

Order Sheet
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Const. Petition No.D-965 of 2024 a/w
Const. Petition No.D-1819 of 2025
Const. Petition No.D-2016 of 2024

Date of hearing	Order with signature of Judge.
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Hearing of Case
1.For orders on office objections.
2.For hearing of main case.

05-11-2025

Gulzar Ahmed Almani (Petitioner) in person in C.P.No.D-965 of 2024.
Mr. Ghulam Shabbir Shar, Advocate for petitioner in C.P.No.D-1819 of 2025.
Mr. Shafique Ahmed Leghari, Advocate along with petitioner, Mst. Bakhtiar Khatoon in C.P.No.D-2016 of 2024.
Mr. Ali Raza Baloch, Additional Advocate General Sindh.
Mr. Adnan Arshad Jatoi, Special Prosecutor, NAB.
Rehan Iqbal Baloch, Secretary to Government of Sindh, Health Department, Tuaha Ahmed Farooqi, Secretary, Department of Empowerment of Persons with Disabilities, Prof. Amjad Siraj, Chairman Health Procurement Committee, Prof. Gulshan Memon, Member Health Procurement Committee, Ibrahim Memon, Additional Secretary, Health Department, Dr. Yasir Gabol, Additional Director, Health Sukkur, Abdul Qudoos Memon, Regional Director, DEPD, Sukkur, Naheed Ahmed Mirani, ADC-I, Sukkur, and Dr. Ali Gul, DHO, Sukkur are present.

Const. Petition No.D-965 of 2024. Learned Additional A.G-Sindh files statements/compliance reports on behalf of Secretary to Government of Sindh, Health and Finance Department, which are taken on record and copies whereof are provided to the petitioner. Petitioner, who maintains this petition in person, also placed on record certain documents under the cover of his statement, taken on record and copy whereof is provided to other side.

Const. Petition No.D-1819 of 2025. Learned counsel for the petitioner files statement along with certain documents, taken on record and copy whereof is provided to learned AAG. Learned AAG seeks time for filing comments on behalf of respondents as well as compliance report on behalf of Chief Secretary, Sindh.

Const. Petition No.D-2016 of 2024. Learned Additional A.G files compliance reports on behalf of Secretary to Government of Sindh, DEPD, Secretary to Government of Sindh, Health Department, Regional Director, DEPD, Sukkur and Deputy Commissioner, Sukkur along with certain documents, which are taken on record and copies whereof are provided to counsel for the petitioner.

Vide order dated **23.10.2025**, passed in **C.P. No.D-1819 of 2025**, we had directed the Chief Secretary, Sindh to furnish a report in respect of the prayer clauses made in the said petition. However, today neither the Chief Secretary, Sindh nor his Focal Person is in attendance to respond to the queries of this Court, nor compliance report has been furnished. **Prayer Clause “C” of the said petition** reflects that the current Secretary to Government of Sindh, Health Department, is an officer of BS-20 and was posted vide Notification dated 19.03.2025. However, today, a Notification No. SOI(SGA&CD)/01/8/93/(S-I)P.F dated 10.11.2022, issued by the Government of Sindh, Services, General Administration & Coordination Department, has been placed on record by Mr. Shar, whereby the cadre strength/list of posts in each grade i.e. BS-21, 20, 19, 18 & 17 has been notified/classified. In the said Notification, it is clearly mentioned that the post of Secretary, Health Department shall be of BS-21. Hence, there appears to be a clear violation of the judgment of the Hon’ble Supreme Court.

During the proceedings, we enquired from Mr. Ibrahim Memon, Additional Secretary/Incharge PM & I Cell, Government of Sindh, regarding the procurement of medicines and medical equipment under the **Central Rate Contract System (CRCS)** by way of **Quality Control-Based System (QCBS)** for the last year as well as the current year, and also regarding the cost of tenders of medicines and medical equipment. However, he failed to respond to the queries of this Court by showing inability and incapacity, which demonstrates his disinterest, inefficiency, and ignorance in discharging his official responsibilities, despite holding such a sensitive and responsible assignment. This Court expresses its displeasure over the conduct and attitude of the said officer.

Under the circumstances, the Chief Secretary, Sindh is directed to be in attendance before this Court on the next date of hearing along with compliance reports in terms of earlier orders of this Court. He is further directed to submit the cost details of the **Central Rate Contract System (CRCS)** for the last five years in respect of procurement of medicines and medical equipment separately. The Chief Secretary shall also furnish a detailed report containing the names of successful bidders/pharmaceutical companies and their owners with complete breakup, as well as the grievances of other contractors, if any, thereon.

To come up on **07.11.2025 at 10:00 a.m.** The officer(s) present today shall also remain present on the next date of hearing. Let a copy of this order be sent to the Chief Secretary, Sindh by FAX as well as learned AAG for compliance. The Deputy Commissioner, Sukkur shall also be in attendance on the next date of hearing.

Office to place a signed copy of this order in captioned connected matter.

JUDGE

JUDGE

Ahmad