

IN THE COURT OF SUBHAN SHER DISTRICT & SESSIONS JUDGE, MARDAN

Vs _____

Serial No of Order or Proceedings	Date of Order or Proceedings	Order of other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
Order.....01	09.02.2017.	<p>The complaint of the petitioners Alisha & Sidra was received on fax from the office of Director Human Right Cell, Supreme Court of Pakistan, Islamabad. Be entered in the relevant register.</p> <p>Both the complainants namely Alisha (Ghafar) Sidra (Zeenshan) appeared in person alongwith Mr. Waseem Khan (Social Mobilizer of Vision Pakistan) and stated their grievances before the Court. Keeping in view the urgency of the matter, SP Operation, Mardan Mr. Abul-Rauf Qaisran was summoned on phone, who put his appearance and after discussing the matter i.e. the grievances of the complainant, they were sent to the office of DPO Mardan for final and proper redressal of grievances of the complainants. After discussing the matter at length, the complainant alongwith above named Social Mobilizer Mr. Waseem Khan and Abdul Salam Muharrir of PS City appeared before this Court. On query, both the complainant as well as the above named social mobilizer showed satisfaction on the decision action taken by the DPO Mardan in his house. In this respect, joint statement of complainants was recorded which is self-explanatory.</p> <p>In view of the statement of the complainants and further satisfaction of above named social mobilizer, the complaint in hand stands disposed of accordingly. However, the complainants will be at liberty to approach</p>

9.2.2017
 Subhan Sher
 District & Sessions Judge
 Mardan



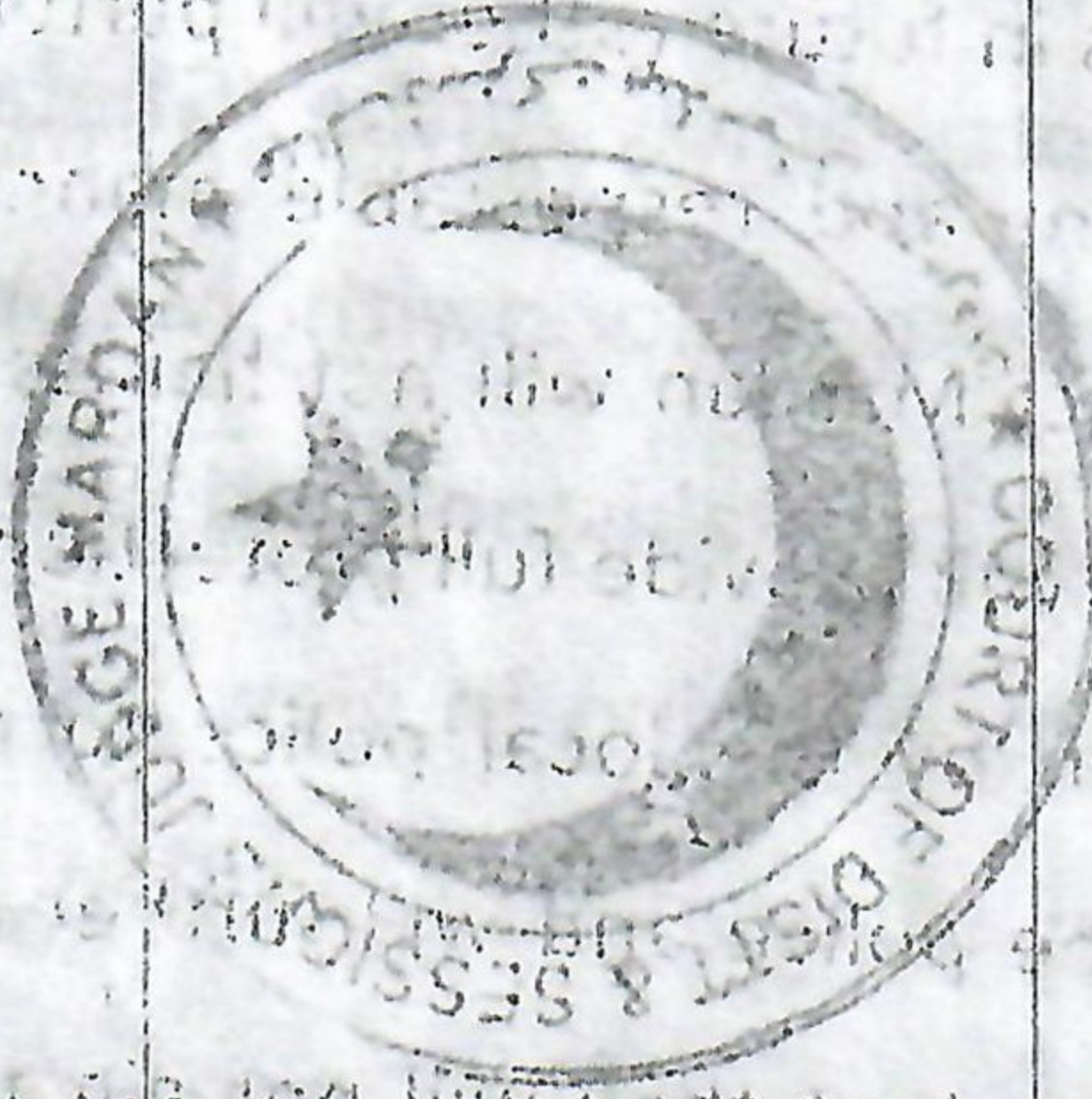
this Court directly in case any excess or violation is made either by the local police or by the landlord/owners of the houses in future.

