

19. FEDERAL SHARIAT COURT [FSC]

The Federal Shariat Court [FSC] of Pakistan is a constitutional court established in 1980 *that reviews and determines whether national laws comply with the injunctions of Islam*. Based in Islamabad, it has the power to strike down laws found repugnant to the Quran and Sunnah.

THE FSC's main FUNCTIONS are the same as of the COUNCIL OF ISLAMIC IDEOLOGY [CII]. IT IS MERELY A DUPLICATE ORGANISATION HAVING THE SAME ACADEMIC JURISDICTION BUT WITH DIFFERENT WAY OF WORKING.

The FSC comprises up to 8 Muslim judges, including the Chief Justice, appointed by the President of Pakistan. ***At least 3 judges must be Ulema (scholars) well-versed in Islamic law***; they generally serve a 3-year term. The FSC operates bench registries in Lahore, Karachi, Peshawar, and Quetta. The **FUNCTIONS** are:

- Examines and reviews any law or provision of law on its own motion or through a petition to test its alignment with Islamic principles.
- ***In Appellate Jurisdiction, it hears appeals arising from specific criminal laws, particularly decisions related to the Hudood Ordinances.***

- Its decisions are binding on the High Courts and subordinate judicial tiers.
- ***Appeals against the judgments of the Federal Shariat Court go to the Shariat Appellate Bench of the Supreme Court of Pakistan.***
- No court fees are charged for filing petitions or appeals, and **Free Legal Aid** is provided for jail-filed appeals.

UNDER the NEW CHARTER:

- NO FUNDS OR BUDGET will be allocated to the FSC to save the poor nation's kitty because it's of NO PRACTICAL BENEFIT FOR the GENERAL POPULACE OF PAKISTAN WHATSOEVER.
- The salaries, perks, security apparatus & personnel, vehicles and protocol arrangements of the CJ, ITS JUDGES AND THE STAFF OF THE FSC WILL BE STOPPED / WITHDRAWN with immediate effect – to save the EXPENDITURE and NATIONAL FINANCES.
- **The FSC was ESTABLISHED ON 26th May 1980, through President Gen Zia's Order No. 1 of 1980, which inserted Chapter 3-A (Articles 203A to 203J) into Part VII of the Constitution of Pakistan, 1973.**
- NOW, as another [CONSTITUTIONAL] SUPREME COURT has been established in Pakistan on 13th November 2025, THROUGH 27TH AMENDMENT, the FSC will be of NO PRACTICAL VALUE for the STATE & the people.

- The FSC's role is of PURELY **ADVISORY NATURE** [*to see if some law is NOT made or passed against injunctions of Islam*]. **THUS, in 46 years (after 1980), one SHOULD PEN DOWN the details of WHAT THE FSC HAS CONTRIBUTED TOWARDS THE ADVANCEMENT OF PEOPLES' LIFE OR THE RELIGION.**

[NEARLY] ZERO PERFORMANCE OF FSC:

Since its inception in 1980, **Like CII, the FSC has ONLY decided the following FIVE GENERAL questions:**

- **Abolition of Riba (Interest) (1991 & 2022):** The FSC issued a ruling on 14th November 1991, declaring various financial and fiscal laws involving **interest (riba)** repugnant to Islam.
- **After decades of legal reviews and remands, the court re-issued a comprehensive, definitive verdict on 28th April, 2022, directing the govts to transform the country into an interest-free economy.**
 - [BUT, nothing CHANGED in Pakistan NOR any step taken by the governments for the said verdict – IN FACT, **THE 'INTEREST FREE BANKING'**, AS VIABLE OPTION, IS ALREADY AVAILABLE IN THE COUNTRY'S BANKS SINCE TWO DECADES.]
- **On 25TH October 2021**, the FSC ruled the tribal **custom of Swara or Vani** - where young girls or women

are given away in marriage or servitude as compensation to settle blood feuds or criminal disputes - being completely un-Islamic and illegal.

