

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP NO.S-2116/2018

&

CP NO.S-221/2020

Date

Order with signature of Judge

30.10.2023

M/s. Tajammul H. Lodhi and Sarah Malkani advocates, learned amici curiae.

Mr. Zia Ahmed Awan advocate for respondent in CP No.S-221/2020.

M/s. Qadir Hussain Khan and Shehla Anjum advocates for respondents.

Syed Husain Shah, A.A.G. alongwith Mr. Mushtaq Ahmed Abbasi, AIGP and Raza Mian DSP Legal, Mr. Aamir Waheed, Director Karachi Division, Social Welfare Department, Mr. Imdad Husain, Director (OPS) Sindh Child Protection Authority, Mr. Awais Alam, Assistant Director, Cybercrime, FIA, Karachi, Inspector/I.O. Ms. Arfa Saeed, FIA, CCRG Karachi,.

Victim Irum present alongwith Kanwal and her husband.

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Reply to show cause notice alongwith progress report submitted by concerned officer are taken on record. Such reply is satisfactory hence show cause notice is hereby recalled. It is expected that Assistant Director, FIA and enquiry officer present shall pursue the matter diligently and provide legal help with regard to harassment caused to the victim through social media platforms

2. Secretary, Home Department, Government of Sindh shall depute a focal person who shall comply with the order dated 12.10.2023 passed in CP No.S-221/2020, in case of failure he shall appear in person. However, pursuant to order passed on 09.10.2023 in CP No.S-2116/2018 Mr. Aamir Waheed, Director, Social Welfare Department, has submitted report with regard to registration of orphans with the coordination of NADRA; according to him such

scheme is already available with NADRA with the title of 'Orphanage Registration' hence Social Welfare Department all over Sindh shall initiate the campaign that all orphan in orphanage centers, private or public sector, shall be registered with NADRA preferably within two months with compliance report.

3. Learned Magistrates all over Sindh will be competent to issue such directions to the Social Welfare Department on their visit of orphanage centers, public or private, to ensure that all orphans are registered with NADRA and nestled properly. Learned MIT shall ensure compliance.

4. At this juncture, Assistant Director, SWD, has highlighted email replies to Social Welfare Department which speak that such directions for registration were not issued by this Court. Needles to mention that repeatedly such directions were issued by this Court for registration of all orphanage centers as well orphans. Accordingly all orphanage centers shall cooperate with the Social Welfare Department, in case of failure their act shall be considered as pejorative, liable for initiation of contempt proceedings according to law.

5. At this juncture victim Irum who is dumb and hearing-impaired person, lastly expelled by Incharge Dar-ul-Atfal (*Al -Binat*), earlier she was with Kanwal, both nestled at Edhi Center for around 13 years, thereafter Kanwal has contacted marriage whereas Irum is yet destitute and presently living with Kanwal. Accordingly Director Social Welfare Department as well focal person of IGP Sindh shall produce Irum before concerned Magistrate of District East within two

days, who shall decide the fate after recording statement of Irum as to where she is to be nestled, for that purpose concerned Magistrate may call Kanwal and/or arrange an interpreter for Irum on that date and nestle Irum to Panah Shelter or any other suitable place best suited to her. Secretary, Health Department, Government of Sindh, shall ensure medical facilities and medical examination by best doctor(s) of private or public hospitals/medical center(s); Social Welfare Department shall provide monthly stipends to her from any head available with them. This order shall be communicated to all concerned for compliance.

To come up on 08.01.2024 at 11.00 a.m.. Meanwhile, Director, Social Welfare Department present, shall provide details as to whether any centers/institutions for deaf and dumb adults/kids are available in Karachi.

Office to place copy of this order in connected case.

J U D G E