

IN THE HIGH COURT OF SINDH, AT KARACHI

Present:

Ahmed Ali M. Shaikh, CJ

Yousuf Ali Sayeed, J

C. P. No. D-6949 of 2016

Mst. Ameer Jahan aka Bisma Noreen

Petitioner

Versus

Prime Minister of Pakistan and others

Respondents

13.12.2021

Petitioner present in person.

ORDER

AHMED ALI M. SHAIKH, CJ.- Petitioner has filed this Petition seeking following relief(s):-

(1) معزز عدالت سے یہ درخواست ہے کہ 70 ملین ڈالر فنڈ جو کہ 2 لاکھ نوجوان لڑکیوں کی تعلیم کے لیے دیا گیا اسکی انکوائری کرائی جائے۔

(2) معزز عدالت سے درخواست ہے کہ ذمہ دار نمبر 1 سے 3 کو ہدایت دی جائے جو ان کو شکایت دی گئی تھی اسکی رپورٹ معزز عدالت میں جلد سے جلد جمع کرائی جائے۔

(3) معزز عدالت سے درخواست ہے کہ انکوائری کی بنیاد پر اگر ذمہ دار نمبر 4 کسی بھی قسم کی ناجائز فنڈنگ کا استعمال میں پائی گئی تو اسکو قانون کے مطابق سزا دی جائے۔

(4) اگر معزز عدالت کوئی اور ریلیف دینا چاہے مدعیہ کو تو یہ مدعیہ کی درخواست ہے۔

2. After notice, Respondent No.2, Secretary Finance Division submitted a concise statement to the effect that the Petition is based on mere news published in Newspapers and is not maintainable, thus ought to be dismissed. The Economic Affairs Division, Ministry of Finance, Revenue, Economic Affairs, Government of Pakistan in its letter dated

15.03.2019 addressed to the then Assistant Attorney General pointed out that:-

“I am directed to refer to Dy. No.1045-K/2019/AGP dated 20.2.2019, on the subject cited above and to state that United States Agency for International Development (USAID) has informed that Former US First Lady Michelle Obama launched a programme “Let Girls Learn” and Pakistan was one of the focus countries. Let Girls Learn was a whole-of-government initiative to ensure adolescent girls get the education they deserve. This initiative elevated existing programs, leveraged public-private partnerships, and challenged organizations and governments to commit resources to lift up adolescent girls worldwide. USAID/Pakistan worked in collaboration with other agencies of the United States Government in accomplishing these objectives.

2. Funds of \$70 Million provided by the United States Government for the education sector in Pakistan were divided into two parts:

- i. Financing of US\$ 19 Million for a standalone project named Let Girls Learn [later re-named Advancing Girls Education and Skills (AGES)] and
- ii. An amount of US\$51 million consisted of attribution from the existing USAID projects, including:

Sindh Basic Education Project	On-Budget/Government to Government (G2G) Activity
Merit and Need-based Scholarships:	Do
Karachi Youth Workforce Development	Off-budget/Non-Government to Government (Non-G2G) Activity
Training for Pakistan	do
Pakistan Reading Project	do
Pakistan Safer Schools	do
Education Relief for Temporarily Displaced Children	do

3. The above G2G program is being dealt by Education Department, Govt of Sindh and HEC and Non-G2G (off-budget) program which is channeled through International Non-Government Organization (INGO's) and Implementing Partners of the USAID which are mostly for-profit companies based in USA and are selected independently by USAID. USAID monitors utilization of this grant. EAD has not signed any Activity Agreement with USAID related to the above mentioned programmes and no record is available in this Division.

4. Foregoing in view, EAD is not in a position to offer any comment on the subject matter.”

3. The Petitioner, appearing in person, filed a reply to the letter/comments of the Economic Affairs Division, inter alia, submitting that Michelle Obama, former first lady of USA, had given US\$ 70 Million to the Respondent No.4, Mariam Nawaz, daughter of former Prime Minister, Pakistan to educate girls. She claimed that after receipt, the said fund was not utilized nor the Respondent No.4 took any step for its utilization for aforesaid purpose and instead it was utilized for illegitimate objectives. Though she has lodged a complaint with the Prime Minister, copy annexed with the Petition, but to no avail.

4, Having considered the submissions advanced by the Petitioner and perused the material available on record, it seems that the petition is not supported by any credible document and the petitioner has leveled bald allegations against the Respondent No.4 without any solid or concrete basis. Besides, there is nothing on record to show that the petitioner prior to filing the instant petition has ever approached either the Respondent No.3, National Accountability Bureau or any other investigating agency having jurisdiction in the matter with material, prima facie, supporting her case.

For the foregoing reasons, we had dismissed the Petition
vide our short order dated 13.12.2021.

Chief Justice

Judge