

SUPREME COURT OF PAKISTAN BUILDING
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PRESS RELEASE

**SUPREME COURT OF PAKISTAN HEARS HUMAN RIGHTS CASE REGARDING ALARMING HIGH
POPULATION GROWTH RATE IN THE COUNTRY.**

A three members bench headed by the Hon'ble Mr. Justice Mian Saqib Nisar, Chief Justice of Pakistan and comprising other two Hon'ble Judges Mr. Justice Umar Ata Bandial and Mr. Justice Ijaz Ul Ahsan heard the Human Rights Case No. 17599/2018 regarding alarming high population growth rate in the country. The case was heard on 29th August, 2018 in the Chamber of Hon'ble Chief Justice of Pakistan. Mr. Arbab Muhammad Arif, Registrar, Supreme Court of Pakistan, Mr. Khawaja Daud Ahmad, Additional Registrar, Supreme Court of Pakistan and Dr. Muhammad Raheem Awan, Secretary, Law and Justice Commission of Pakistan were also present.

The Hon'ble Chief Justice of Pakistan stated that the high population growth rate is the biggest problem faced by the country and infact has become a national issue and is a direct threat to the development and economic growth of the country, therefore, it is a matter of strategic importance and fundamental rights and the Supreme Court of Pakistan under Article 184 (3) of the Constitution of Pakistan has authority to intervene in matters of public interest and strategic importance. The HCJP further stated that such kind of matter is one of the continuous mandamus which require regular oversight of the Supreme Court of Pakistan.

The Hon'ble Chief Justice of Pakistan further reiterated that judiciary is not going to involve in the matters of other organs of the State whereas in matters pertaining to national importance, the Supreme Court will exercise its role. The Hon'ble Chief Justice of Pakistan suggested that the Law and Justice Commission of Pakistan is mandated to prepare such kind of policies and sending the same to the Government for implementation. He further stated that as of today, the Law and Justice Commission of Pakistan (LJCP) on the directions of the Supreme Court of Pakistan has played its effective role in preparation of many reports and reforms i.e. Aviation Reforms, Police Reforms, Education Reforms, Reform to Curve the Menace of Illegal Human Organs Transplant, enforcement of the fundamental rights protection of Transgender in Pakistan.

Mr. Justice Umar Ata Bandial urged that in the specific social milieu scenario of Pakistan, in order to address the menace of high population rate it is necessary that a policy be adopted which would sensitize the people to prefer the population planning techniques. Besides, Lady Health Visitors may be given an active role after proper training and Basic Health Units may be provided all the medical facilities related to the population planning. He said that infrastructure is available for implementation, however, there are issues related to oversight mechanism for effective implementation. He also suggested that while proposing names for the Committee some expert members may also be coopted so that an effective population policy may be chalked out.

Mr. Justice Ijaz Ul Ahsan added that the problem of high population growth is a bigger problem than other problems such as scarcity of water and construction of dams and requires to be addressed on most expeditious basis.

Mrs. Shahnaz Wazir Ali, Technical Coordinator appreciated the initiatives of the Supreme Court of Pakistan on such a big issue and said that this area has been ignored due to negligent behaviour for several decades which has left negative impact on social services sector. She suggested that existing Task Forces and Committees at Provincial level may be made functional and continuous supervision mechanism for implementation proposals by the Committee under the Supreme Court of Pakistan be devised.

Mr. Fawad Hassan Fawad appreciated the role of the Superior Judiciary in playing its effective role in Public Interest Matters. While referring the initiatives for construction of dams in Pakistan he said that at the moment Pakistan is a water scarce country and had the Supreme Court of Pakistan not taken the initiatives for the construction of dams, Pakistan would be a water stressed country in 2025. He said that the initiatives of the Supreme Court of Pakistan for implementation of article 25 (a) of the Constitution of Pakistan to provide free education to the children aged upto 16 years is another revolutionary action of Supreme Court of Pakistan which is infact an ignored area where 22 million children are out of school. He suggested that on one hand Pakistan is a water deficient country and millions of children are out of school whereas on the other hand population growth is very high which is a double edge sword for the economy and prosperity of Pakistan, therefore, actions taken by the Supreme Court of Pakistan are of top importance.

His Lordship directed Dr. Muhammad Raheem Awan, Secretary, LJCP to provide secretarial support and to play its role to prepare/ devise policy to curve the menace of high population growth of Pakistan.

At the end, the HCJP directed Capt. (R) Zahid Saeed, Secretary Ministry of National Health Services Regulations and Coordination to propose the names for the Committee and suggest Terms of Reference (ToRs) for working of the Committee by 2nd September, 2018 and directed the office to reaffix the matter on 4th September, 2018.

Dr. Muhammad Raheem Awan
Secretary