JUDGMENT SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

WRIT PETITION NO. 5253 OF 2025

Rahma

Vs.

NADRA through its Chairman, Islamabad, etc.

Petitioner by	:	Mr. Muhammad Ibrahim Khan, Advocate.
Respondent by	:	Ms. Azra Batool Kazmi, AAG. Ms. Kiran Zarif, Law Officer, NADRA.
Date of hearing	:	12.03.2026.

Muhammad Asif, J: - Through the instant constitutional petition instituted under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973 (the "**Constitution**"), the Petitioner, Mst. Rahma, calls into question the legality and propriety of decision dated 07.10.2025, rendered by the Respondent, National Database and Registration Authority ("NADRA"), whereby her Computerized National Identity Card (CNIC) bearing No. 42000-0903874-2 was blocked and her request for renewal declined. The Petitioner seeks a declaration that the impugned decision is unlawful, without lawful authority, and of no legal effect, being violative of due process, coupled with a direction to the Respondent to process and issue a valid CNIC in accordance with law.

2. The factual matrix, as set forth in the petition, reveals that the Petitioner was issued CNIC No. 42000-0903874-2 by NADRA and claims to be the daughter of late Muhammad Kabir and late Mst. Fatima Khatoon, both asserted to have been long-standing residents of Karachi. It is the Petitioner's case that her father possessed a domicile certificate evidencing his birth and residence in Karachi,

thereby establishing the family's roots within the territorial jurisdiction of Pakistan. The Petitioner was married to one Abdullah Selamat Khan on 08.05.2002, and it is not disputed that her husband and their seven children are holders of valid CNICs as well as Machine Readable Passports (MRPs).

3. The controversy appears to have originated from a report dated 12.07.2016, prepared by the Monitoring & Evaluation Department of NADRA, wherein the Petitioner was described as "Bangla-speaking" and suspected to be of Bengali/Burmese origin, while her father, Muhammad Kabir, was reported as "untraceable." On the basis of the said report, a show-cause notice was issued under Section 18 of the NADRA Ordinance, 2000. In response thereto, the Petitioner appeared before the Regional Verification Board, Karachi, on 15.02.2023, and, according to her, furnished all relevant documents to substantiate her claim of Pakistani nationality, including CNICs of her deceased parents along with corroborative material. Subsequently, the Regional Head Office of NADRA, Islamabad, vide decision dated 07.10.2025, rejected the Petitioner's claim. The impugned decision records that the Petitioner is "Bangla-speaking" and was required to produce documentary evidence demonstrating her or her family's presence in Pakistan prior to 16 December 1971, which, according to the Respondent, she failed to produce. The decision further refers to a report of the Intelligence Bureau (IB), which, by the Respondent's own acknowledgment, could not ascertain the Petitioner's national status. Consequently, the Petitioner's CNIC was blocked. Aggrieved thereof, the Petitioner has invoked the constitutional jurisdiction of this Court.

4. Learned counsel for the Petitioner contends that the impugned action of the Respondent in refusing issuance and renewal of CNIC to a person who prima facie holds citizenship documents constitutes a direct infringement of fundamental rights guaranteed under the Constitution, particularly Articles 4, 9, 10-A, 14, 15, 18, and 25. It is argued that the Petitioner's lineage, supported by her father's

domicile, CNIC, and long-standing residence in Karachi, unequivocally establishes her status as a citizen of Pakistan by descent under Section 5 of the Pakistan Citizenship Act, 1951. It is further contended that the requirement of producing documentary evidence prior to 16 December 1971 is applicable only to persons claiming migration from Bangladesh under Section 16-A of the said Act and is wholly inapplicable to the Petitioner's case. The findings of the Respondent are thus asserted to be perverse, discriminatory, and contrary to its own record. Learned counsel also highlights the inconsistency in the Respondent's stance, inasmuch as CNICs and passports have been issued to the Petitioner's husband and seven children, yet the same recognition is denied to her, in violation of the doctrine of equality and consistency. It is emphasized that the issuance of token dated 05.04.2023 constitutes an official acknowledgment by the Respondent of the Petitioner's application for renewal, which cannot subsequently be negated on the basis of a vague vigilance report of 2016. It is lastly argued that the blocking of the CNIC without proper notice violates Section 18 of the NADRA Ordinance, 2000, and that the proceedings before the Verification Board were tainted by misapplication of law.

