

[TO BE INTRODUCED IN THE SENATE]

A

BILL

to provide for the establishment of a Federal Commission on Population and Development to ensure coordination, research, and national policy harmonization on population stabilization, reproductive health, and sustainable socio-economic development in the Islamic Republic of Pakistan

WHEREAS it is expedient to secure the fundamental right to life, dignity, and health by promoting population stabilization, reproductive health rights, maternal and child welfare, and balanced demographic growth;

AND WHEREAS Pakistan was amongst the 84 members who adopted the Proclamation of Tehran by consensus on 13.05.1968. The Proclamation affirmed, for the first time in a global agreement, the basic right of parents "to determine freely and responsibly the number and the spacing of their children";

AND WHEREAS the Supreme Court of Pakistan, in Human Rights Case No. 17599 of 2018, has recognized population management as a constitutional and human-rights imperative linked with the enjoyment of fundamental rights;

AND WHEREAS the Federation is competent under entries 6 and 7 of the Federal Legislative List Part-II, in the Fourth Schedule, to coordinate national research, policy harmonization, and standards in matters related to economic and social development, including family welfare, reproductive health, and population planning.

It is hereby enacted as follows:—

1. Short title, extent and commencement. - (1) This Act may be called the National Population Coordination and Reproductive Health Act, 2026.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

CHAPTER I - PRELIMINARY

2. Definitions.— In this Act, unless there is anything repugnant in the subject or context,—

(a) **"Commission"** means the Federal Commission on Population and Development constituted under Section 4;

- (b) **"Council"** means the Council of Common Interests;
- (c) **"Population planning"** means policy and programmatic measures designed to regulate population growth consistent with socio-economic development and human rights;
- (d) **"Prescribed"** means prescribed by rules made under this Act;
- (e) **"Provincial authority"** means any population welfare, health, or reproductive-health authority established under Provincial law; and
- (f) **"Reproductive health"** means the state of physical, mental, and social well-being in all matters relating to the reproductive system.

CHAPTER II - ESTABLISHMENT OF THE COMMISSION

3. Establishment of the Commission.- The Federal Government shall establish a body corporate to be known as the Federal Commission on Population and Development with perpetual succession and a common seal, capable of suing and being sued in its own name.

4. Composition of the Commission.- (1) The Commission shall consist of—

- (a) Minister In-charge of Planning, Development and Special Initiatives Chairperson (ex officio);
- (b) Ministers-in-charge of National Health Services Regulations and Coordination, Finance, and Religious Affairs Members (ex officio);
- (c) Four Provincial Ministers-in-charge of Population Welfare Departments Members;
- (d) Two Members of the National Assembly (one woman) nominated by the Speaker Members;
- (e) Two Senators (one woman) nominated by the Chairman Senate Members;
- (f) Executive Director, National Institute of Population Studies Member (ex officio);
- (g) Two eminent experts in public health, demography, or social policy Members;
- (h) The Secretary of the Planning, Development and Special Initiatives Division Secretary to the Commission

(2) The Chairperson may co-opt any additional persons for specific meetings or technical purposes.

CHAPTER III - FUNCTIONS AND POWERS

5. Functions of the Commission.- The Commission shall—

- (a) Develop a National Population and Reproductive Health Framework to harmonize provincial policies;
- (b) Conduct demographic research, projections, and establish population databases;
- (c) Coordinate with provinces through the Council of Common Interests under Article 154;
- (d) Recommend legal and policy reforms to ensure gender equality and reproductive rights;
- (e) Promote education, awareness, and community engagement through media and religious forums;
- (f) Standardize indicators for maternal, neonatal, and child health monitoring;
- (g) Advice on funding allocations and performance-based grants for population stabilization; and
- (h) Submit annual progress reports to Parliament and the Council of Common Interests.

6. Powers of the Commission.- The Commission shall have powers to—

- (a) Obtain information, statistics, or research data from any Federal or Provincial agency;
- (b) Frame national standards and recommend uniform service guidelines;
- (c) Enter into partnerships with academic, international, or development organizations;
- (d) Establish specialized committees or cells for technical, financial, or social research; and
- (e) Make regulations to carry out the purposes of this Act.

CHAPTER IV - FINANCE AND ADMINISTRATION

7. Fund of the Commission.- (1) There shall be established a fund to be known as the Population and Reproductive Health Fund consisting of—

- (a) Federal Government grants;
- (b) Voluntary contributions, endowments, or donations;

(c) Funds from international or multilateral agencies sanctioned by the Federal Government.

(2) The Fund shall be utilized for research, capacity-building, awareness programs, and grants-in-aid to provinces.

8. Accounts and audit.- The accounts of the Commission shall be maintained and audited by the Auditor-General of Pakistan.

