ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D – 2121 of 2026
(Muhammad Yousuf versus the Chairman NADRA & another)

Date	Order with signature of Judge

Before:
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Muhammad Jaffer Raza

Date of hearing and order: 15.09.2026

Mr. Sri Chand, Advocate for the Petitioner.
Ms. Samina Maqsood, Advocate for NADRA.
Ms. Wajeeha Mehdi, Assistant Attorney General.

ORDER

Adnan-ul-Karim Memon, J. Petitioner Muhammad Yousuf has filed this Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking the following relief: -

A. To adjudge and declare that the act of blocking CNIC No.42301-1112219-5 of the Petitioner by NADRA/Respondents without serving the requisite show-cause notice is illegal, contrary to law, and the Petitioner is entitled to the unblocking of his CNIC being a Pakistani Citizen by birth.

B. To adjudge and declare that Section 18 of the National Database and Registration Ordinance (VIII of 2000) does not allow blocking or digital impounding of the CNIC of a person to compel him to appear before the Court, as it does not have the sanction of law and is contrary to Article 175(2) of the Constitution of the Islamic Republic of Pakistan, 1973 and the concept of the rule of law.

C. To adjudge and declare that right to legal aid; the right to speedy trial; the right to bare necessities of life; protection against adverse effects of electro-magnetic fields; the right to pure and unpolluted water; the right to access to justice; the right to livelihood; the right to travel; the right to food, water, decent environment, education, medical care and right to identity is also associated to the right to life under Article 9 of the Constitution of Islamic Republic of Pakistan, 1973 and would also be read into Article 14, which guarantees dignity of man.

D. To issue directions to the Respondents/NADRA to unblock the CNIC No. 42301-1112219-5 of Petitioner

2. The case of the petitioner, in brief, is that he is a Pakistani citizen who was lawfully issued CNIC No. 42301-1112219-5 by NADRA after completion of the requisite formalities. He contends that his CNIC was subsequently blocked by NADRA without issuance of any show-cause notice, and he was verbally informed that the blockage had been made pursuant to a Court order. As a result, he has been deprived of various essential facilities, including online transactions, voting, opening a bank account, travelling abroad and use of a SIM.

3. The learned counsel for the petitioner maintains that Section 18 of the National Database and Registration Authority Ordinance, 2000 does not authorize digital blocking of a CNIC to compel a person to appear before a Court, particularly without following the prescribed procedure and affording an opportunity of hearing. Relying upon PLD 2022 Lahore 756 and other judgments, he contends that a CNIC cannot be cancelled, impounded or blocked except in accordance with law, as it is indispensable for the enjoyment of various fundamental rights, including the right to identity, dignity, livelihood, travel and access to essential services protected under Articles 9 and 14 of the Constitution.

He further alleges that the respondents' action is arbitrary, unlawful and violative of due process and fundamental rights. The learned counsel for petitioner asserts that he has no other adequate and efficacious remedy and has, therefore, invoked the constitutional jurisdiction of this Court under Article 199 of the Constitution, seeking declaration that the blocking of his CNIC is illegal and without lawful authority and directions to NADRA to unblock the same.

4. Learned counsel for NADRA, assisted by the counsel for the intervener/complainant, submitted that the petitioner's CNIC was digitally impounded/blocked pursuant to the direction of the Civil Judge & J.M.-I, Larkana, in Crime No.27/2025 under Section 489-F PPC, as the petitioner was absconding and proceedings under Sections 87 and 88 Cr.P.C. had been initiated to secure his appearance before the Court. It was further submitted that the matter has subsequently been transferred to the Court of Civil Judge & J.M.-II, Larkana; therefore, the CNIC can only be de-blocked upon an appropriate order from the concerned Court.

5. We have heard the learned counsel for the parties and examined the record.

6. It is not disputed that the petitioner is a holder of a CNIC validly issued by NADRA and that the same has been digitally blocked/impounded pursuant to the direction of the learned Civil Judge & J.M.-I, Larkana, in connection with Crime No.27/2025 under Section 489-F PPC. The justification advanced on behalf of the respondents is that the petitioner was/is absconding and proceedings under Sections 87 and 88 Cr.P.C. had been initiated for securing his attendance before the trial Court. However, the mere initiation of proceedings under Sections 87 and 88 Cr.P.C., or the fact that an accused is required to appear before the criminal Court, does not, in itself, confer a statutory power upon the trial Court to block or digitally impound his CNIC.

7. Section 18 of the National Database and Registration Authority Ordinance, 2000 confers upon NADRA the power to cancel, impound or confiscate a card by an order in writing, subject to a prior notice and only where the statutory grounds prescribed therein exist, namely, where the card has been obtained by an ineligible person by posing as eligible, more than one card has been obtained on the same eligibility, the particulars have been tampered with, or the card is forged. None of these statutory contingencies has been alleged or established against the petitioner. Thus, Section 18 cannot be employed as a general source of power for blocking a citizen's CNIC merely to secure his appearance before a criminal Court.

8. The distinction between the statutory power of NADRA to impound a CNIC in the circumstances contemplated by Section 18 and the purported power of a trial Court to direct blocking of a CNIC as a coercive measure is material. The latter power must have a clear sanction of law and cannot be assumed merely

because such a measure may appear convenient or effective for securing attendance of an accused. The latest view of the Honorable Supreme Court in *Agha Abid Majeed v. Idrees Ahmad and others*, reinforces the principle that where neither Section 18 of the NADRA Ordinance nor the applicable procedural law authorizes blocking of a CNIC for the purpose for which it has been ordered, the exercise of such power is without lawful authority. The same principle has been consistently reflected in the subsequent judicial treatment of CNIC blocking. The courts have recognized that a CNIC is not merely an identification document but is practically indispensable for exercising numerous constitutional and civil rights, including access to banking, employment, education, healthcare, travel and other essential services. Consequently, its suspension or blockage has serious implications for the right to life and dignity and cannot be sustained as an extra-statutory coercive device.

9. We are also conscious that the petitioner is facing criminal proceedings and that the trial Court is competent to secure his attendance by adopting the remedies and coercive processes specifically provided under the Code of Criminal Procedure, including the mechanism contained in Sections 87 and 88 Cr.P.C., and other lawful processes available to it. The petitioner cannot claim immunity from the criminal proceedings merely because his CNIC is restored. His obligation to appear before the trial Court and face the proceedings remains intact. What the law does not permit, however, is substitution of the statutory criminal process by an extra-statutory deprivation of identity documentation and the consequential deprivation of fundamental and ordinary civil facilities.

10. Consequently, the petitioner shall appear before the learned trial court and just his approach the trial court shall revist the decision upon hearing the parties and NADRA shall restore/unblock CNIC No.42301-1112219-5 of the petitioner forthwith, subject to its power under Section 18 of the NADRA Ordinance, 2000 to take any independent action strictly in accordance with the statutory requirements, after affording the petitioner the requisite notice and opportunity of hearing, if any lawful ground exists.

11. It is clarified that restoration of the CNIC shall not prejudice Crime No.27/2025, nor shall it prevent the learned trial Court from proceeding against the petitioner in accordance with law or from employing the coercive measures expressly authorized by the Code of Criminal Procedure for securing his appearance. The petitioner shall accordingly appear before the learned trial Court and participate in the criminal proceedings in accordance with law.

12. The petition is, therefore, disposed of to the above extent.

JUDGE

JUDGE

Nadeem Qureshi *PA*