5. Conversely, learned Law Officer for NADRA has opposed the petition. At the outset, it is contended that the petition is not maintainable due to the availability of an alternate remedy, namely, approaching the Federal Government under Section 16-A of the Pakistan Citizenship Act, 1951 for issuance of a citizenship certificate. It is further argued that the Petitioner has not approached this Court with clean hands and had allegedly obtained a NICOP by misrepresenting herself as a Pakistani national, despite being reported as an alien Bengali national in the Monitoring & Evaluation report dated 12.07.2016. On merits, it is submitted that a show-cause notice under Section 18 of the NADRA Ordinance, 2000, was duly served upon the Petitioner, and she was afforded an opportunity of hearing before the Regional Verification Board, Karachi, on 15.02.2023. During the proceedings, the Petitioner produced copies of her parents' MNICs; however, no record was

found in respect of her father's MNIC, while the RG-III record pertaining to her mother's MNIC was found to relate to another individual. It is further submitted that the Petitioner herself furnished an affidavit admitting that she possessed no documentary evidence prior to 16 December 1971. In terms of the applicable policy, such documents are mandatory. In absence thereof, coupled with the inability of the Intelligence Bureau to verify her national status, the Regional Verification Board, Islamabad, vide unanimous decision dated 07.10.2025, rejected her claim. It is thus prayed that the petition be dismissed.

6. I have heard the learned counsel for the Petitioner and the learned Law Officer for NADRA at considerable length and have carefully examined the record, including the documents appended with the petition as well as the parawise comments filed on behalf of the Respondent.

7. Before adverting to the merits of the controversy, it is apposite to first address the preliminary objection raised by the learned Law Officer regarding the maintainability of the present petition on account of the availability of an alternate remedy. It is contended that the Petitioner ought to have approached the Federal Government under Section 16-A of the Pakistan Citizenship Act, 1951, for issuance of a citizenship certificate.

8. It is a well-settled principle of constitutional jurisprudence that the jurisdiction conferred upon the High Court under Article 199 of the Constitution is discretionary in nature and equitable in its exercise. The rule requiring exhaustion of alternate remedies is not a rigid or inflexible doctrine; rather, it is a rule of prudence and self-restraint, and not a bar to jurisdiction. The Superior Courts have consistently held that where the impugned action of an administrative authority is patently without lawful authority, arbitrary, mala fide, or violative of fundamental rights, the constitutional jurisdiction of the High Court may be invoked notwithstanding the availability of an alternate remedy. In this regard, the august principles laid down by the Lahore High Court in

Umar Ahmad Ghumman v. Government of Pakistan and others (PLD 2002 Lahore 521) are instructive. The relevant extract is reproduced hereinbelow for ease of reference:

> *"Under Article 199 of the Constitution, the High Court while enforcing the fundamental rights can declare a law to be void if it is inconsistent with the fundamental rights guaranteed by the Constitution. The powers of High Court for enforcement of Fundamental Rights guaranteed under the Constitution are wide and in terms of Article 199 of the Constitution it can pass any order which would be appropriate in the facts and circumstances of a case. The expression 'as may be appropriate for the enforcement of any of the fundamental rights' appearing in Article 199(1)(c) in the Constitution confers upon the Constitutional Court a discretion to provide relief under the law to a citizen which may be necessary."*

9. In the present case, the Petitioner does not seek a declaration of citizenship de novo. Rather, her case rests on the assertion that she is a citizen by descent whose CNIC had already been issued by the Respondent authority and was subsequently blocked without adherence to due process of law. The gravamen of her grievance is not the initial determination of citizenship, but the arbitrary deprivation of an existing and recognized civil status. The remedy contemplated under Section 16-A of the Pakistan Citizenship Act, 1951, is primarily intended for individuals whose citizenship status is indeterminate or who seek a fresh adjudication thereof. The Petitioner's case stands on a materially different footing, inasmuch as she seeks restoration of a right that has been withdrawn in an arbitrary and legally unsustainable manner. Relegating the Petitioner to approach the Federal Government under the said provision would not only be misconceived but would also result in unnecessary prolongation of hardship. Furthermore, the conduct of the Respondent itself lends credence to the Petitioner's grievance.