CHAPTER V - COORDINATION WITH PROVINCIAL GOVERNMENTS

9. Inter-Governmental co-ordination mechanism.- (1) The Commission shall function under the overall policy guidance of the Council of Common Interests.

(2) Provincial population welfare departments shall designate liaison officers to ensure policy alignment.

(3) A Federal-Provincial Coordination Forum shall meet at least twice a year under the Chairperson.

10. Relationship with provincial authorities.- Nothing in this Act shall derogate from provincial competence in implementing population welfare programs, reproductive health services, or family-planning operations.

CHAPTER VI - TRANSPARENCY, ACCOUNTABILITY, AND REGULATIONS

11. Transparency and reporting.- (1) The Commission shall publish annual reports on—

- (a) Demographic trends and reproductive health indicators;
- (b) Utilization of funds; and
- (c) Impact assessments of national programs.

(2) Reports shall be laid before both Houses of Parliament and uploaded on the official website.

12. Rule-making power.- The Federal Government may, in consultation with the Commission, make rules for carrying out the purposes of this Act.

CHAPTER VII - MISCELLANEOUS

13. Protection of action taken in good faith.- No suit, prosecution, or other legal proceeding shall lie against the Commission or its officers for any act done in good faith under this Act.

14. Power to remove difficulties.- The Federal Government may, within two years of the commencement of this Act, by notification, remove any difficulty in giving effect to the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

Pakistan is confronted with one of the highest population growth rates in the region, which poses grave challenges to sustainable development, resource management, and the well-being of its citizens. The persistence of rapid population increase strains national capacities in health, education, food security, employment, and environmental sustainability. The Supreme Court of Pakistan, in Human Rights Case No.17599 of 2018, acknowledged population control as a pressing national concern integrally linked with the fundamental right to life under Article 9 of the Constitution, directing the State to adopt a unified, rights-based population policy through coordinated institutional arrangements.

This Bill seeks to fulfil that constitutional and judicial mandate by establishing the Federal Commission on Population and Development (FCPD) as a statutory coordinating forum for demographic governance across the Federation and Provinces.

The underlying purpose of the FCPD Bill is to create a permanent institutional mechanism for harmonizing population stabilization strategies within Pakistan's cooperative federal system as restructured by the eighteenth Constitutional Amendment. In line with Articles 146, 148(3), 153 and 154 of the Constitution, the Commission will function under the constitutional umbrella of the Council of Common Interests (CCI), ensuring that national population policies are evolved and implemented through mutual consultation and provincial participation rather than central direction. The proposed Commission will coordinate inter-provincial data systems, demographic standards, and monitoring frameworks, enabling consistent policy responses to population dynamics while preserving the operational independence of provincial population welfare departments.

Drawing upon the precedents of the National Commission for Human Development Ordinance, 2002 and the National Commission on the Status of Women Ordinance, 2000, the Bill maintains the proven model of an autonomous, corporate-status federal body working in close collaboration with provincial and local institutions. Just as those commissions advanced human development and gender equality objectives without undermining provincial prerogatives, the FCPD seeks to achieve population stabilization through coordinated planning, technical guidance, and evidence-driven policymaking anchored in constitutional propriety. This formulation ensures legitimacy under Articles 142 and 143, safeguarding the

division of legislative competence while enabling uniform national initiatives in the inter-provincial interest.

The social rationale of the Bill lies in advancing human dignity, economic stability, and gender justice. High fertility and unmet family planning needs perpetuate poverty and gender inequality, affecting women's health and educational outcomes. The *Azka Wahid vs Province of Punjab* (2024 LHC 1392) decision reinforces the State's obligation to reform social legislation in conformity with equality clauses under Articles 25 and 35, a principle that supports modernization of population governance through this legislative initiative. Accordingly, the FCPD Bill integrates population planning with the broader human-rights agenda while adhering to Pakistan's international commitments to the Sustainable Development Goals (SDGs). Institutionally, the Commission will:

- (a) Develop a National Population Policy Framework in consultation with all Provinces;
- (b) Compile and coordinate national demographic data and research for evidence-based planning;
- (c) Promote public awareness on family health and reproductive rights consistent with Islamic values; and
- (d) Report annually to the Council of Common Interests and Parliament, ensuring transparency and accountability. Operational activity within provincial domains will remain subject to provincial consent, in conformity with the cooperative spirit of Article 148(3).

By legislating the Federal Commission on Population and Development, Pakistan seeks to establish a constitutional, federally coordinated, and provincially executed structure that transforms population management into a shared national responsibility. The Bill thus provides an enduring legal framework through which demographic stability, socio-economic progress, and the protection of fundamental rights can be achieved under the guidance of the Council of Common Interests and within the limits of the 18th Amendment.

2. The bill has been designed to archive the aforementioned purpose.

SENATOR SAMINA MUMTAZ ZEHRI
MEMBER-IN-CHARGE