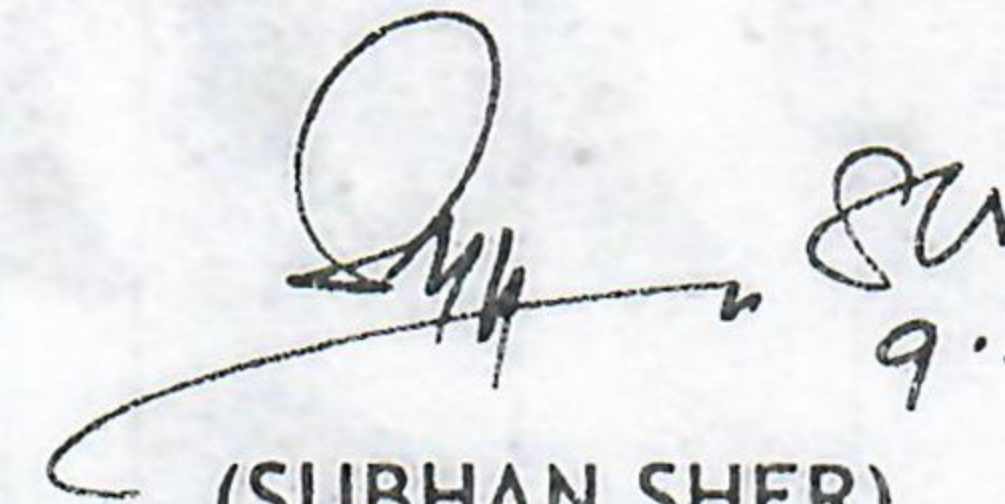
Copy of the joint statement and this order sheet be sent to Director Human Right Cell, Supreme Court of Pakistan, Islamabad, Registrar, Peshawar High Court Peshawar & DPO Mardan for information.

File be consigned to the record room.

ANNOUNCED

09.02.2017




(SUBHAN SHER)
District & Sessions Judge
Mardan.