The issuance of CNICs and passports to the Petitioner's husband and seven children, the acceptance of her renewal application along with the prescribed fee vide Token No. 505492413616, and the subsequent rejection of her claim on vague and inconclusive grounds, cumulatively demonstrate an element of arbitrariness which attracts the constitutional jurisdiction of this Court. In such circumstances, it would neither be just nor proper to deny relief on the technical ground of alternate remedy.

10. For the foregoing reasons, the preliminary objection regarding maintainability is hereby overruled. The instant petition is held to be maintainable and is accordingly taken up for adjudication on merits.

11. For the proper adjudication of the controversy in hand, it is expedient to reproduce the relevant provisions of the Pakistan Citizenship Act, 1951 (hereinafter referred to as the "Act, 1951"):

> *"4. Citizenship by birth. Every person born in Pakistan after the commencement of this Act shall be a citizen of Pakistan by birth: Provided that a person shall not be such a citizen by virtue of this section if at the time of his birth (a) his father possesses such immunity from suit and legal process as is accorded to an envoy of an external sovereign power accredited in Pakistan and is not a citizen of Pakistan; or (b) his father is an enemy alien and the birth occurs in a place then under occupation by the enemy."*
>
> *"5. Citizenship by descent. Subject to the provisions of section 3 a person born after the commencement of this Act shall be a citizen of Pakistan by descent if his parent is a citizen of Pakistan at the time of his birth: Provided that if the parent of such person is a citizen of Pakistan by descent only, that person shall not be a citizen of Pakistan by virtue of this section unless (a) that person's birth having occurred in a country outside Pakistan the*

birth is registered at a Pakistan Consulate or Mission in that country, or where there is no Pakistan Consulate or Mission in that country at the prescribed Consulate or Mission or at a Pakistan Consulate or Mission in the country nearest to that country; or (b) that person's parent is, at the time of the birth, in the service of any Government in Pakistan."

"14. Dual citizenship or nationality not permitted. (1) Subject to the provisions of this section if any person is a citizen of Pakistan under the provisions of this Act, and is at the same time a citizen or national of any other country, he shall, unless he makes a declaration according to the laws of that other country renouncing his status as citizen or national thereof, cease to be a citizen of Pakistan.

(1A) Nothing in sub-section (1) applies to a person who has not attained twenty-one years of his age.

(2) Nothing in sub-section (1) shall apply to any person who is a subject of an acceding State so far as concerns his being a subject of that State.

(3) Nothing in sub-section (1) shall apply, or shall be deemed ever to have applied at any stage, to a person who, being or having at any time been, a citizen of Pakistan, is also the citizen of the United Kingdom and Colonies or of such other country as the Federal Government may, by notification in the official Gazette, specify in this behalf.

(4) Nothing in sub-section (1) shall apply to a female citizen of Pakistan who is married to a person who is not a citizen of Pakistan."

"14A. Renunciation of citizenship. (1) If any citizen of Pakistan residing outside Pakistan, who is not a minor and

(a) is also a citizen or national of another country, or

(b) has been given by the competent authority of another country any valid document assuring him of the grant of the citizenship or nationality of that other country upon renouncing his citizenship of Pakistan, makes in the prescribed manner a declaration renouncing his citizenship of Pakistan, the declaration shall be registered by the prescribed authority; and upon such registration that person shall cease to be a citizen of Pakistan:

Provided that, if any such declaration is made during any war in which Pakistan may be engaged, registration thereof shall be withheld until the Federal Government otherwise directs."

"16. Deprivation of citizenship. (1) A citizen of Pakistan shall cease to be a citizen of Pakistan if he is deprived of that citizenship by an order under the next following sub-sections.

(6) Before making an order under this section the Federal Government shall give the person against whom it is proposed to make the order notice in writing informing him of the grounds on which it is proposed to make the order and calling upon him to show cause why it should not be made.

