

(9)

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT: MR. JUSTICE MIAN SAQIB NISAR, HCJ
MR. JUSTICE FAISAL ARAB
MR. JUSTICE SAJJAD ALI SHAH

HUMAN RIGHTS CASE NO.8991-S/2017 AND HUMAN RIGHTS MISC. APPLICATIONS NO.105/2017, 135/2018, 163/2018, 177/2018 AND 178/2018 AND CIVIL MISC. APPLICATIONS NO.203-K/2018 AND 568-K/2018

- H.R.C.8991-S/2017: In the matter of death of 5 more Infants at Civil Hospital in Mithi due to Malnutrition
- H.R.M.A.105/2017: Report of Mr. Rizwan Memon, Chief Secretary, Sindh
- H.R.M.A.135/2018: Statement/Concise Statement submitted by Akram Ali Khawaja, Special Secretary, Health, Sindh
- H.R.M.A.163/2018: Statement on behalf of the Secretary Food Department, Govt. of Sindh
- H.R.M.A.177/2018: Written statement on behalf of the Secretary Food Department, Govt. of Sindh
- H.R.M.A.178/2018: Statement of Secretary Health, Sindh filed by Akram Ali Khawaja, Special Secretary, Health, Sindh
- C.M.A.203-K/2018: Application for intervener filed by Khadim Hussain Brohi
- C.M.A.568-K/2018: Application for intervener on behalf of Pakistan Institute of Labour Education and Research (PILER)

In attendance:

Mr. Sarwar Khan, Acting A.G. Sindh
Mr. M. Usman Chachar, Addl. Chief Secretary/Health Secretary, Sindh
Mr. Faisal Siddiqui, ASC
Mr. Rafiq Ahmed f/o Qamar, minor
Mr. Muhammad Yousaf f/o Muhammad Zubair, minor
Mr. Khadim Hussain f/o Hasnain, minor
Mr. Imran Ali f/o Hania Noor, Minor

ATTESTED

[Signature]
Chief Court Associate
Supreme Court of Pakistan
Karachi.

Date of hearing: 1.9.2018

ORDER

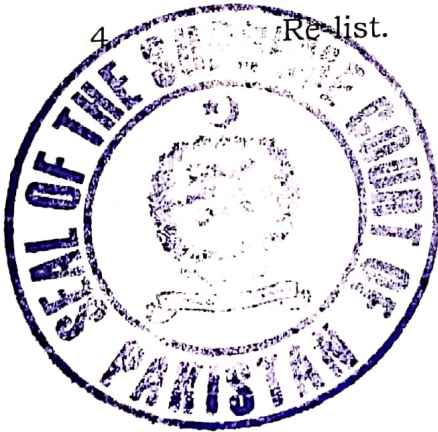
In compliance with this Court's order, the Additional Chief Secretary/Secretary Health, Sindh submitted a report today, a copy whereof has been given to Mr. Faisal Siddiqui, learned ASC for his perusal and comments. However, the Additional Chief Secretary concedes that the Drug Testing Laboratory has not been made functional

till date even though there was a specific direction of this Court to do so within a period of two months. When questioned as to what steps have been taken in this regard in the last three and a half months and precisely how much more time is required to achieve the aforementioned objective, the Additional Chief Secretary states that a comprehensive detailed report along with the timetable for steps to be taken in the near future shall be submitted. Let the needful be done within a period of one week and the matter be listed for hearing after the summer vacations of 2018, subject to the availability of the Bench at Karachi.

2. The report of the Commission constituted *vide* order dated 20.06.2018 has been received. Let the Government of Sindh and the Health Department, Sindh file their comments within the same period.

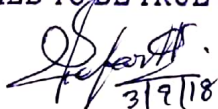
3. After hearing the various parties, we are of the view that the Minister Health, Government of Sindh and the Additional Chief Secretary/Secretary Health should hold a meeting with the fathers of the minors, namely, Mr. Rafiq Ahmed (*father of Qamar, minor*), Mr. Muhammad Yousaf (*father of Muhammad Zubair, minor*), Mr. Khadim Hussain (*father of Hasnain, minor*) and Mr. Imran Ali (*Hania Noor, minor*), consider their grievances and submit a comprehensive report to the Registrar of this Court for our perusal in Chambers.

4. Re-list.

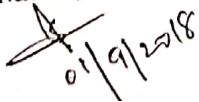


Sd/= Mian Saqib Nisar, HCJ
Sd/= Faisal Arab, J
Sd/= Sajjad Ali Shah, J

CERTIFIED TO BE TRUE COPY


3/9/18
Senior Court Associate
Supreme Court of Pakistan
Karachi.

Karachi, the
1st of September, 2018
Waqas Naseer/*


01/09/2018