

## Scenario 101

### **DR ARSALAN IFTIKHAR CASE-II**

#### **THE PANDORA BOX OPENS:**

The forces which were out to provide a blanket cover to Dr Arsalan Iftikhar's dubious character, his monetary sins and corruption in the name of his CJP father got activated using certain media stalwarts. They tried to thwart the claims of Malik Riaz by blowing the horns that the military establishment and the PPP government were trying to malign the SC and the CJP Chaudhry's independent judicial activism. They excavated out the past rivalries of Malik Riaz and placed them on media pages; another blackmailing tactic in the row.

*[Recall the contents of an earlier paragraph when Admiral Faseeh Bokhari was helped appointed as Chairman NAB by Malik Riaz. PML(N) had raised objection to this name but in very weak tone because Malik Riaz was equally dear to Sharifs. There was a strong inner retaliation within PML(N) that time because Ch Nisar Ali Khan was deadly against Malik Riaz and he knew that Admiral Bokhari was Malik Riaz's choice.]*

**On 13<sup>th</sup> June 2012**, another move cropped up. The lawyers defending Malik Riaz in 62 cases, registered in connection with Bahria Town lands and their development, in the respective local courts were warned by the Bar Associations of Rawalpindi & Attock to dissociate themselves from pleading; subsequently similar resolutions were passed by all Bar Consuls and High Court Bar Associations in Pakistan.

Malik Riaz was the complainant in four civil suits about land disputes pending in the courts of Rawalpindi while he was facing 57 criminal and civil cases regarding land grabbing, land fraud or their appeals or company matters in the Lahore High Court Rawalpindi bench and in the Session's Courts of Rawalpindi. Despite the campaigns against him and his Bahria Towns, Malik Riaz remained the kingpin in the Pakistani politics.

Referring to the daily '**Jang**' of **14<sup>th</sup> June 2012**, Malik Riaz tried to get another extension for Gen Pasha, the then outgoing DG ISI, and used his 'friendly pressure' to convince President Zardari and PM Gilani in his favour but could not succeed because the Army Chief Gen Kayani could not add his weight to his efforts. The later developments proved that Gen Kayani wanted to get rid of his DG ISI on the instructions of his American counterparts and due to maneuvered foul play in memo-gate episode.

During the final days of PPP regime, the people of Pakistan were generally feeling unrest that how 'rule of law' was made a joke as even lawyers were seen insulting judges while the politicians also ridiculed them in the media. The worst display of 'contempt of court' occurred **on 15<sup>th</sup> June 2012** when the Attorney General [AG] Irfan Qadir shouted at the bench presided over by the CJP himself while hearing the case regarding the Speaker's ruling for PM Gilani.

AG Irfan Qadir interrupted the proceedings and started shouting; '**The judges fled from the court after convicting the PM [Mr Gilani]**'. He made rude gestures at the judges who were helpless until other lawyers present in the court out-shouted the AG. The whole event was pointing towards the legal cum judicial anarchy the country was heading to.

#### **'STING OPERATION'**

The above odd behaviour could be viewed in the backdrop of Malik Riaz's press conference of three days before which had targeted the whole apex court and higher judiciary with insulting shouts. Then appeared his outburst against the CJ on **Dunya TV** [referring to the video clip of YouTube dated 13<sup>th</sup> instant] indicating that how media owners and TV anchors joined hands with high class state friends. They were hitting Pakistan's military and judiciary both; two preys with one stone.

One could see the media owners, stalwart anchors, Malik Riaz, Abdul Qadir Gilani and Maryam Nawaz kidding together in one wholesome scenario; PPP government and half of the PML(N) were parties in pushing back the SC due to CJP's son; it was confirmed.