(7) If it is proposed to make the order on any of the grounds specified in sub-sections (2) and (3) of this section and the person against whom it is proposed to make the order applies in the prescribed manner for an inquiry, the Federal Government shall, and in any other

case may, refer the case to a committee of inquiry consisting of a chairman, being a person possessing judicial experience, appointed by the Federal Government and of such other members appointed by the Federal Government as it thinks proper."

"16A. Certain persons to lose and others to retain citizenship. (1) All persons who, at any time before the sixteenth day of December, 1971, were citizens of Pakistan domiciled in the territories which before the said day constituted the Province of East Pakistan and who

(i) were residing in those territories on that day and are residing therein since that day voluntarily or otherwise shall cease to be citizens of Pakistan;

(ii) were residing in Pakistan on that day but after that day voluntarily migrated to those territories shall cease to be citizens of Pakistan;

(iii) were residing in Pakistan on that day and are voluntarily residing therein since that day shall continue to be citizens of Pakistan;

(iv) were residing in those territories on that day but voluntarily came to Pakistan after that day with the approval of the Federal Government shall continue to be citizens of Pakistan:

Provided that any persons referred to in clause (i) whose repatriation to Pakistan has been agreed to by the Federal Government and who have not been so repatriated before the commencement of Pakistan Citizenship (Amendment) Ordinance, 1978, shall continue to be citizens of Pakistan."

"17. Certificate of domicile. The Federal Government may upon an application being made to it in the

> *prescribed manner containing the prescribed particulars grant a certificate of domicile to any person in respect of whom it is satisfied that he has ordinarily resided in Pakistan for a period of not less than one year immediately before the making of the application, and has acquired a domicile therein."*

12. A plain and meaningful reading of the afore-reproduced provisions of the Pakistan Citizenship Act, 1951, leaves no manner of doubt that the statutory framework recognizes multiple modes through which citizenship may be acquired, inter alia, citizenship by birth and citizenship by descent. The controversy in the present case engages what the superior Courts have consistently described as the "precious right" of citizenship indeed, a right that forms the very foundation of an individual's legal and constitutional existence within a State. In *Umar Ahmad Ghumman v. Government of Pakistan and others* (PLD 2002 Lahore 521), it was emphatically held that the right to citizenship is the most valuable right that an individual may possess. For ready reference, the relevant extract reads as under: -

> *"A study of the Constitution of Islamic Republic of Pakistan would indicate that certain rights have been granted to all 'persons' residing in the State while some rights are available to only 'citizens'. For instance, the right be treated in accordance with law (Article 4), right of freedom of movement (Article 15), right of freedom of assembly (Article 16), of freedom of Association (Article 17), of trade (Article 18), of speech (Article 19) and to profess religion and of equality before law and equal protection of law (Article 25) are available to citizens alone. On the other hand right to life (Article 9), right to safeguard against illegal detention (Article 10) and of inviolability of dignity of man (Article 14) are available to all persons irrespective of their nationality or citizenship. The*

citizen under the Constitution enjoys a special status. The right to be a citizen is, therefore, a precious right. It is the most valuable right that an individual may have in a State."

13. This Court has, in W.P. No. 963/2025, further reinforced the aforesaid principle by holding that citizenship constitutes the most fundamental and valuable right, and that once a person is recognized as a citizen, such status cannot be withdrawn except strictly in accordance with law and due process. The relevant extract is reproduced below: -

"Citizenship is the most valuable basic right of a human. A person once registered as a citizen cannot be deprived of citizenship otherwise than as is provided under the law. Moreover, Article 6 of the Universal Declaration of Human Rights (1948) affirms that every individual has the right to recognition as a person before the law. Article 15of the same declares that everyone has the right of nationality, and that no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality. Citizenship is the primary bond between a State and an individual, enabling the latter to enjoy all rights guaranteed under the Constitution. The Citizenship Act and the Citizenship Rules, aligned with constitutional and international mandate, ensure due process. This fundamental right cannot be revoked arbitrarily or recklessly."

