

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. D-481 of 2026

Date	Order with signature of Judge
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FRESH CASE.

- 1. For orders on Misc. No.4939/2026.
- 2. For orders on Office Objection No.1 & 2.
- 3. For orders on Misc. No.4940/2026.
- 4. For hearing of main case.

27.02.2026.

Mr. Farhatullah Yaseen, Advocate for the Petitioner
alongwith Mr. Amjad Ali Shar, Advocate.

- 1. Urgent application is allowed.
- 2-4. The Petitioner has invoked the jurisdiction of this Court under Article 199 of the Constitution, essentially seeking that the scope of the Prohibition of Smoking and Protection of Non-Smokers Health Ordinance 2002, be extended to electronic nicotine delivery systems (including e-cigarettes, heated tobacco products, and devices), with Paragraphs 11 and 19 of the Memo of Petition stating as follows:

“11. That Pakistan presently has no legislation, that is expressly regulating or prohibiting the manufacture, sale, advertisement, promotion, sponsorship, import, or use of electronic cigarettes and vaping products. As a result, these devices are openly sold in markets, shopping malls, online platforms, and dedicated vape shops without age restrictions, licensing requirements, advertising limitations, product-safety regulations, or ingredient disclosures Revenue from e-cigarettes in Pakistan is projected to reach USD 77.2 million in 2024, reflecting sustained market expansion. Multiple Pakistani studies demonstrate that vaping has become alarmingly common among adolescents, with usage rising nearly ten-fold between 2011 and 2018, and a recent study reporting 49.1% use among college-aged teenagers (16-19 years).”

“19. That similarly forty-six (46) countries that have completely banned the sale and distribution of e-cigarettes, including: India, Iran, Iraq, Kuwait, Qatar, Oman, UAE-aligned Gulf states, Saudi-influenced jurisdictions, Malaysia, Maldives, Thailand, Singapore, Sri Lanka, Turkey, Egypt, Jordan, Lebanon, Mexico, Brazil, Argentina, Norway, Uruguay, Chile, Colombia, Vietnam, Kazakhstan, Ethiopia, Uganda, and numerous Pacific states. These bans reflect an overwhelming global consensus driven by youth addiction rates, toxic aerosols, carcinogenic chemicals, and aggressive marketing targeting minors. Despite this international trend including direct neighbors and regional comparators. Pakistan maintains no explicit legal prohibition, no age-limit, no licensing regime, and no advertising restrictions, leaving children and adolescents exposed to an unregulated addictive product. In the face of global and regional precedent, this regulatory vacuum is arbitrary, unreasonable, and inconsistent with the State’s constitutional duties to protect life, health and dignity.”

The Petition is found to be misconceived, as it is the prerogative and function of the legislature to make laws, including bringing about such amendment of the aforementioned statute as may be deemed desirable from a societal/health standpoint, with no judicial intervention being warranted in the matter. As such, the Petition stands dismissed accordingly.

JUDGE

JUDGE