*[Half of PML(N) meant that Nawaz Sharif, his family members and some stooge office bearers were playing hypocrisy by criticizing the PPP government in public but were standing by Zardari and Malik Riaz from inside. His brother Shahbaz Sharif, Ch Nisar Ali Khan, Khwaja Asif and Sa'ad Rafiq were openly taking side of the judiciary. Most live TV shows of 7<sup>th</sup> June to 14<sup>th</sup> June are referred.]*

Malik Riaz repeated his three disclosures: firstly, he spent Rs:342 million on Dr Arsalan Iftikhar; secondly, his accomplices tried to get broken that story by Christina Lamb in the UK during CJP's visit **on 27<sup>th</sup> May 2012**; and **thirdly, it was Interior Minister Rehman Malik who provided photographs and video records of the three visits of Dr Arsalan abroad.**

Christina Lamb refused to go with the 'sting operation', taking it as immoral or might be a crime. Regarding sting operation organizer Rehman Malik – Dunya TV clip is enough to define his person [**Malik Riaz said that Rehman Malik 'swears on his sons' several times every day**]. The lynchpin of the conspiracy, Rehman Malik, was exposed by Malik Riaz himself and in a very amusing way.

The hotly debated controversy surrounding the **leaked footage of an off-camera interaction** between two anchors of '**Dunya TV**' and Malik Riaz was taken up on **15<sup>th</sup> June 2012** by the SC which set up a two-judges committee to look into the possibility of initiating [another] contempt proceeding. A full court meeting presided over by the CJP Chaudhry and attended by all the 16 judges of the apex court took strong exception to the off-air conversation and nominated Justice Jawwad S Khawaja and Justice Khilji Arif Hussain to look into the matter.

Both the judges of the apex court had already been on the bench to look into the financial wrongdoings of Dr Arsalan Iftikhar. **Both the said SC judges were known as 'yes-men' of CJP Iftikhar Chaudhry** as they were always taken as members of Bench no:1 presided by the CJ himself.

Before commencing the closed-door meeting, the full court summoned Acting Chairman of PEMRA Dr Abdul Jabbar and asked him to provide footage and script of the interview which he did. Dr Jabbar told the apex court that on that scandalous program notices were issued to the said TV channel and the two anchors. The judges had observed that:

*'On the face of it, the footage showing conversation behind the scenes smacked of a planned conspiracy to shake public faith & confidence in the administration of justice and undermine the prestige of the court, thereby tending to bring the court & judges into hatred, ridicule or contempt. It further tends to prejudice the determination of pending cases before the Supreme Court.'*

[The honourable judges could feel that all those humiliations were coming up due to Dr Arsalan Iftikhar's corruption in their name. Yet none of the judges had courage to put a dissenting note on record that 'why Dr Arsalan was not being treated at par with Musa Gilani, Moonus Elahi or others' OR at least CJP could have proceeded on leave ....it was an Islamic Republic.]

SC judges meeting had also recalled the court's order of 11<sup>th</sup> June 2012 in which Attorney General Irfan Qadir was asked to arrange security for Dr Arsalan. The Islamabad police was made responsible for necessary protection of Dr Arsalan who had already been allocated a room in the Balochistan House for being more safe and secure. Rehman Malik had confirmed through an unsolicited telephone call to the Registrar SC informing him about the allotment of accommodation there along with adequate security arrangements.

Coming back; President Zardari always respected '**contempt of court**' charges as an acid test of loyalty to the system; starting from Sharjeel Memon and Babar Awan, then PM Gilani, Malik Riaz and finally the AG Irfan Qadir. All were trying to ridicule the Supreme Court by either flouting the verdicts & decisions or through fiery speeches & comments.

In between them Ms Asma Jahangir took chance to disrupt the court proceedings as additional weapon showing contempt of court while representing Husain Haqqani in 'Memo-gate Case'. She was assigned the job of taking away SC's attention from Rehman Malik and focus on the ISI.

In this milieu **Brig (Rtd) Usman Khalid's analysis** deserved appreciation. Days before Malik Riaz's deliberations; Asma Jahangir in a press conference 'leaked' a plot by the ISI to kill her which was basically a threat. She did succeed in creating a perception that the ISI was unhappy at the CJP's dealing and FC's involvement with missing persons in Balochistan.