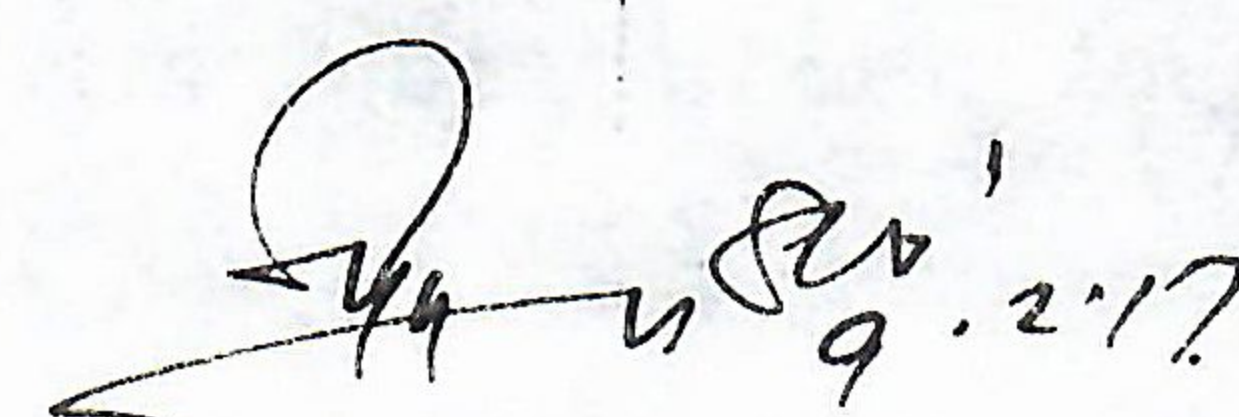
R.O. & A.C.
Date: 09.02.2017



Joint statement of Alisha (Ghafar) and Sidra (Zeeshan) residents of District Mardan on oath.

Stated that in pursuance of our complaint submitted to the Hon'ble Chief Justice of Pakistan and then on the direction of Director Human Right Cell, Supreme Court of Pakistan. Today we appeared before this Court in the company of Mr. Waseem Khan (Social Mobilizer of Vision Pakistan). After hearing us, this Court summons the S.P Operation, who put appearance and then we all went to the office of DPO Mardan, where our entire grievances were discussed. Finally, it was decided that we will not involved in any illegal activities in future rather will perform as per our profession in a decent and respectable manner. Similarly, the local police of District Mardan will not harass or teas us in any manner rather they will provide full protection in future. Similarly, any notice given by the local police to our landlords will be withdrawn by the police and will further ask our landlord/owners of our houses that they will not eject us without due course of law. After given this assurance and guarantee by the local police particularly by the DPO and SP Operation, now we are fully satisfied and for the time being we do not press this complaint any more. However, in future if any violation or excess committed by the police or our landlord of our houses then we will bring the matter in the notice of this Court.

R.O & A.C
Dated: 09.02.2017



(SUBHAN SHER)
District & Sessions Judge,
Mardan.

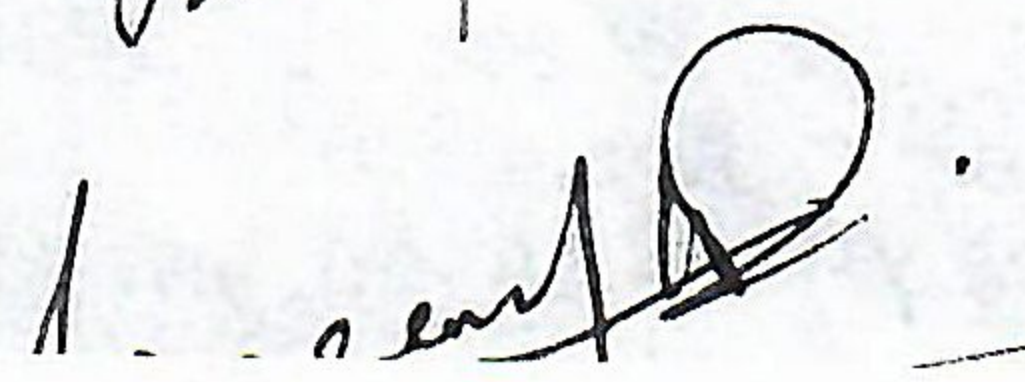



Alisha (Ghafar)

CNIC No. 16[redacted]9

Sidra (Zeensha)



Identified by


THE SUPREME COURT OF PAKISTAN, ISLAMABAD

(Original Jurisdiction)

Regd. A.D.

