HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-366 of 2020
[City Welfare Organization vs. Province of Sindh and others]

Before:
JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE MUHAMMAD JAFFER RAZA

Petitioner:	Through Mr. Muhammad Arshad Pathan advocate
Respondents:	Through Mr. Allah Bachayo Soomro Additional A.G Sindh
Date of hearing	10.11.2026
Date of Decision	10.11.2026

O R D E R

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ADNAN-UL-KARIM MEMON J:- The petitioner, President of City Welfare Organization, Hyderabad, has filed the instant Constitutional Petition under Article 199 of the Constitution, seeking enforcement of the directions of the Honourable Supreme Court passed in HRC Nos.2638-S/2014 and 1493-S/2014, regarding transfer and posting of police officials within their respective Ranges/Units, and implementation of Section 7(5), Chapter III of the Police Order, 2002, as revived through the Sindh Police (Repeal of Police Act, 1861 and Revival of Police Order, 2002) Act, 2019.

2. Learned counsel for the petitioner contends that there has been a significant increase in crime in Hyderabad, including theft, snatching, street crime and house robberies, allegedly due to the posting of Sub-Inspectors and Inspectors from other Ranges and Districts, who are unfamiliar with local areas and criminal elements. He submits that Section 7(5) of the Police Order, 2002 requires recruitment of Constables and ASIs on the basis of district domicile, which shall remain their administrative unit up to the rank of DSP, and provides for their posting within their respective districts for field assignments. It is further contended that the respondents, by relying upon Police Rule 14:47 of 1934, are acting contrary to the revived Police Order, 2002 and the aforesaid directions of the Honourable Supreme Court on the subject issue. The petitioner, therefore, seeks repatriation of police

officials posted outside their respective Ranges/Units and compliance with the applicable law and the principle laid down by the Supreme Court.

3. The learned AAG submitted that transfer and posting of Sub-Inspectors and Inspectors are governed by Police Rule 14:47 of 1934, which prohibits their posting in their home districts except for special reasons and with the approval of the Inspector General of Police. Reliance is also placed upon the judgment dated 24.10.2012 passed by this Court's Bench at Sukkur in C.P. No.D-2314/2012 Ajeeb Lakho's case, pursuant to which the IGP Sindh issued directions dated 13.02.2013 for compliance with the said ruling. It is further submitted that the IGP Sindh issued an SOP dated 09.08.2019 prescribing guidelines for implementation of Police Rule 14:47. Accordingly, the AAG maintains that the transfers and postings are being made in accordance with the applicable rules. He prayed for dismissal of the petition.

4. We have heard the learned counsel for the petitioner and the learned AAG and have perused the available record.

5. The controversy raised in the instant petition essentially relates to the interpretation and applicability of Section 7(5) of the Police Order, 2002, as revived through the Sindh Police (Repeal of Police Act, 1861 and Revival of Police Order, 2002) Act, 2019, vis-à-vis Police Rule 14:47 of 1934.

6. The petitioner alleges that the respondents are acting in violation of the statutory provisions as well as the directions of the Honourable Supreme Court. Conversely, the official respondents maintain that the impugned transfers and postings are governed by Police Rule 14:47 and the SOP issued by the IGP Sindh.

7. In our considered view, the mere issuance of an SOP or reliance upon an earlier judgment cannot, by itself, justify any action contrary to the governing statutory framework. Equally, the alleged increase in crime cannot, without supporting material, be conclusively attributed to the transfer and posting of police officials from outside their home districts. However, it is for the competent authority to look into this aspect of the case as per the policy decision.

8. Accordingly, without expressing any opinion on the legality of individual transfers or postings, we deem it appropriate to direct the Inspector General of Police, Sindh, to examine the grievance raised by the petitioner in the light of Police Rule 14:47 of 1934, the 2019 Amendment Act and the judgments/orders of the Honourable Supreme Court relied upon by the petitioner. The IGP Sindh shall pass

a reasoned and speaking order, after affording an opportunity of hearing to the concerned stakeholders, within a period of four weeks from receipt of this order.

9. Needless to observe that the competent authority shall ensure that all transfers and postings are made strictly in accordance with the law and that no statutory provision or binding judicial direction is disregarded.

10. With the above directions, the instant petition stands disposed of, along with pending applications, if any.

JUDGE

JUDGE

Sajjad Ali Jessar