Two live shows on GEO TV were aired to link Malik Riaz's whole activity with the ISI & Pak-Army portraying it as '**backing of powerful forces**' without which Malik Riaz could not have challenged the CJP directly. Soon the cat was out of the bag when Rehman Malik was named by Malik Riaz himself as mastermind behind the curtain; additionally, RM was known for uttering not even a single word without approval from the Presidency.

### **ONE-MAN SUDDLE COMMISSION:**

The Suddle Commission was formed by the Supreme Court **on 30<sup>th</sup> August 2012** to inquire into Malik Riaz vs Dr Arsalan affairs. The one-man commission was given full judicial powers under the Supreme Court Rules of 1980 and authorised to collect evidences either at local level or internationally, and directed to submit its findings within 30 days.

[The general populace of Pakistan knows that when the government or any institution want to throw an important matter in the dust-bin, a commission or committee is announced; months would lapse and till then the people will forget the issue..... *tain tain....phish*.

Take example of any commission - from of Justice Hamood ur Rehman in 1971 till of Justice Javed Iqbal's Osama bin Laden in 2012]

***'According to the preliminary report, the CJP's son had admitted before the Commission that he had availed two of the three foreign visits sponsored by Malik Riaz's sponsors. Dr Arsalan Iftikhar had also confessed that he had received 'favours' from Malik Riaz, his friend or his son-in-law, but remained silent on that why he was 'favoured'.***

When Dr Shoaib Suddle submitted his Commission's interim report about the alleged Rs:342 million business deals between Dr Arsalan and Malik Riaz, the 2-member bench of the apex court, headed by J Jawwad S Khawaja, **on 7<sup>th</sup> December 2012**, dissolved the Suddle Commission while allowing findings of the report to be made public. Many opined that the purpose of the **Commission was to 'clean the dirty laundry of Dr Arsalan Iftikhar'** as the apex court could have decided the legality of the Commission on Malik Riaz's review petition much earlier.

On the other hand, the report was silent about how Dr Arsalan Iftikhar became a millionaire in no time and entered into telecom contracts worth Rs:945 million. The **Suddle**

**Commission implicated Dr Arsalan and Malik Riaz in massive tax evasion of Rs:51.3 million and Rs:119.4 billion** respectively and recommended imposition of a penalty for concealment of assets in wealth statements filed with income tax returns. [*Malik Riaz's CNN interview of 2010, where he himself told his net worth to be around \$2.5 billion, is referred.*]

The dissolution of the Suddle Commission came as a big surprise on the plea that this was an issue between two individuals. However, the matter boiled down to the amount of money paid to Dr Arsalan. **Malik Riaz said he paid Rs:342 million but provided the evidence of paying Rs:5.58 million only and Dr Arsalan also accepted it.**

It was certainly a fit case of illegal transaction and an offence cognizable by police and Dr Arsalan should have been taken through trial for this; also for the fact that he had maligned the name of the country's top judiciary in this scandalous affair. The Suddle Commission itself could have suggested the criminal proceedings against the two; but perhaps it was not included in its terms of reference [TOR].

An analysis of Suddle Commission [interim] Report, as appeared in **'the News' of 16<sup>th</sup> December 2012**, speaks about its worth:

*'Malik Riaz and Ahmed Khalil had not given statements to the Commission on the basis that the Commission was "inclined in favour of Dr Arsalan Iftikhar" (para 3). Dr Arsalan filed his statement on 19<sup>th</sup> October 2012 saying that one Mr Ahmed Khalil ("a man of considerable means") had "ingratiated" himself with Dr. Arsalan for over a year and a half.*

*In this period, in 2010, when Dr. Arsalan "consulted" Ahmed Khalil about travelling to London, he "voluntarily offered to provide full facility by arranging the stay in London" (how gracious!), and Dr. Arsalan remained under the "impression" that "no formalities" were required for the apartment, the "bill" for which "too nominal" to ask for (para 4).*