14. This Court has also had the occasion to examine the legality of denial of identity documents to citizens in W.P. No. 2978 of 2025 (*Muhammad Shareef Mian v. Ministry of Interior*), wherein it was categorically held that once citizenship is conferred under the Pakistan Citizenship Act, 1951, the same can only be withdrawn through a lawful process, strictly in

accordance with due process of law. The relevant observations are as follows: -

> *"The contention of the Respondents that the Petitioner and his family members have acquired CNICs, NICOPs, and other documents through misrepresentation or concealment of facts is wholly misconceived and unsustainable. Equally untenable is the further assertion that the acquisition of CNIC, NICOP or Passport does not by itself confer the right of citizenship. It is a settled principle that once citizenship is conferred under the Pakistan Citizenship Act, 1951, the same can only be revoked or cancelled through a lawful process of inquiry and in strict adherence to due process of law."*
>
> *"The record placed before this Court demonstrates that the CNICs and NICOPs of the Petitioner and his family members were duly issued by NADRA, the statutory body entrusted with maintaining the national database and regulating the issuance of identity documents under the NADRA Ordinance, 2000. There is nothing on record to indicate that these documents were obtained by fraud or misrepresentation on the part of the Petitioner or his family members. Mere bald assertions by the Respondents, without any supporting material, cannot suffice to dislodge the presumption of correctness attached to official documents duly issued by a competent authority."*
>
> *"Once such recognition has been formally granted by NADRA and Passports have been issued by the competent authority, the Respondents cannot be permitted to disown their own official acts at this belated stage, especially when no lawful cancellation proceedings were commenced or show-cause notices issued to the Petitioner or his family members. Mere*

refusal to process their applications, without adopting the prescribed legal procedure, is arbitrary and violative of due process guaranteed under Article 10-A of the Constitution."

15. In W.P. No. 1412 of 2025 (*Muhammad Hanif Ismail v. Ministry of Interior*), this Court dealt with a closely analogous situation, where the rejection of a NICOP application was predicated upon the alleged ethnic origin of the applicant. The Court, while examining the statutory scheme, observed as under: -

"This Petition arises from the rejection of the Petitioner's wife's application for a National Identity Card for Overseas Pakistanis (NICOP) by NADRA, on the stated ground that the Petitioner's wife is an alien as she allegedly belongs to Burmese origin. The matter calls for determination of the Petitioner's wife's status under the Act, 1951, and whether, in law, she qualifies as a citizen of Pakistan."

"There is no dispute regarding the well-settled proposition that under Section 17 of the Act, 1951, the Federal Government is empowered to grant a Certificate of Domicile to any individual in respect of whom it is satisfied that the person has ordinarily resided in Pakistan for a continuous period of not less than one year immediately preceding the application and has acquired domicile within the territory of Pakistan."

"Bare reading of the above provisions shows that the issuance of a Domicile Certificate under Section 17, when read conjointly with Rule 23 of the Rules, 1952, is indicative of the legal status of an individual as a domiciled person of Pakistan. Judicial pronouncements have further affirmed that the term "domicile" under Section 17, in this context, signifies a person's settled status as a citizen of a particular state or country."

The Court in the aforesaid case further held:

"In essence, the Certificate of Domicile, contemplated by and issued under Section 17 of the Act, 1951, is specifically intended for a class of persons who were not originally citizens of Pakistan, but who, having migrated to Pakistan during the prescribed period after the creation of the State, have abandoned their foreign domicile, and have ordinarily resided in Pakistan for at least one year with the intention of permanently settling in the country for the purpose of acquiring Pakistani citizenship."

16. The Balochistan High Court, in *Fatima v. NADRA* (PLD 2022 Baluchistan 73), has unequivocally held that once a CNIC is issued after fulfillment of all codal and legal formalities, a vested right accrues in favour of the holder, which cannot be withdrawn on mere suspicion or conjecture. The relevant portion reads as under: -

"The authority/respondent issued CNIC after fulfilling all codal and legal formalities which creates a right to the Petitioner. Such right cannot be taken away on suspicious or flimsy grounds. When a right accrued to any person the same cannot be withheld or taken away without due process of law. Under the law the burden of proof lies on respondent to prove that Petitioner is not citizen of Pakistan. Mere verbal assertion cannot be a ground to deprive a person from his fundamental rights. The right which is guaranteed by the Constitution cannot be taken away by notification."

