HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-2095 of 2018

[Mohammad Yaquob vs. Province of Sindh and others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE MUHAMMAD JAFFER RAZA

Petitioner:	Through Syed Tarique Ahmed Shah advocate
Respondents No.1,2&4:	Through Mr. Allah Bachayo Soomro Additional A.G Sindh
Respondent No.3:	Through Barrister Jawad Ahmed Qureshi advocate a/w Focal Person Dr. Ali Akbar Siyal
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, a social worker and founder member of Sindh Democratic Forum, has filed the instant Constitutional Petition under Article 199 of the Constitution, seeking directions for completion and operationalization of the project titled "Establishment of Anti-Snake Venom (ASV) and Anti-Rabies Serology Laboratory in Sindh", initiated by the Government of Sindh in 2006.

2. Learned counsel for the petitioner submits that Pakistan, particularly Sindh, faces a high incidence of snakebite cases, resulting in numerous deaths and disabilities due to the acute shortage of Anti-Snake Venom (ASV). The National Institute of Health, Islamabad, is unable to meet the national demand, while imported Indian ASV is allegedly less effective and considerably expensive. He contends that despite approval of the Sindh project initially at Rs.200.33 million and subsequently at Rs.591.30 million, it remained incomplete due to administrative negligence, delays and non-release of funds. It is further submitted that, on account of the Health Department's failure to execute the project, its execution authority was transferred to Peoples University of Medical and Health Sciences for Women, Nawabshah, in June 2016. The University claims to have successfully conducted clinical trials of locally produced ASV and incurred approximately Rs.35 million from its own resources to sustain the project.

However, non-release of the remaining funds has stalled commercial-scale production, besides causing the departure of trained scientific staff. The petitioner alleges mismanagement, corruption and deliberate obstruction in completion of this life-saving project and seeks release of the remaining funds, completion and operationalization of the laboratory, an independent inquiry into the delays and fixation of responsibility upon the officials concerned.

5. The respondent-University substantially supported the petitioner's stance, confirming the shortage of ASV, the superior efficacy of NIH-produced ASV compared to imported Indian ASV, and the prolonged delay in completion of the project. It stated that the University had provided infrastructure, technical expertise and approximately Rs.35 million as a temporary loan towards salaries, operational expenses and scientific requirements. It further maintained that the remaining funds were essential for commercial-scale production and that the trained scientific staff was at risk of being lost.

6. The learned AAG stated that, pursuant to the directions of the Chief Secretary, the project funds allocated for the financial year 2019-20 were released in October 2019. The Re-revised PC-I was approved by the PWDP on 17.09.2021; however, issuance of administrative approval and release of further funds remained pending. It was further explained that procurement of essential equipment was delayed due to administrative formalities and the COVID-19 lockdown, resulting in lapse of the released funds in June 2020. Subsequently, the Secretary Health, Government of Sindh, submitted that the project execution authority had been transferred to Pir Syed Abdul Qadir Shah Jilani Institute of Medical Sciences (PAQSJIMS), Gambat, through a Memorandum of Understanding. It was further stated that, following approval of the Re-revised PC-I, a Draft Release Order for Rs.85.598 million under the revenue component had been forwarded to the Finance Department, while an additional amount of Rs.174.619 million was proposed through re-appropriation during the financial year 2021-22. The remaining project activities were to be undertaken by the Director, PAQSJIMS, Gambat.

7. We have heard learned counsel for the petitioner, learned AAG and examined the material available on record.

8. The controversy raised in the instant petition concerns a matter of substantial public importance, directly connected with the protection of human life and the right to life guaranteed under Article 9 of the Constitution.

9. The establishment and operationalization of an Anti-Snake Venom and Anti-Rabies Serology Laboratory is not merely an ordinary development scheme; rather, it is an essential public health project intended to prevent avoidable deaths and disabilities, particularly in rural and snakebite-prone areas of Sindh.

10. The record prima facie reflects that the project was conceived and approved as far back as 2006, yet despite repeated administrative approvals, revision of its estimated cost, transfer of execution authority from one institution to another and lapse of considerable time, the project could not be brought to its intended operational stage. Such prolonged delay in a life-saving public project cannot be justified merely by referring to administrative formalities, non-release of funds, revision of PC-I or procurement difficulties. The Government, having undertaken the project and allocated public funds for its execution, was under an obligation to ensure its timely completion through effective coordination and institutional accountability.

11. It is particularly disturbing that, despite the University's efforts in providing technical expertise, infrastructure and approximately Rs.35 million towards operational expenses, the project remained dependent upon further financial assistance from the Government. The subsequent transfer of execution authority to PAQSJIMS, Gambat, also demonstrates that the earlier administrative arrangement failed to achieve the desired results. However, a mere change of executing agency cannot, by itself, resolve the underlying issues unless adequate funds, technical resources, qualified personnel and a definite implementation mechanism are ensured.

12. We are conscious that this Court, while exercising constitutional jurisdiction, cannot assume the role of the executive authorities in determining technical specifications, procurement procedures or administrative expenditure. Nevertheless, where prolonged administrative inaction affects the protection of human life and public health, this Court is competent to issue appropriate directions to ensure that the constitutional obligations of the State are discharged effectively. The allegations of corruption and deliberate obstruction, however, require proper examination by the competent forum and cannot be treated as established merely on the basis of assertions made in the petition.

13. In view of the foregoing, we dispose of this petition with directions to the Chief Secretary, Government of Sindh, and Secretary Health, Government of Sindh, to jointly convene a meeting with the Director, PAQSJIMS, Gambat, and

other concerned authorities to ascertain the present status of the project, identify the outstanding financial and technical requirements, and prepare a time-bound plan for its completion and operationalization. The Finance and Planning & Development Departments shall extend necessary assistance in accordance with the approved PC-I and applicable financial rules. The competent authorities shall also examine the reasons for the inordinate delay, fixation of responsibility, if any, and take appropriate action in accordance with law.

14. The Secretary Health shall submit a comprehensive compliance report before the Additional Registrar of this Court within eight weeks, indicating the steps taken, funds released, procurement status, remaining requirements and a definite timeline for making the laboratory functional.

15. Needless to observe that the matter shall be treated as a priority public health project, and no further delay shall be permitted on account of interdepartmental correspondence or administrative formalities.

16. Needless to observe that the observations made herein are confined to the public importance of the project and shall not be construed as a finding of guilt against any individual or authority.

17. The petition stands disposed of in the above terms, with no order as to costs.

JUDGE

JUDGE

Sajjad Ali Jessar