HRC No. 2162-G/2017

Application by: Tahir Ali Khilji
Vision Pakistan. Flat # 311, Abu Dhabi Towers, F-11,
Islamabad.

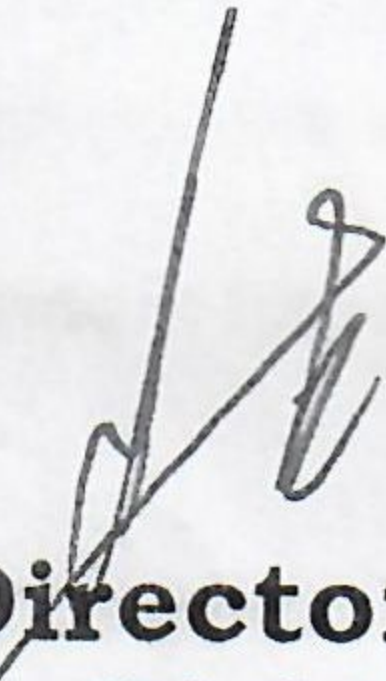
To

1. The District & Sessions Judge,
Mardan.

✓ 2. Tahir Ali Khilji
Vision Pakistan. Flat # 311, Abu Dhabi Towers, F-11,
Islamabad.

In pursuance of order of the Hon'ble Chief Justice of Pakistan, the report received from DPO Mardan not being satisfactory, the victims, if willing, may appear before the learned District & Sessions Judge, Mardan on 09.02.2017 at 9:00 a.m. for recording their statements. While learned District & Sessions Judge, Mardan is required to ensure that statement (s) of victims, if they appear, are recorded by Magistrate concerned and the same be transmitted to this Court, accordingly.

Islamabad: February 09, 2017.


Director
Human Rights Cell
Phone # 051-9220581/319
Fax # 051-9219516

~~Encl. Copy of application~~

To,

The chairman,
National Human Rights commission
Islamabad

Subject: issue of harassment of transgender population in Mardan district

Respected Sir,

This is to state that the transgender population are currently facing a deplorable conditions as they are not being treated as human being by the local police.

The situation that is an absolute human rights violation is stated as below:

On January 20th 5 transgenders : Barbra, Mahajara, Kalajay, Naveeda and Burfi were arrested from their living space (dera) in the early hours of morning. All five were taken to the city police station in Mardan. They were illegally detained for the entire day without any charges.

When some other transgenders discovered that their friends had been picked up by the police they took some of the civil society members along with them and went to the police station, where the civil society members negotiated on behalf of the transgender population and had the police admit that they have illegally detained the transgenders and that the transgenders should be immediately release. The police finally released the transgenders at 10 p.m. in the night. They were kept in the lock up without food and were harassed verbally and physically throughout the day by the police.

Next day the police called the owners of the house where the transgenders had their dera to get the premises vacated or else the owners will be put in the prison.

Upon finding this new development some of the transgenders launched a protest outside the city police station in Mardan.

There onwards, the police has been approaching different deras and intimidating the transgenders to give the names and cell number of the owners of the property that the transgenders are renting.

Finally they have asked all the owners of such spaces to lock the spaces along with their personal belongings of transgender inside and force the transgender to find an alternative space outside the Mardan District and once they have found a space then let them come and collect their stuff belongings.

This is a blatant human rights violation of a citizen's right to protection and life. Therefore it is humbly requested to take immediate notice of this brutality by the police in connivance with other elements who think that the transgenders do not have the right to live in Mardan district.