The Baluchistan High Court further held in the same judgment:

"The blockage of CNIC has a grave consequence. It effected the person's life, meaning thereby that it is denial of fundamental right which guaranteed by the Constitution of Islamic Republic of Pakistan, 1973 (the

> *Constitution). On cancellation or blockage of CNIC the person loses every fundamental right i.e. education, health, employment etc. By such act the authority has taken away the right of life as guaranteed under Article 9of the Constitution."*

17. Similarly, the Sindh High Court in *Alam v. The State* (2007 YLR 1897) addressed a case involving a person alleged to be of Bengali origin and held that such origin, by itself, cannot be a determinative factor to deny citizenship. The relevant observations are reproduced below:

> *"The learned trial Court failed to appreciate that document. It also did not appreciate properly the fact that the father of the appellant had declared the appellant as one of his minor children in his B-form. These documents are of importance and cannot be ignored or excluded of the consideration by any sweeping remarks. So far as the other documents are concerned they too were not appreciated properly by the learned trial Court as it ignored them simply for the reason that they were of the period after 1983. After all the concerned authorities/ organization issued those documents on the basis of certain material or enquiry. The law attaches presumption of validity to the official acts or documents unless proved otherwise therefore, for the simple reason that they were issued after 1983 the documents could not be treated valueless. No doubt, the appellant has Bangali origin for that fact alone he cannot be termed as foreigner. Bengalees were given statutory recognition as citizen of Pakistan under Pakistan Citizenship Act, 1951, by inserting new section 16(A) in it if they were in Pakistan before 1975."*

18. The distinction between a domicile certificate under the Citizenship Act and other forms of residence documentation was further clarified by the Balochistan High Court in *Mubashar*

Mehmood v. Home and Tribal Affairs (PLD 2018 Baluchistan 49), wherein it was held: -

> *"As a matter of fact, the domicile certificates envisaged by and issued under Section 17 of the Act of 1951 are meant for a class of persons, who are originally not the citizen of Pakistan, have migrated to this country after emergence of Pakistan, during the specified period, have abandoned their domicile of origin and having ordinarily resided in Pakistan for a period of not less than one year with the intention of residing therein permanently in order to acquire citizenship of Pakistan."*

19. Applying the afore-noted settled principles to the facts of the present case, the legal position becomes abundantly clear. The Petitioner is not a claimant under Section 16-A of the Pakistan Citizenship Act, 1951, nor is she a person who migrated from Bangladesh after 1971. Her claim is grounded in Section 5 of the Act, being a person born to a Pakistani parent. The insistence of the Respondent upon production of documentary evidence prior to 16th December 1971 reflects a manifest misapplication of law, as such requirement is relevant only in cases falling within the ambit of Section 16-A. The Respondent Board, therefore, fell into a patent error of law by invoking and applying an inapplicable statutory provision to the case of the Petitioner, thereby vitiating the entire decision-making process.

20. The Respondent/NADRA's reliance on the alleged non-traceability of the parents' MNIC records in the NADRA database is manifestly misconceived. As this Court observed in W.P. No. 2978/2025, the issuance of an MNIC constitutes an official act of the State, attracting a presumption of correctness. Any absence of such records in the current database does not impugn the authenticity of documents issued decades ago, but rather reflects a systemic failure within NADRA's administrative apparatus. The Petitioner cannot, and ought not, to be made to bear the consequences of such institutional lapses. Furthermore, the Intelligence Bureau report upon which the Respondent relies