*Similarly, Dr. Arsalan informed the Commission that during this trip to London, the young and enterprising Doctor was flown to Monte Carlo and put up in Hotel D' Paris by the same Ahmed Khalil. And while Mr. Khalil may have had nefarious intentions of "ingratiating" the honourable Chief Justice's son, Dr. Arsalan had believed that all this was just being done as a "friendly gesture" (Para 14) to a young man who, just a few years ago, had trouble graduating from college and finding a job.*

*[However] the Commission did not ask Dr Arsalan as to why some villainous people of "considerable means" extended such exorbitant favours to him. Astonishingly; all that expenditure was done through Malik Riaz's son in law.'*

Theoretically, a saint father cannot be punished for the sins & follies of his adult son. Going a little back; the appeal of a restored judiciary [*in the aftermath of 3<sup>rd</sup> November 2007's 'emergency'*] stemmed from its promise of 'independence' - which necessarily entailed the idea of being dauntless and unbiased – an aspiration that justice should remain unadulterated by passion or prejudice but *'to what extent has the restored judiciary been able to live up to its glorious promise'* remained a key question.

For instance: the Supreme Court did not turn its back for taking on 'troublesome' cases such as the NICL scam, Harris Steel corruption and the Hajj scandal etc – wonderful job. Though the exercise of inquisitorial proceedings could not practically harm the political mafias that plagued our nation for over six decades but the judgments succeeded in causing a fear amongst the politicians & the supporting bureaucrats both that they were not beyond the reach of law.

In their next move, the then superior judiciary delivered more than any of its predecessors in trying to rope in the 'khakis', taken them as untouchables. While not fully succeeding, the court's efforts in the missing-persons cases, the killing of a boy by Rangers in Karachi, the Balochistan issue and most vigorously the Asghar Khan case were commendable; especially when the executive and the parliament both exhibited nothing except their impotent characters, shame & sorrow.

But exceptions were there. The Supreme Court of Pakistan, most of the time, praised the media for calling 'important' issues to the court's notice but in the Dr Arsalan Iftikhar judgment, the court took a virtual U-turn in criticizing the media for reporting without due-diligence, and refraining from exercise of any inquisitorial power. This left the apex court open to criticism for defending a 'reckless son' of the Chief Justice whereas the apex court had behaved differently in Moonis Elahi and Musa Gillani's cases; the sons of two known politicians.

Astonishingly, the Registrar of the Supreme Court once asked the Islamabad Police to stop media channels from airing talk-shows that criticize or defame the judiciary; the Islamabad High Court had religiously acted upon those baseless instructions and surprisingly there was no voice of dissent whatsoever.

The end story was that Dr Arsalan vs Malik Riaz case apparently ended 'smoothly' but leaving behind numerous questions about Pakistan's 'honest business culture' glorifying under the tender hands of the top civil and military bureaucracy & the high judiciary; rest is the history now.

{An essay published at **Pakhope.com** on **19<sup>th</sup> June 2012** is hereby referred}

### **HOW THE FOREIGN PRESS VIEWED IT:**

Referring to '**the Economist**' of **6<sup>th</sup> June 2012**:

*'..... Pakistan has been transfixed by a dark tale: that one of the country's richest men was able to bribe the son of the Supreme Court's celebrated chief justice, Iftikhar Chaudhry, in the expectation of getting court cases decided in his favour. Mr Chaudhry is regarded by many as a national hero, for standing against government corruption as well as the unbridled power of the army.*

*The would-be briber, a tycoon named Malik Riaz, made the accusation himself, claiming that he paid bribes of \$3.6m to Arsalan Iftikhar, son of Chaudhry. **On June 14th, the Supreme Court rejected them outright.** The problem with the charges introduced by Mr Riaz, according to the court, was that he admitted that he "did not get any relief whatsoever" from the courts.'*

The Economist had further observed that it might be 'a fair point, on the face of it' but the trouble for the chief justice was that his son, wife and daughters were taking lavish holidays paid for by someone else—by a friend of a friend, on Arsalan Iftikhar's account.