Thank you,

Respectfully,

Urgent-

CC PI Call report -
DCO to Home Secretary
in 7 days
4/2/2017

F.No. 2(65)/11-Complaint (NHRIK)
Date: 01-02-2017

Khilji

Tahir Ali Khilji

VISION, Pakistan

Flat: 311

Abu Dhabi Towers,

F-11, Islamabad

On behalf of

Alishah, Sidra & Chanda (transgenders from Mardan)

0300 845 7696



NCHR Proceedings

MOST IMMEDIATE

GOVERNMENT OF PAKISTAN
NATIONAL COMMISSION FOR HUMAN RIGHTS

5th Floor, Evacuee Trust Complex, Aga Khan Road, F-5/1, Islamabad

No. 2(65)17-Complaint (NCHR)

Dated: 1st February, 2017.

To

1. THE DISTRICT COORDINATION OFFICER,
DISTRICT MARDAN, KPK.
2. THE DISTRICT POLICE OFFICER,
DISTRICT MARDAN, KPK.

Subject: ISSUE OF HARASSMENT OF TRANSGENDER POPULATION IN
MARDAN DISTRICT.

Dear Sir,

Apropos to the above-cited subject.

2. I'm directed to forward an application/complaint received from transgenders namely, Alishah, Sidra and Chanda, hailing from District Mardan through Mr. Tahir Ali Khilji, VISION PAKISTAN, resident of Flat # 311, Abu Dhabi Towers, F-11, Islamabad, against the unbridled harassment of the transgender community in Mardan, KPK.

3. You are hereby requested to please delve into the matter and kindly furnish a comprehensive report as to the present status of this case to this office on or before 10th February, 2017, for information/necessary action by this Commission under Section 9 and all other relevant provisions of the National Commission for Human Rights Act, 2012, positively.

By orders of the Commission.

Yours Faithfully.

ALI MUJTABA

(Ali Mujtaba)
Legal Counsel
(NCHR)

Copy to:-

1. Secretary, Home and Tribal Affairs Department, KPK, Peshawer, KPK.
2. The Honourable Member (ICT), NCHR.
- ✓ 3. The Honourable Member (Baluchistan), NCHR.
4. P.S to Chairman, NCHR.
- ✓ 5. MR. TAHIR ALI KHILJI, VISION PAKISTAN, F-11, ISLAMABAD



GOVERNMENT OF PAKISTAN
NATIONAL COMMISSION FOR HUMAN RIGHTS
5th Floor, Evacuee Trust Complex, Aga Khan Road, F-5/1, Islamabad

MOST IMMEDIATE
REMINDER

No. 2(65)17-Complaint (NCHR)

Dated: 20 February 2017

To

**THE DISTRICT COORDINATION OFFICER
DISTRICT MARDAN, KPK**

**THE DISTRICT POLICE OFFICER
DISTRICT MARDAN, KPK**

Subject: **ISSUE OF HARASSMENT OF TRANSGENDER POPULATION IN
MARDAN DISTRICT**

Sir,

Please refer to the above-noted subject.

2. It is to inform you that this office has not yet received a comprehensive report regarding the aforementioned matter-in-issue as requested in our letter transmitted to your good self on 01 February 2017.

3. Hence in view of the above, you are hereby reminded to please delve into the matter and kindly furnish a comprehensive report to this office on or before **06 March 2017**, for information/necessary action by this Commission under Section 9 and all other relevant provisions of the National Commission for Human Rights Act 2012, positively.

