

HIGH COURT OF SINDH CIRCUIT COURT, MIRPURKHAS

C.P No.D-742 of 2024

[Daulat Khan and Others vs. Federation of Pakistan and Others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE RIAZAT ALI SAHAR

Rao Faisal Ali, advocate for petitioner(s)

Mr. Sabir Hussain Assistant Attorney General

Mr. Muhammad Sharif Solangi a/w ADC-II Mirpurkhas (Faisal Ali Soomro), D.C Mirpurkhas (Rasheed Masood)

Date of hearing & decision: 19.11.2025

ADNAN-UL-KARIM MEMON J.- The petitioners have sought direction to the respondents to immediately unblock their CNICs and further blocking of CNICs violates the law and the constitutional rights of the petitioners.

2. The petitioners are claiming to be Pakistani citizens who have been residing in District Mirpurkhas since the time of their forefathers and have been earning their livelihood locally; that upon reaching the age of maturity, the Petitioners after completing all the required formalities applied for Computerized National Identity Cards (CNICs), which were duly issued; that the petitioners have never been involved in any dispute concerning their identity or citizenship, inspite of that Respondent No.3 without any valid reason, blocked the CNICs of the petitioners in *mala fide* manner. Furthermore, no show-cause notice was issued to the petitioners under Section 23 of the NADRA Ordinance, 2000, before taking this action. The blocking of their CNICs has caused serious prejudice, including rendering the petitioners legally nonexistent despite being alive, depriving them of their identity, and preventing them from applying for jobs, operating bank accounts, or conducting lawful business activities. The CNICs of family members of Petitioners were held legal and after their demise, relevant death certificates and B-Forms were issued to the petitioners, which is sufficient to establish their legal status. NADRA, under the Ordinance 2000 has no authority to block CNICs without following due process. This unlawful blockage also contravenes the judgment of Honorable Court passed in the case of *Hafiz Hamdullah Saboor v. Government of Pakistan* [PLD 2021 Islamabad 305]. As a result, the petitioners have been rendered effectively stateless, losing their fundamental rights to identity, freedom of movement, and legal protection as enshrined under Articles 4, 9, 14, 15, and 25 of the Constitution. The action of blocking their CNICs was carried out without notice or opportunity of

hearing, thereby violating Section 18 of the NADRA Ordinance, 2000, as well as Section 24-A of the General Clauses Act.

3. Mr. Habib-ur-Rahman, A.D. (Legal) representing NADRA, filed preliminary objections on behalf of the respondents, stating that the petitioners had failed to submit the requisite documents as required under Rule-4 of the SOPs at serial numbers (i) to (vii). In response, learned counsel for the petitioners submitted that all necessary documents had been provided to the NADRA and contended that compliance with NADRA's SOPs falls within the administrative domain of the authority. As regard petitioner No.1, counsel for NADRA stated that the CNIC of petitioner No.1, Daulat Khan, had been blocked and the matter referred to the Intelligence Bureau (IB) for verification of the national status of petitioner No.1 and his family. The Deputy Director (Litigation) of the Intelligence Bureau appeared in person and filed a written response, stating that the petitioner's case had not been received through the Online National Identification System (NIS) from NADRA Headquarters, Islamabad, for verification of national status; therefore, a comprehensive report regarding the petitioner's national status could not be provided.

4. Upon being confronted, learned counsel representing NADRA submitted that, since the petitioners' grievance pertained to their citizenship status, they were directed on 18.06.2025 to approach the District Level Committee (DLC). The Petitioner in compliance of directions approached the DLC and a meeting of DLC was held on 21.10.2025. During meeting, Assistant Director, NADRA, stated that as per Letter No. DC/(MPS)/JB Br./460 dated 11.09.2025, the family members of Shabran Khan, claimed to be the siblings of Abdul Rehman, were initially summoned on 23.09.2025. However, the meeting could not take place due to strike by the Sindh Employees Alliance/Union. A final opportunity was provided via letter No. DC/(MPS)/JB Br./489 dated 10.10.2025, requesting the concerned individuals to appear before the Committee on 21.10.2025. Upon which (1) Mst. Rozi D/O Shabran Khan (2) Mst. Bano D/O Shabran Khan (3) Mst. Nomia D/O Shabran Khan (4) Mst. Gul Juma D/O Shabran Khan (5) Mst. Sailo D/O Shabran Khan (6) Muhammad Aslam S/O Shabran Khan (7) Mr. Ashraf S/O Shabran Khan & (8) Mr. Shalam S/O Shabran Khan.

5. That out of the above, only three individuals (1) Mst. Bano (2) Muhammad Aslam and (3) Mr. Doulat Khan (son of Abdul Rehman) appeared. They verbally claimed Abdul Rehman as their brother but failed to provide documentary proof, such as a Family Registration Certificate (FRC) or Manual CNIC, as required under NADRA guidelines. The committee found these statements unsatisfactory and

insufficient to establish credible familial relationship. Intelligence representatives (IB and ISI) informed the committee that Muhammad Aslam had previously submitted an affidavit disowning any familial relationship with Abdul Rehman, alleging that Abdul Rehman had used forged documents to unlawfully include himself in Shabran Khan's family. This affidavit was later withdrawn after eight months, raising further doubts regarding the authenticity of the claims. A telephonic verification conducted during meeting with Mr. Ashraf, claimed as Abdul Rehman's brother, confirmed that Abdul Rehman was not his brother. Muhammad Aslam's statements were inconsistent, at times identifying Shabran Khan as his uncle, which contradicted his prior affidavit. Findings from a secret spot inquiry by law enforcement agencies also cast additional doubt on the legitimacy of Abdul Rehman's claims. After detailed deliberations, the committee concluded that Abdul Rehman's claim of inclusion in Shabran Khan's family tree appeared suspicious based on NADRA records. Multiple inconsistencies and contradictions in statements and documentation necessitate further verification by law enforcement agencies. Consequently, the committee was not satisfied with Abdul Rehman's nationality claim, and his CNICs shall remain blocked until the verification process is complete. The committee recommended that NADRA proceed in accordance with its rules and policies.

6. Based on the evidence presented, inconsistencies in statements, lack of documentary proof and procedural observations, the petitioners' nationality claims remain unverified. The competent authority of NADRA is directed to take the final decision after completing all verification procedures. The aforementioned exercise shall be undertaken within three months.

7. This petition stands disposed of in the above terms.

JUDGE

JUDGE