How could CJP Mr Chaudhry fail to ask who was picking up the tab for trips his family made to London and Monte Carlo in 2010 and 2011? For someone in his position, with the moral burden he had taken on, against a government that was woefully corrupt even by Pakistani standards, it was crucial that he must have kept his name clear of any conflicts of interest. Even with the court's vindication, his public image was badly tarnished.

According to the Economist, Malik Riaz lavished holidays worth \$163,000 on Dr Arsalan. He

kept the receipts for hotels, car rents and other expenses to prove it. The largesse included a stay at the luxury Hotel De Paris in Monte Carlo, and stay at a posh apartment on Park Lane London, while a Range Rover was hired to ferry the family around London in style.

Dr Arsalan said he paid back his generous friend an amount of \$47,000 but for how much true means. For the rest of the \$3.6m, allegedly given to Dr Arsalan in cash, Malik Riaz claimed that he got video footage to prove the cash payments.

More importantly; that how could Dr Arsalan \$47,000 in his accounts – its sources and transactions and taxes paid etc – if Dr was to be believed.

**The Economist**, however, concluded that for CJP Chaudhry's supporters, entire sordid episode was a conspiracy backed by Mr Zardari or the army or both, to bring down the meddling judge. They saw CJP Chaudhry as '*all that stands between Pakistan and a state of complete anarchy*'.

The PTI Chief Imran Khan had then issued a cogent statement saying that the sequence of events indicated the target of the entire conspiracy and that was supreme judiciary. He said that:

*"Since the CJ himself was incorruptible, those wanting to weaken him chose to target his son. Riaz Malik paid for vacations and shopping sprees of Dr Arsalan Iftikhar. Why did he do this? [How] that all the receipts of the transactions and reportedly some video clips were carefully retained.*

*Arsalan Iftikhar also has much to explain, and that if evidence establishes that he accepted favours by making promises of influencing his father, then he must bear the consequences."*

**[Astonishingly; hundreds of TV scripts and videos of Imran Khan's public speeches and statements displayed after general elections of May 2013 termed CJP Iftikhar Chaudhry as the 'MOST CORRUPT JUDGE' of Pakistan. Mr Khan's speeches went so intense in disturbing the retired CJP's life that he had to file a defamation suit for Rs:25 billion in the court against Imran Khan. Till the publication of these pages, the suit was still pending hearing.]**

CJP Chaudhry was no more there on the SC's seat to influence the Arsalan vs Malik Riaz case after 12<sup>th</sup> December 2013, but the general populace were expecting that the said case should be re-opened to dig our certain hidden facts; especially that:

- When the SC itself had nominated one-man Suddle Commission then why Dr Shoab Suddle's interim report was not released for public information.
- Why Suddle Commission was suddenly ended on 7<sup>th</sup> December 2012 and was not allowed to complete its report even.
- When the interim report had declared that both Dr Arsalan and Malik Riaz were guilty of concealing their wealth and NOT paying tax on the moneys they owned – why the SC kept silent on that part at least.
- What was the logic of that *suo-motu* initiated in June 2012 by the alleged accused's father CJP?
- The matter was shelved by the SC declaring it '**two men's private affair**'. Why that whole drama for six months to befool the nation if it was not to be taken to its logical conclusion.

Even a student of law could arrive at that conclusion within first or second day's proceedings for which the two SC judges took months and ultimately became a laughing stock for the whole world.

