

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. D-4987 of 2023

Date	Order with signature of Judge
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Priority.
For hearing of main case.

07.10.2026.

Mr. Tariq Mansoor, Advocate/Petitioner in person.
Mr. Agha Shahzaib, Assistant Advocate General Sindh
alongwith Mr. Saeed Ahmed Shaikh, Secretary, Law
Department, Javed Ahmed Abro, Addl. Secretary, Home
Department, Ali Asghar Mahar, Focal person, Home
Department, Government of Sindh.
Dr. Liaquat Ali Abro and Nadeem Ahmed Qureshi, Law
Officer, Law Department, Government of Sindh.
Ms. Manzooran Gopang, Sr. Law Officer on behalf of the
Secretary Law Department, Government of Sindh.
Mr. Ali Haider Saleem, Additional Prosecutor General, Sindh.
Ms. Zakya Khan, Advocate.

The Petition relates to the Sindh Witness Protection Act, 2013, with
it having been prayed by the Petitioner *inter alia* that this Court be
pleased to:-

1. Direct the Respondents to immediately establish as “Witness Protection Program: under Section 4 (1) of the subject Act,
2. Direct the Respondents to establish as “Witness Protection Advisory Board” under Section 5 (1) of the Act,
3. Direct the Respondents to establish the “Witness Protection Unit, under Section 6 (1) of the Act,
4. Direct the Respondents to establish a “Committee” under Section 9 for making recommendations in terms of placing a witness under protection.
5. Direct the Respondents to appoint and depute a reasonable numbers of “Witness Protection Officers” in each of 32 x District of Sindh Province under Section 11 (1) of the Act.
6. Direct the Respondents No.1 and 2 to immediately frame the mandatory Rules under Section 29 of the Sindh Witness Protection Act, 2013 within a period of 60 calendar days.

Today, a Statement has been submitted on behalf of the Respondent No.1 wherein it has been submitted that the statutory machinery envisaged under the Act already stands established and is functional inasmuch as:-

- a. The Witness Protection Advisory Board envisaged under Section 5(1) of the Act has been constituted vide Notification No.SO(LE-1)6-67/2013 dated 26.11.2023.
- b. The Witness Protection Unit envisaged under Section 6(1) of the Act has been established in the Home Department vide Order No.SO(Admin) HD-V(12)2012 dated 19.02.2016.
- c. The Committee envisaged under Section 9 of the Act has been constituted vide Notification No.SO(LE-1)HD/6-70/2016 dated 11.09.2017, and
- d. Witness Protection Officers under Section 11(1) of the Act notified in all 32 Districts of the Province vide Notification dated 24.11.2016.

It has also been stated that the Witness Protection Unit remains functional and has extended protection and related assistance in all matters where Applications or Court Orders have been made. No instance to the contrary has been pointed out. As such, to that extent, the purpose of the Petition stands served.

As regards the framing of Rules, it merits consideration that Section 29 of the Act confers the rule making power on Government in the following terms:-

“29. Rules. Government may make rules for carrying out the purposes of this Act.”

On that subject, while it had earlier been submitted on preceding dates that certain drafts rules were under vetting and consideration, it has now been stated that the Home Department is in consultation with the Law Department, to review the Act and propose amendments as per international best practices, whereafter the Rules would be framed thereunder.

Under the circumstances, the Petitioner is directed to come prepared to address the question as to whether, in view of the wording of Section 29, it is incumbent upon the Government to frame Rules, and whether any material/substantive provisions of the Act are presently rendered ineffective or redundant in the absence thereof.

JUDGE

JUDGE

MUBASHIR