
CJP expresses dissatisfaction with Faizabad inquiry commission report

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The Supreme Court resumed on Monday the hearing of review petitions filed against the court's 2019 Faizabad sit-in judgement with the chief justice expressing his dissatisfaction with the report submitted by the inquiry commission. A three-member bench, headed by Chief Justice of Pakistan Qazi Faez Isa and comprising Justice Irfan Saadat Khan and Justice Naeem Akhtar Awan, resumed the hearing which was also broadcast on the Supreme Court's YouTube channel. During today's proceedings, CJP Isa asked the attorney general whether he had reviewed the report submitted by the Election Commission of Pakistan (ECP). The AGP replied in the negative. Subsequently, the chief justice directed the AGP to examine the ECP report and called for a break in the hearing. Upon resuming, Justice Isa expressed his dismay regarding the contents of the report. The attorney general said in his statement, Gen (retd) Faiz Hameed had informed the commission that it was not

the responsibility of Inter-Services Intelligence (ISI) to investigate financial support of terrorists. Justice Isa queried, “If not theirs, then whose responsibility is it?” He also expressed scepticism about the quality of the report and questioned the absence of other commission members. During the scrutiny of the report, Justice Isa highlighted contradictory statements. One paragraph disclaimed ISI’s responsibility, while another stated the absence of evidence linking Tehreek-e-Labbaik Pakistan (TLP) to financial assistance. Justice Isa urged the AGP to contemplate the immense loss incurred by the nation due to the Faizabad sit-in, condemning the violent methods employed. Justice Isa, in his 2019 Faizabad Dharna judgment, had written that the Constitution emphatically prohibited members of the armed forces from engaging in any kind of political activity, which included supporting a political party, faction or individual. “The government of Pakistan through the ministry of defence and the respective chiefs of the army, the navy and the air force are directed to initiate action against the personnel under their command who are found to have violated their oath,” read the 43-page verdict authored by incumbent CJP Isa. CJ Isa in his Faizabad Dharna judgment had held that no one, including any government, department or intelligence agency, could curtail the fundamental right of freedom of speech, expression and press beyond the parameters mentioned in Article 19 of the Constitution. He ruled that those who resorted to such tactics under the mistaken belief that they served some higher goal deluded

themselves. “Pakistan is governed by the Constitution...Obedience to the Constitution and the law is the inviolable obligation of every citizen wherever he may be and of every other person for the time being in Pakistan,” he wrote in his verdict.