### **ANCHORS OF 'DUNYA' TV ALLEGED:**

**On 13<sup>th</sup> June 2012**, a candid video [26 minutes] of what running on behind the scenes during a 'planted show'; one of the mega media scandals in Pakistan's history, was seen on **Dunya TV** in which anchors Mubashir Lucman and Miss Meher Bokhari talking to Malik Riaz during their live talk show. It surfaced on social media pages under the title:

- Video leak: Lucman, Bokhari run 'planted show' with Malik Riaz
- Leaked TV Show Video Leave Questions on Pakistan's Media Credibility
- On News channel; anchors for sale?

The footage showed conversations between M Lucman, Miss Bokhari and Malik Riaz focused on the kind of questions they would be asking. Both anchors were also instructed against interrupting Malik Riaz during the interview. Malik Riaz narrated that he had **a 'PLAN' to twist the SC and the CJP** after a month but the CJ got air of the issue much earlier and the plan failed when he immediately announced for the *suo moto* action.

Miss Bokhari was heard saying **'a question is planted towards the end of the video.... Say what you want... what question we should ask. .... as though it is planted... it is, but it shouldn't appear it is.'**

The video started with general conversation followed by Malik Riaz questioning the anchors on **'why they are not asking why he is part of deals'**.

M Lucman was once seen on the phone asking if the interview was going fine and defending himself by saying **'Riaz is being given a chance**. Who is he speaking to? **Abdul Qadir Gilani'**, he said.

The anchor told **'A Qadir Gilani MPA and the eldest son of the former PM Yousaf Raza Gilani'** that he wanted to clear his name from taking money and he wanted to talk about Hamid Mir's allegations, but Malik Riaz was not allowing him to take his name. Malik Riaz then asked 'MPA Gilani' to pray for him.

In between Lucman's smoke break, Meher Bokhari turned to Malik Riaz to discuss what she would ask next. A brief discussion and a **"khul kay poochain** [ask openly]", Meher said that they would discuss journalists at the end of the show, so as to 'clear her name' at least.

Lucman told Malik Riaz: **'today I'll ask you to give me [a gift] in front of everyone. Give me a villa like you gave Hamid Mir'**. **"No, no,"** was Malik Riaz's response once again, followed by a **'why not'** from Lucman.

Yet another break later, both anchors and Malik Riaz were once again seen talking about what the next discussion would be. Malik Riaz mentioned that he wanted them to ask why he was in every deal, and was told by Meher Bokhari that she was not interested in asking that question.

Malik Riaz was choosing topics of his choice, focusing on the Chief Justice as well. He was also visibly upset during one part of the video, where he said that most of his questions were left and the work was not properly done. Again smoke breaks; thumbs up from both the anchors; a high five [sign of victory] and more questions settled.

Little arguments between the two anchors were regularly seen during the video, mostly on order of asking questions and the time each anchor was taking to win Malik Riaz. Lucman also told Malik Riaz that he would ask a '**conspiracy theory**' question that he once wanted to become the prime minister. Lucman and Malik Riaz settled that they would not discuss that question before 10PM, as this would make people wait for it - otherwise they won't come back to the show.

During informal conversation, Miss Meher Bokhari invited Malik Riaz to dine with her. In reply Malik Riaz stated his liking on which M Lucman suggested Meher Bokhari to get barbecue.

The second part of the video had strict instructions coming in for both Lucman and Meher Bokhari that Malik Riaz should not to be interrupted; both anchors gave their assurance not to do so.....also settled that they should not be pressurized for a break and would go over time if needed.

***[Meher Bokhari also delivered a message then received on her mobile phone during program from Maryam Nawaz, the only daughter of PML(N) Chief Nawaz Sharif, that 'Malik Riaz should say on air that a car was offered to her but she had declined it with thanks'.]***

In the second part both anchors were seen exchanging hot words over camera time. Meher Bokhari called Lucman childish who then took his mike off and left the scene. Malik Riaz went desperate when Lucman walked off and shouted him to come back, saying it would be unfair for him. Angry Lucman returned to tell Malik Riaz that he would say live on air that he was pressurized into doing the show. Malik Riaz at last urged both anchors and said that the program would be spoilt and that his life was at stake.

