

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

**C. Ps.No. D – 1064 of 2022, 1068, 1072, 1075,
1077, 1080, 1081, 1083 and 1084 of 2022**

Date of hearing	Order with signature of Judge
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Hearing of case

For hearing of main case

01-09-2022

Mr. Ghulam Shabbir Shar, Advocate for the petitioners in C. Ps. No. D-1064 and 1072 of 2022.

Mr. Imdad Ali Malik, Advocate for the petitioners in C. P. No. D-1068 of 2022.

Mr. Abdul Ghani Abro, Advocate for the petitioner in C. P. No. D-1077 of 2022.

Mr. Fidaullah Qureshi, Advocate for the petitioner in C. P. No. D-1080 of 2022.

Mr. Sohail Ahmed Khoso, Advocate for the petitioner in C. P. No. D-1083 of 2022.

Petitioner Shoaib Khaskheli, present in person in C. P. No. D-1081 of 2022.

Petitioner Jhando Khan Jarwar, present in person in C. P. No. D-1084 of 2022.

Mr. Shafi Muhammad Chandio, Additional Advocate General Sindh and M/s Zulifqar Ali Naich and Mehboob Ali Wassan, Assistant Advocate Generals Sindh along with Ghulam Mustafa (Commissioner, Sukkur Division, Sukkur), Hajan Ujjan (Additional Commissioner-II, Sukkur), Gul Baig (Additional Deputy Commissioner-II, Sukkur), Zamir Ahmed (Additional Deputy Commissioner-I, Khairpur), Shaharyar Qamar (Assistant Commissioner, Daharki on behalf of Deputy Commissioner, Ghotki), Abdul Basit (Assistant Commissioner, Mirwah), Abdul-ur-Rehman (Assistant Director PDMA) and Haq Nawaz Alvi (Focal Person on behalf of Chief Engineer Irrigation, Sukkur Barrage, Sukkur).

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Mr. Nisar Ahmed Bhanbhro, Advocate, files power and a statement on behalf of the petitioner in C. P. No. D-1075 of 2022, while comments are filed on behalf of respondent No.2 and respondent No.9 in C. Ps. No. D-1064 and 1072 of 2022, respectively, which are also taken on record.

These petitions have been filed by the petitioners, who are residents of Khairpur, Ghotki and Naushahro Feroze Districts for providing tents, food, medicines, etc. being their basic rights to Internal Displaced Persons ('IDPs'), who are facing hardships due to current monsoon rains and flood as well.

We are mindful of the fact that unusual monsoon rains and flood have caused widespread devastation, resulting in the destruction of property, public health, infrastructure and loss of life, and have affected vulnerable individuals. In the Sindh Province, over 05 million people have displaced from their homes due to substantial damage to their houses, crops, livestock, lack of town planning and emergency management. There is no proper and organized system for providing them tents, food, clean drinking water, health facilities in any Taluka of Sindh Province including Sukkur and Shaheed Benazirabad Divisions. No place or land is reserved for providing shelter to IDPs with basic facilities; resultantly, they are compelled to take refuge under the open sky alongwith road side, canal and river banks in miserable and unhygienic conditions. Though Federal and Provincial Governments claim for making efforts in large scale to cope with the said fatal havoc and providing basic necessities to IDPs, but the ground realities are that the IDPs are crying for basic needs of food, health and shelter.

It is also brought on record that some of the big guns by abusing their official position and political status have acted inhumanly by cutting *sim nalas*, drainage and other water channels, which has increased miseries to vulnerable people and IDPs.

We, therefore, in order to channelize the efforts for betterment of IDPs, deem it appropriate to issue following directions:

- (i) The Commissioners, Sukkur and Shaheed Benazirabad Divisions, shall constitute a 'Citizens Committee' in every Taluka of Sukkur Division and Naushahro Feroze District headed by a Civil Judge, notified by the District Judge concerned and comprising of Medical Superintendent of the Taluka Hospital, Mukhtiarkar, Focal Person of PDMA and President of the Taluka Bar Association. The Citizens Committee shall work under the supervision of concerned District & Sessions Judge.

- (ii) The Deputy Commissioners of Sukkur Division and Naushahro Feroze District shall forthwith establishes per requirement one or more Tent City in their Talukas for scattered IDPs. The Citizens Committee shall look after the affairs of Tent City.
- (iii) The Commissioners, Sukkur and Shaheed Benazirabad Divisions, Deputy Directors PDMA, Sukkur and Shaheed Benazirabad Regions and concerned District Health Officers shall ensure medical facilities to IDPs, including lady Medical Officers and Maternity Staff in Tent City.
- (iv) PDMA shall ensure providing food, clean water, clothes and other basic facilities to IDPs including washrooms in good number and hygienic atmosphere in the Tent City.
- (v) The Deputy Commissioners and SSPs of Sukkur and Shaheed Benazirabad Divisions shall take action against the misappropriation, stealing and selling of IDPs Aid Items.
- (vi) The Commissioners, Sukkur and Shaheed Benazirabad Divisions, Chief Engineer Irrigation, Sukkur Barrage, Sukkur and SSPs of the Districts shall ensure that no illegal cut is made in *sim nalas*, drainage and water channels etc. by the miscreant persons and action against them in accordance with law.

To come up on **7th September 2022 at 11:30 a.m.** Let such compliance report be submitted by the Deputy Commissioners.

Office is directed to communicate this order to District & Sessions Judges, Commissioners, Deputy Directors PDMA and Deputy Commissioners of Sukkur and Shaheed Benazirabad Divisions and Chief Engineer Irrigation, Sukkur Barrage, Sukkur.

Office is directed to place copy of this order in all connected Petitions.

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