- **On 19th March 2025;** the FSC court struck down another local regressive tribal custom called **Chaddar / Parchi** that sought **to deprive women of their rightful inheritance** under local pretexts, ordering strict criminal action against violators.
 - BUT THE ABOVE TWO CUSTOMS ARE STILL PRACTISED IN THOSE TRIBES AS BEFORE.
 - [*The **eradication of such customs is possible ONLY THROUGH EDUCATION** not via court decisions – who will implement such decisions in TRIBES & TRIBAL AREAS.*]
- **On 19th May 2023;** the FSC reviewed parts of **Transgender Rights Act 2018** (Protection of Rights), ruling that certain provisions allowing individuals to change their gender identity purely based on self-perceived identity without medical or biological verification were contrary to Islamic injunctions.
- In **May 2026**, the FSC formalized a major judgment declaring attempted suicide punishable under penal statutes as a cry for psychological help rather than treating it merely as a criminal offense, aligning state handling with compassionate Islamic principles –
 - [*but...the said provision IS ALREADY EXISTING IN LAW BOOKS OF INDIA & PAKISTAN SINCE 1860.*]

- **Bridge-Building:** Being an Advisory Court with Constitutional backing, it TOTALLY FAILED to *lessen sectarian friction* offering a unified platform for traditional scholars to SORT OUT THEIR DIFFERENCES ON TABLE.
 - **Limitations:** Because FSC's judgements are of purely ISLAMIC COURT's advisory notes, its real impact *could NEVER GET the political acceptance of Parliament for change in public life.*
 - **Massive Legislative Reluctance:** The majority of the FSC's decisions made over the decades NEVER convinced the High & Supreme Courts because the same were ONLY ACADEMIC.
 - Historically, the *FSC's establishment was the brain-child of Gen Zia with Shallow Islamic State's slogans* – he NEVER meant it seriously. The subsequent governments continued NURTURING this fruitless tree since 46 years with the fear of being labelled as UN-ISLAMIC.
- Following the passage of the Protection of Women Act in 2006, the offense of *fornication / adultery* was largely transferred back to regular Session Courts under the PPC (1860) provisions. Consequently, new Hudood appeals entering the FSC dropped by more than 90%, thus, leaving the FSC nearly jobless.

THUS, the RATIONALE & JUSTIFICATION behind this HEAVY & FUTILE SPENDING ON

**THE GOVT-EXCHEQUER IS LOST / NO
MORE VALID.**

**IN FACT, THERE IS NOTHING BENEFICIAL FOR
THE GENERAL PEOPLE IN THE FSC EXCEPT THAT**
it provides direct and practical **advantage of zero
court fees on any petition or appeal and** free legal
representation **for jail-filed appeals.**

**The successive governments have been making
FOOL of the poor Pakistani populace by DRUM-
BEATING AND ASKING THEM to challenge laws
deemed contrary to Islamic principles.**

**The fact remains that IN PAKISTAN THERE IS NO
LAW WHICH IS REPUGNANT TO THE ISLAMIC IN-
JUNCTIONS – THERE WAS NEVER ANY SUCH LAW
– AND THERE WILL NEVER BE ANY.**

***Exact cumulative data tracking the total number
of petitions filed, decided, and un-appealed in the
Federal Shariat Court (FSC) since 1980 is not
published as consolidated public statistics.***

See the FSC's spending details here:

BUDGETS & ALLOWANCES OF FSC:

The Federal Shariat Court of Pakistan has been allocated **Rs 1.13 billion** in the federal budget for 2026-27, up from Rs 1.05 billion in 2025-26. ***Judges and staff receive specialized financial allocations, allowances, and superior service perks*** mapped closely to the highest judiciary standards.

Other Perks and Privileges, under Chapter 3A of the Constitution, the remuneration and privileges of the FSC judges depend on their background – and include:

- **Chief Justice Status:** If the Chief Justice is not a sitting Supreme Court judge, they are entitled to the same remuneration, allowances, and privileges as a Judge of the Supreme Court of Pakistan.
- **Puisne Judges Status:** Judges who are not from a High Court bench draw equivalent terms matching High Court / Supreme Court parameters.
- **Allowances & Housing:** Superior judicial allowances, substantial house rent allowances (***upgraded significantly across the superior judiciary to roughly Rs 350,000 monthly***), medical allowances, and free or subsidized utilities apply.
- **Transport & Travel:** Official transport monetization or designated official vehicle arrangements with designated monthly petrol quotas.