

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

C. P. No. D – 2434 of 2017

Date	Order with signature of Judge
------	-------------------------------

Before:
Mr. Justice Aqeel Ahmed Abbasi.
Mr. Justice Aziz-ur-Rehman.

Hearing / Priority Case

1. For orders on office objection.
2. For hearing of Main Case.

18.01.2018:

Petitioner Mst. Bisma Noreen, in person.
Mr. Asim Mansoor Khan, Deputy Attorney General.

Aqeel Ahmed Abbasi, J: Petitioner appearing in person has expressed her grievance with regard to inaction on the part of respondent No.1 i.e. Prime Minister of Islamic Republic of Pakistan and the Governor, State Bank of Pakistan, who according to petitioner, are required to take necessary steps to eliminate corruption from the government department and to ensure that National resources may be utilized and spend in a transparent manner. It has been further prayed that respondents be directed to take all necessary steps and efforts to eliminate corruption from Government Departments, whereas, a Committee shall be constituted on the directions of this Court with the mandate to examine the corruption and corrupt practices prevailing in the various Government Departments and to make recommendations to eliminate corruption. It has been further prayed that details of the loan obtained by the Government(s) shall be publicized, whereas, its proper utilization shall be ensured so that the said amount shall not be misappropriated and shall be utilized for the public at large without any discrimination.

2. From perusal of the contents of instant petition and the relief(s) sought by the petitioner, it appears that the petitioner has not pointed out any specific instance of corruption by any public functionary or Government Department, nor has referred to any scam relating to misuse or misappropriation of public funds. It has not been intimated as to whether the petitioner has ever approached to any relevant forum or federal or provincial agency already established for the purpose of taking

action in case of corruption and corrupt practices by any public functionary. There can be cavil to the desire of the petitioner requiring the respondents to ensure that all the National resources shall be utilized as per Constitutional mandate in a transparent manner, whereas, appropriate legislations shall be made by Parliament to eliminate and reduce corruption from Government Departments in particular and from all other public/private departments in general.

3. However, we are of the tentative view that in view of Federal and Provincial legislation relating to establishing Anti-Corruption Authority as well as Establishment of NAB, such corruption can be checked, eliminated and reduced substantially, however, the enforcement of such laws is the need of the day. In view of hereinabove facts and circumstances of the case, and keeping in view the generalize allegations, we are of the view that the relief(s) sought through instant petitions are vague in nature and does not require any declaration by this Court while exercising constitutional jurisdiction under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, therefore, instant petition is dismissed.

4. However, before parting with this order, we may observe that the Federal Government and all the Provincial Governments, as well as the relevant departments and agencies, working under their command and control, are under legal obligation to ensure that all possible efforts shall be made to eliminate corruption from the Government Departments and to ensure that all the National Resources and Public Funds including loans (foreign as well as internal loans), shall be spent and utilized as per constitutional mandate, strictly in accordance with relevant laws, rules and regulations, keeping in view the National Policy and interest, however, without any discrimination or undue favour or patronization to any particular political party.

Petition stands disposed of accordingly.

J U D G E

J U D G E