Mirza Idrees Baig
21/2/2017

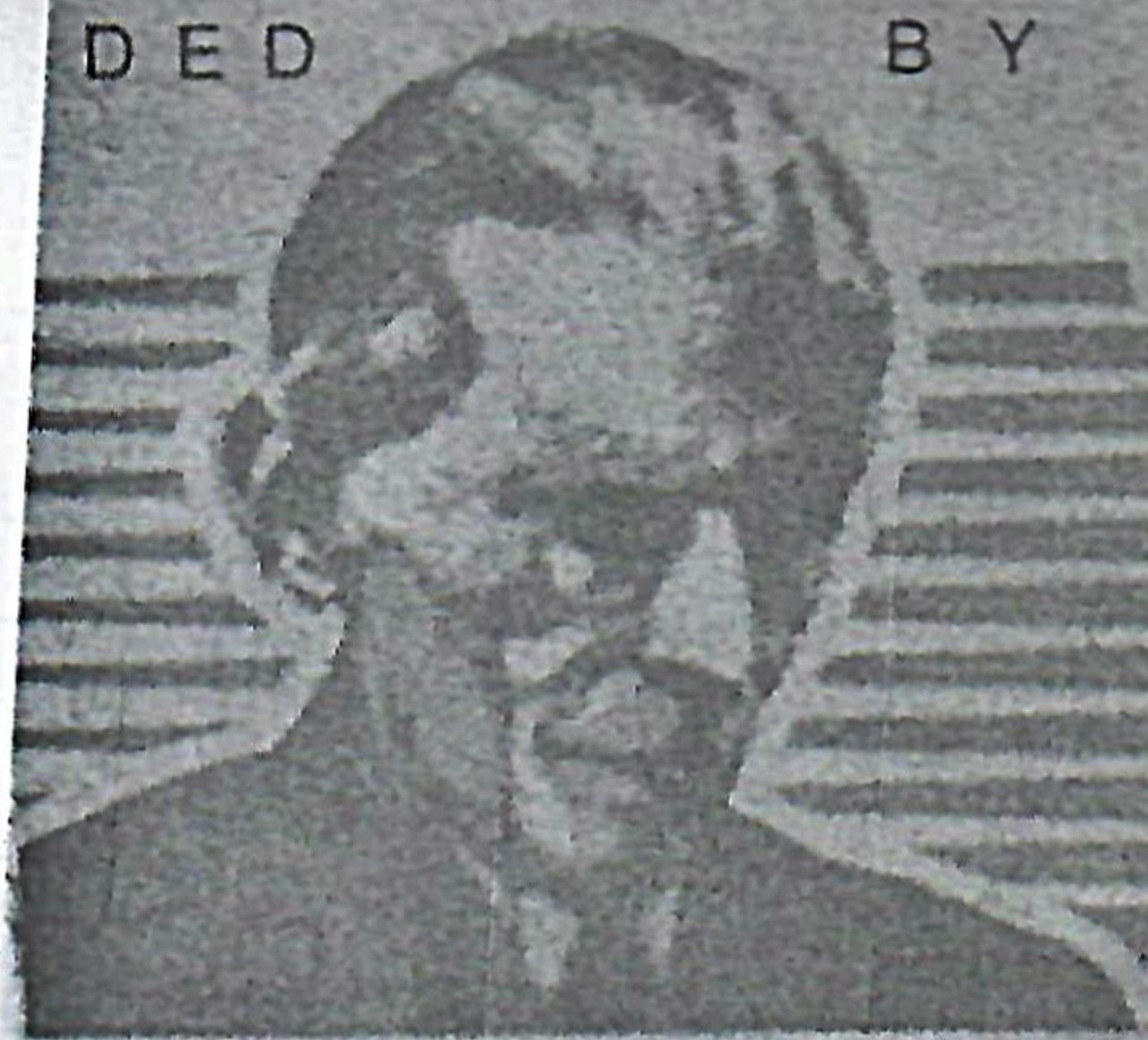
**Mirza Idrees Baig
Senior Consultant (NCHR)
[051-9216833]**

Copy for information to:

- The Secretary, Home and Tribal Affairs Department, KPK, Peshawar;
- The Honourable Member ICT (NCHR);
- PS to Honorable Chairman (NCHR);
- ✓ Mr. Tahir Ali Khilji, VISION Pakistan, Flat No. 311, F-11, Abu Dhabi Towers, Islamabad.

DED

BY QUAID-I-AZAM MOHAMMAD ALI J



DAWN

Friday

February 10, 2017

Jumadi-ul-Awwal 12, 1438

ISLAMABAD

SC assured of protection for transgenders

ISLAMABAD: Chief Justice of Pakistan Mian Saqib Nisar on Thursday disposed of a *suo motu* case after the Mardan police assured the court that transgender people would not be harassed and provided full protection in the district.