There was a cogent question in media circles after the said press conference concluded that why Malik Riaz didn't file the FIR or went to the appropriate court for this case earlier as he had some of the top lawyers in hand including Aitzaz Ahsan? Why the whole higher judiciary was placed on target whereas the issue was only with the CJP's son and not with the CJP's person even.

The actual game had already commenced when PM Gilani openly came out with media briefs that his son Musa Gilani was being dragged in **Ephedrine Case** as a conspiracy against him; and Malik Riaz, trying to prove his loyalty to the PPP government, had started calling certain anchors to show material against Dr Arsalan amidst passing comments against the CJP.

In the backdrop of the above events, the known media guru **Shaheen Sehbai** on **16<sup>th</sup> June 2012**, placed his article on media pages with the title **Who will Bell the Bad Fat Cats**]; a few lines here:

*'..... Every one in the present morally, intellectually and financially depleted Pakistan -- the print media and its well-entrenched "gurus" among the foremost --- is shouting from the roof top for accountability of every one else. .... In the lopsided Pakistani context, financial accountability of journalists, columnists, newspaper owners, publishers and editors also needs to be promptly and urgently undertaken [by the] State investigative apparatus.'*

Shaheen Sehbai pointed out that almost all opinion writing, analysis and interpretation work had been taken over by "lateral entrants" --- people who had no journalistic training and who never went through the professional grinding. The said "lateral entrants" were mostly comprised of spent cartridges from defence forces, disgruntled politicians, retired bureaucrats and opportunists having no reporting or editing skills.

In Sehbai's opinion Pakistan's so-called free press could be labelled as '**a beggar's market where cheap and shoddy journalism is sold to the highest bidder --- whether**



**political or military.** Cases of open and blatant government cash handouts to favourite journalists, newspapers, and news agencies were no secret in Islamabad and Lahore. A deceased news agency owner, a small time reporter not long ago, was awarded two costly plots of land in Lahore to set up his news agency by the first Nawaz Sharif administration.

Once in Washington DC, Mr Sehbai had seen Gen K M Arif with the then opposition leader Nawaz Sharif, US columnist Mansoor Ijaz and Editor Najam Sethi speaking together at a conference on nuclear proliferation in South Asia. Off the session, Sehbai asked the General [in presence of US Assistant Secretary Robin Raphael and the then Pakistani ambassador Maleeha Lodhi]:

*"Have you, General, ever thought of apologising to the people of Pakistan for the years and years of rape of democracy and institutions that you committed in collusion with military dictator Gen Ziaul Haq, virtually as his No 2."*

Gen K M Arif whisked away with his cup of coffee and distorted face instead of coming up with an answer.

*[Later Gen K M Arif was known as the most outspoken authority on democracy in Pakistan's media and named as a member of the think tank on foreign affairs by Gen Musharraf.]*

#### **SC's COMMISSION ON MEDIA:**

**On 20<sup>th</sup> June 2012**, two journalists, Hamid Mir and Absar Alam, knocked at the doors of the Supreme Court demanding constitution of a National Media Commission to hold the journalists and media - owners accountable and to formulate a code of conduct. They urged that the proposed commission should also look into the secret fund distributions [known in Pakistan as '**Lafafa Culture**'] to buy or malign journalists; also that journalists and media house - owners should also submit their asset declarations, statements of income and wealth tax returns each year like politicians and civil servants.

In fact, the petitioners were referring to a well-known hushed up scam of **misusing government funds amounting Rs:640 million** by the Government of Punjab concerning M/S Midas (Pvt) Ltd, inquiry of which was put on the back burner because the same was allegedly influenced by owners of media houses. The said scam was also placed before the CJP by the Transparency International Pakistan.

With about six months uproar in media, a 2-member Supreme Court bench ultimately appointed [On **15<sup>th</sup> January 2013**] a '**Media Commission**' with Justice (r) Nasir Aslam Zahid as its head to formulate a code of conduct for the media. Javed Jabbar was unanimously agreed upon to constitute the other member of the said Commission. The Sindh High Court was asked to depute a Judicial Officer to act as Secretary of the Commission.

