Red)

A. Pakhtunabad

B. Sultanabad

C. Ittehad Town

D. New Mianwali Colony

E. Parts of Lyari

F. Macchar Colony

G. Settlements in Sohrab Goth

H. Shanti Nagar & Dalmia

I. Qayyumabad

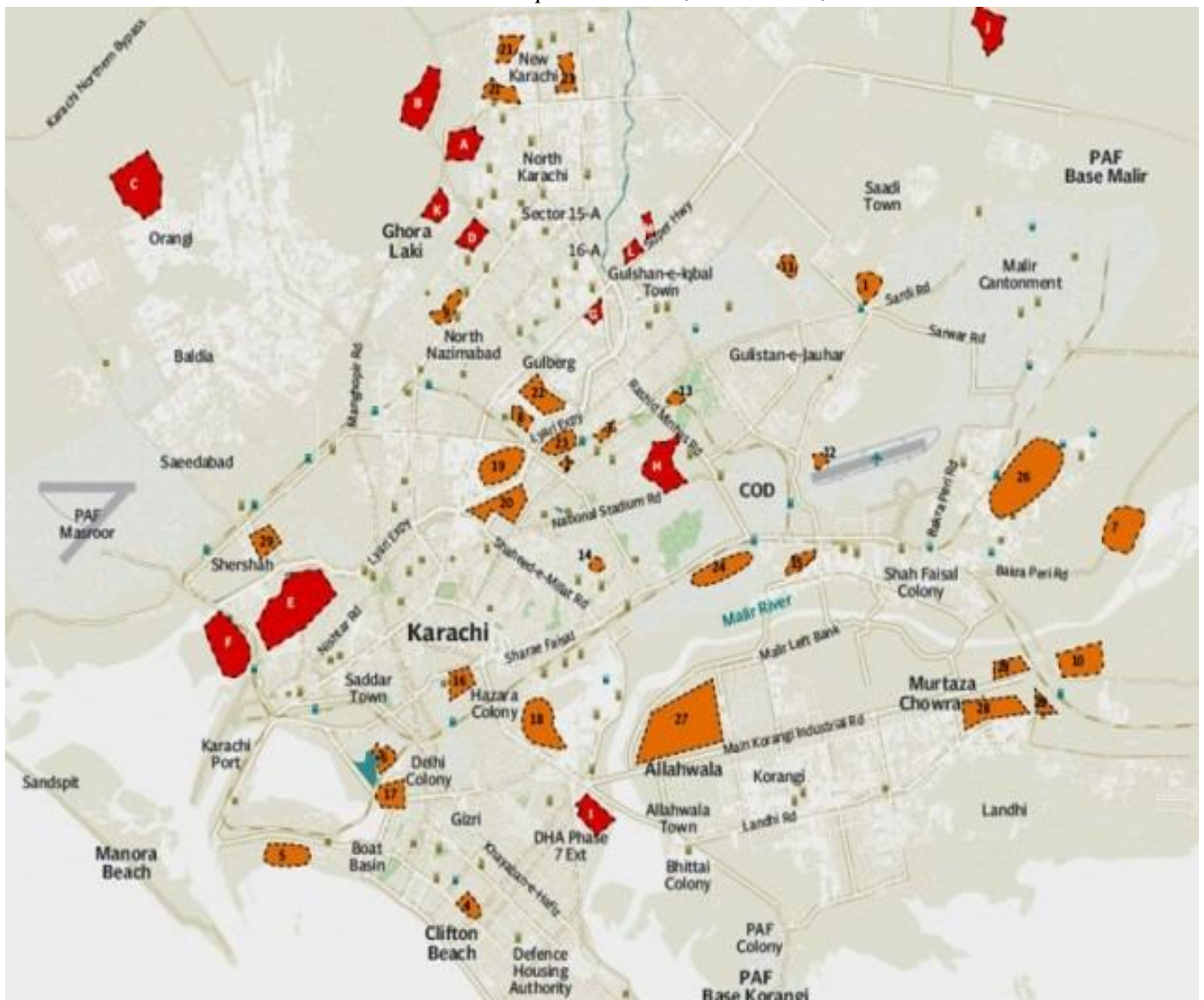
J. Afghan Basti

K. Kunwari Colony

L. Chota Plaza

M. Supermarket area of Sohrab Goth

Published in The Express Tribune, March 23rd, 2013”.



2. We have issued notice to the Advocate General. In response thereto, Mr. Zafar Abbas Bokhari, DIG (West) Karachi and Amir Farooq, SSP (Central) have entered appearance. Mr. Zafar Abbas, DIG on his own downloaded some maps from the Google Earth. He has handed over the same to the office. In his presence, we have witnessed the different areas shown in the sketch/map as no-go areas for a particular ethnicity and the complete no-go areas. The object of holding the hearing before the date, which has already been fixed i.e. 4th April, 2013 at Karachi, is to judicially bring into the notice to all the law enforcing agencies namely, Rangers, Police, etc. that the lives of the citizens of Karachi are not protected as a consequence of the greater influence of the criminals in the different areas which now is known as partially no-go and complete no-go areas. During the previous hearings held by us at Karachi we were persuaded to hold that there is no no-go area particularly in Lyari. Such statement has been brought on record in writing by a person not less than a D.G. as well as Acting Inspector General of Police. Immediately their stand was contradicted by police officers namely, Najmud Din Tareen and Niaz Muhammad Khoso which has been noted in our previous orders. However, in presence of the documentary evidence which either is to be rejected or accepted to hold that there is indeed no-go areas or otherwise and if it is so, then the claim of the citizens of Karachi about their non-protection of lives and properties cannot be denied. However, in view of the response and the prevailing law and order situation, a preliminary purpose and object of the law enforcing agencies is to protect the lives of citizens.

3. Therefore, we direct to the Additional Advocate General to hand over copy of this order alongwith story published in the Express Tribune dated 23rd March, 2013 for its onward circulation to the DG Rangers as well the Inspector General of Sindh Police. It is the duty of the Police to provide protection to the citizens and take them out of the fearful influence of the criminals in the different pockets of the Karachi. Therefore, we direct the I.G. Police that to testify firstly the SHO, DSP and SP of each police station even DSP or SP, who are supervising more than one police station, the contents of the news items or otherwise. If they accept the same, then shall explain as to why this dismal state of affairs exists and also to disclose that why the police force is not controlling the law and order

situation. The Additional Advocate General would also hand over copy of his order and appended news items to the DG, Rangers so that he may also make a categorical statement in respect of the partial or complete existence of 'no-go areas'. The learned Additional Advocate General would also remind him that earlier he had emphatically taken a stance that there is no 'no-go' area in Lyari, whereas not only such areas exists in Lyari but also in other parts of the Karachi which correspond with the sketch appended above. The D.G. Rangers shall explain that despite availability of resources and command as to why the law and order situation is not improved not only in Lyari but also in the rest of the areas of Karachi for the last so many years. In the meanwhile, both the Agencies if desired, may take necessary steps to abolish all 'no-go' areas for which purpose we have already given two weeks' time to the concerned agencies. The learned Additional A.G. shall hand over copy of this order to the incumbent Chief Secretary Sindh.

To come up on 4th April, 2013 as already announced at Karachi.

Chief Justice

Judge Judge

Judge Judge

ISLAMABAD

29.03.2013

M. Azhar Malik