merely stated that the national status of the Petitioner "could not be ascertained." An inconclusive report of this nature cannot, as a matter of law, serve as a basis for a positive finding that the Petitioner is not a citizen. The settled legal position, as affirmed in *Fatima v. NADRA* (PLD 2022 Balochistan 73), is that the onus lies squarely upon the Respondent to prove that the Petitioner does not possess Pakistani citizenship. The Respondent has manifestly failed to discharge this burden. Significantly, the Petitioner possesses Token No. 6001 bearing Tracking ID No. 505492413616, issued by the Mega Siemens Chowrangi NADRA Registration Center on 05-04-2023. This contemporaneous, official, computer-generated record evidences the Petitioner's application for a Smart National Identity Card, for which she tendered the requisite fee of Rs.25,000/-. This document constitutes conclusive evidence that the Respondent's own system recognized the Petitioner under her name and the CNIC previously issued to her. It is untenable, and legally impermissible, for the State to simultaneously accept an application for registration and subsequently repudiate its own official act by relying on an unsubstantiated internal note from 2016. Such conduct is arbitrary, capricious, and patently inconsistent with the doctrine of consistency, a principle integral to administrative law and constitutional governance.

21. It bears emphasis that the Respondent/NADRA has, in contrast, issued valid CNICs and Machine-Readable Passports (MRPs) to the Petitioner's husband and all seven of her children. The Family Registration Certificate (FRC) further attests to this established family unit. To deny the Petitioner a CNIC in such circumstances would produce a legal anomaly, wherein a mother is effectively rendered stateless within the context of her own family. Such an outcome would constitute a direct infringement of the right to family life, which, as enshrined in Article 14 of the Constitution, is inseparable from the fundamental right to dignity and personal liberty.

22. The right to citizenship is a fundamental and precious constitutional right, forming the primary legal bond between the individual and the State. The practical exercise of this right is inseparably linked to the possession of official identity documents, such as the CNIC, which serve as instruments through which all other constitutionally guaranteed rights are realized. The deprivation of a CNIC not only impinges upon the right to identity and legal recognition but also restricts access to essential civil, social, and economic rights. Without a valid CNIC, the Petitioner is effectively barred from exercising rights to healthcare, education, employment, banking, and other fundamental services, amounting to an unlawful denial of the right to life, dignity, and equality under Articles 9, 14, and 25 of the Constitution. In the present case, the sequence of actions undertaken by NADRA, from the initial blocking of the Petitioner's CNIC to the final rejection order dated 07.10.2025, demonstrates administrative overreach, capriciousness, and a misapprehension of law. The Petitioner indisputably qualifies as a citizen of Pakistan by descent under Section 5 of the Pakistan Citizenship Act, 1951, and the Respondent has failed to adduce any cogent, admissible, or legally tenable evidence to rebut this presumption. Reliance upon an unsubstantiated 2016 vigilance report, the misapplication of Section 16-A, reference to an inconclusive Intelligence Bureau report, and NADRA's own record-keeping deficiencies cannot, in law, constitute proof of foreign nationality. As a statutory authority, NADRA is obliged to act strictly within the confines of its enabling statute and the Constitution; its failure to do so in the circumstances of this case renders its actions both unlawful and unsustainable.

23. In view of the foregoing discussion and having considered the submissions of the parties, the documents on record, and the settled principles of law, it is held that the impugned decision of the Respondent/NADRA, dated 07.10.2025, is arbitrary, illegal, and without lawful authority. The same is hereby declared null and void, and of no legal effect. Accordingly, the instant petition is

ALLOWED. The Respondent/NADRA is directed to immediately process and issue a valid Computerized National Identity Card (CNIC) to the Petitioner, Mst. Rahma D/o Muhammad Kabir, within a period of fifteen (15) days from the date of receipt of this judgment. Such issuance shall be carried out strictly in accordance with law, and shall not be subject to any unlawful, extra-legal, or discriminatory requirements, including demands for pre-1971 documentation or reliance upon unsubstantiated internal reports. The Respondent is further reminded that the issuance and recognition of official identity documents are fundamental instruments through which citizenship rights are exercised. Any deviation from the statutory and constitutional mandates in this regard constitutes a violation of fundamental rights under Articles 4, 9, 10-A, 14, and 25 of the Constitution. Compliance with this judgment shall be reported to this Court forthwith.

(**Muhammad Asif**)
Judge

Announced in open Court on 02.04.2026.

Judge

APPROVED FOR REPORTING
BLUE SLIP ADDED

Shoaib