The two members Media Commission finalized its recommendations in two parts; the first part was placed before the Supreme Court **on 21<sup>st</sup> March 2013** and on **31<sup>st</sup> May 2013** its Part-II was presented whereas during **2<sup>nd</sup> week of July 2013**, the report appeared in public. Amongst many findings, the most pinching observation was regarding lack of financial transparency in most of the media concerns. The report said that:

*'Non-transparency in financial aspects of media, e.g. advertising rates charged, grants or support received from overseas sources, fees and salaries paid to staff, assets and income of media owners etc.'*

*'Channels which come to Pakistan under landing right license should not be allowed to compete with local channels by dubbing programs in Urdu language. **The said***

**license was granted to Musa Gillani, son of former PM Yusuf Raza Gillani and Faryal Talpur, sister of President Zardari.**

[Page 230 of Media Commission Report Part-II is referred]

**THE ENDING LINES:**

The CJP Iftikhar M Chaudhary's son, Arsalan Iftikhar was extended 'royal protocol' at the Allama Iqbal International Airport **on 3rd July 2013** when he arrived there by flight PK-615. The protocol was reserved for the most esteemed public personalities; not extended to parliamentarians and ministers even. A special vehicle was detailed to pick him up as soon as he stepped on the airport right from the stairs descending from the plane – but under what provisions.

Sarah Khan assesses the said perks in her **essay dated 6<sup>th</sup> September 2013 on internet media** saying that it is a well-known fact that whoever is in power in Pakistan, abuses its position for personal gains. May it be the political class which gets the bad name while during the past eight years, the judiciary under CJP Iftikhar M Chaudhry remained another holy cow that could not be touched. CJP Chaudhry left no stone unturned to gobble up power and benefits for himself and his family – even till to day he is enjoying the same protocol and staff cars in the name of security.

Simply go through lines if the zigzag puzzle is solved. Nawaz Sharif, on assuming office of the PM, brought major changes in the aviation sector in general and PIA in particular to stabilize the company – eventually to privatize it. Immediately after, one Shujaat Azeem was appointed as his Advisor on Aviation in June 2013. Sweeping changes were made to the Board of PIA. Unfortunately, CJP Chaudhry hounded him for being dual citizen of Canada and also that he had been court martialled while serving in Pakistan Air Force. [*Shujaat Azeem was forced to resign then but still he is in the same saddles.*]

Background facts were that Dr Arsalan Iftikhar with the then Acting Chairman of PIA, Syed Ali Gardezi, had manoeuvred the removal of Shujaat Azeem to send a message to the PM to leave the PIA alone.

Reportedly, PIA was then wet leasing various planes in which about **\$2 million per month were being netted as a kickback by Dr Arsalan and Gardezi in an unwritten joint venture**. A deal for buying of 5 planes was also on cards in which PIA was going to purchase 2005 model planes at \$47 million each - quite an inflated figure. One could get 2013 models of the same planes at \$60 million each. It was an expected earning of \$23-25 million per plane by the parties involved.

In fact, Dr Arsalan was forcing the deal to be completed and money to be transferred before **11<sup>th</sup> December 2013**, a day before his father finally to be retired. Earlier, a Board proposed by PM Nawaz Sharif comprising of heavy weights like Mian Mansha, Arif Habib, Aslam Khaliq etc was not allowed to be formally constituted.

The PM Nawaz Sharif tolerated this high handedness of CJP Chaudhry to save the humiliation of hearings on the payments made to power companies to the tune of Rs:510 billion; paid out in one go; the CJP could have demanded the money be returned by the power companies as they had not gone in losses at all. In essence, CJP Chaudhry twisted the situation for the gains of his abled son.

After all, the judiciary in Pakistan was being trumpeted as independent.