

IN THE SUPREME COURT OF PAKISTAN

(Original Jurisdiction)

PRESENT:

Mr. Justice Gulzar Ahmed, CJ

Mr. Justice Ijaz ul Ahsan

Mr. Justice Qazi Muhammad Anin Ahmed

Human Rights Case No.8991-S of 2017

And

HRMA No.105 of 2017, etc.

And

CMA No.203-K of 2018

(APPLICATION OF KHADIM HUSSAIN S/O KARIM BUX)

In Attendance:

Mr. Salman Talibud Din, AG Sindh

Mr. Zulfiqar Shah, Secretary, Health

Sh. Abdul Hameed, Secy. Food, Sindh

Dr. Saeed A. Qureshi, Focal Person to CS Sindh

Riaz Soomro, Secretary I & C

Mr. M. Yusaf Alvi, Law Officer, SPSC

Sohail Qasim Ali, Legal Advisor AK Hospital

Mr. Faisal Siddiqui, ASC

Mr. Amir Ali Bohri, ASC *(for applicant in CMA No.203-K/18)*

Date of Hearing : 25.11.2021

ORDER

A report has been filed by the Monitoring Committee appointed by this Court. The report at all is not satisfactory as despite Court orders having been passed nothing has been shown that the Government of Sindh has made any serious

effort towards compliance of the Court orders and apparently there seems to be a defiance on its part in not implementing

orders of this Court and the Sindh Government is otherwise duty bound to perform its duties in accordance with law.

2. The Secretary, Health Department, Government of Sindh has appeared before us. He states that he is going to take all necessary measures to ensure that appropriate health

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facilities are made available to the people of Tharparkar District. He assures to the Court that not only Hospitals, Dispensaries and other health facilities will be established in parts of Tharparkar District but all latest equipment which are required for a functional Hospital shall also be provided in them, including fully equipped operation theaters. He also assures that doctors and other para medical staff will be available for addressing the health issues of the people of District Tharparkar and he will also look into the aspect of the Lady Health Workers, who are said to have been appointed but are apparently not functioning. He states that supply of medicines to the Hospitals, Dispensaries and other medical institutions will also be ensured and no spurious drug will be allowed to enter upon these Hospitals, Dispensaries and other medical institutions. He also assures that if any of the doctors or other para medical staff in such medical institutions in District Tharparkar is found to be indolent and not attending to his/her duties or functions which he/she is otherwise required to do, immediate and stern disciplinary actions shall be initiated against him/her and concluded on fast track basis.

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Assistant
Commissioner
Karachi

3. We note that all vacancies of doctors/medical officers and other nursing staff shall immediately be got filled and the ones to be appointed against such vacancies would be made to perform their duties/jobs in Tharparkar District and none of them would be permitted to leave or get himself/herself transferred to any other District of the Province of Sindh. Further, there should be no transfer at least for a period of three

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years. Let a comprehensive report be submitted by the Secretary, Health Department, Sindh covering all aforesaid aspects of the matter within a period of one month. Adjourned to a date after one month when HRC No.71310-G of 2018 will also be clubbed and fixed for hearing together with this case.

4. CMA No.203-K of 2018. We have heard learned ASC for the Applicant. We note that the Applicant is a resident of District Shaheed Benazirabad and apparently has no connection with the case in hand as it relates to the question of shortage/non-availability of medical facilities in Tharparkar District. We also note that in our order dated 01.09.2018 a mention has been made about Applicant's claim but he was asked to approach the Additional Chief Secretary/Health Secretary, Government of Sindh for redressal of his grievance. The application in such terms is disposed of.

Sd/-Gulzar Ahmed, CJ
Sd/-Ijaz ul Ahsan, J
Sd/-Qazi Muhammad Amin Ahmed

CERTIFIED TO BE TRUE COPY

Judicial Assistant
Supreme Court of Pakistan
Karachi



25th of November, 2021

Not Approved For Reporting