The chief justice had taken notice of a complaint that the transgender community was being pressured by the police to leave the Mardan district. The complaint was filed by non-governmental organisation Vision Pakistan, on behalf of transgenders.

It was alleged that landlords were also being pressured to not rent out land or any property to the transgenders. Moreover, police had locked the houses of some transgenders forcing them to move out of Mardan.

The complainant alleged that the police were acting under the pressure of elements who were not ready to treat the transgenders as human beings.

The chief justice directed the district and sessions judge Mardan to take up the matter and inform the apex court about the situation by Feb 9.

The police assured the court that the transgenders would not be harassed or pressured in any manner and provided with full protection. Moreover, any notice issued by the police to the landlords of transgender people would be withdrawn. — A Reporter

جنگ

بانی..... میر خلیل الرحمن

نمبر 41

جمعہ 12 جمادی الاول 1438ھ 10 فروری 2017ء 29 مارچ 2073 ب

جسٹس 59

خواجہ سراؤں کو زبردستی نکالا گیا تو پولیس کیخلاف کارروائی ہوگی، سپریم کورٹ

چیف جسٹس نے پیشینہ کی جانب سے توجہ اور مزید مردان چھوڑنے پر مجبور کر دیا اور نوٹس دیا

درخواست کے حوالہ سے ڈسٹرکٹ اینڈ سیشن جج مردان کی رپورٹ پر از خود نوٹس معاملہ نمٹاتے ہوئے قرار دیا ہے کہ اگر آئندہ پولیس کی جانب سے ایسا کوئی ناپسندیدہ باقی صفحہ 6 نمبر 22

اسلام آباد (جنگ رپورٹر) چیف جسٹس آف پاکستان، مسٹر جسٹس میاں ثاقب نثار نے مردان پولیس کی جانب سے خواجہ سراؤں کو غیر قانونی طور پر ضلع مردان چھوڑ دینے پر مجبور کرنے سے متعلق ایک

22

سپریم کورٹ

اقدام کیا گیا تو اس مقدمہ کو دوبارہ کھول دیا جائے گا۔ سپریم کورٹ کی جانب سے جاری تفصیلات کے مطابق ایک سماجی تنظیم نے چیف جسٹس کے نام درخواست میں بیان کیا تھا کہ مردان پولیس خواجہ سراؤں کے گھروں پر چھاپے مار کر انہیں ضلع مردان چھوڑ دینے پر مجبور کر رہی اور ان کے مکانات کے مالکان کو بھی خواجہ سراؤں کو مکانات کرایہ پر نہ دینے کیلئے مجبور کر رہی ہے، پولیس خواجہ سراؤں کیساتھ یہ سلوک اس طبقے کو خوش کرنے کیلئے کر رہی ہے جو خواجہ سراؤں کو انسان ہی نہیں سمجھتا۔ جس پر فاضل چیف جسٹس نے ڈسٹرکٹ اینڈ سیشن جج مردان کو معاملہ کی انوائری کا حکم دیتے ہوئے فوری طور پر جواب طلب کیا تھا، جنہوں نے ایس پی آپریشن مردان، اور درخواست گزاروں کو طلب کیا، جہاں ایس پی (آپریشن) مردان نے لگہ کر یقین دہانی کروائی کہ پولیس کی جانب سے آئندہ کسی خواجہ سرا کو تنگ نہیں کیا جائے گا اور انہیں مکمل تحفظ فراہم کیا جائے گا، اگر پولیس نے اس حوالہ سے کسی مالک مکان کو کوئی نوٹس جاری کیا ہے تو وہ بھی فوری طور پر واپس لے لیا جائے گا۔ فاضل چیف جسٹس نے ڈسٹرکٹ اینڈ سیشن جج مردان کی رپورٹ پر معاملہ نمٹاتے ہوئے قرار دیا ہے کہ اگر آئندہ ایسا کوئی واقعہ پیش آیا تو اس مقدمہ کو دوبارہ کھول دیا جائے گا۔