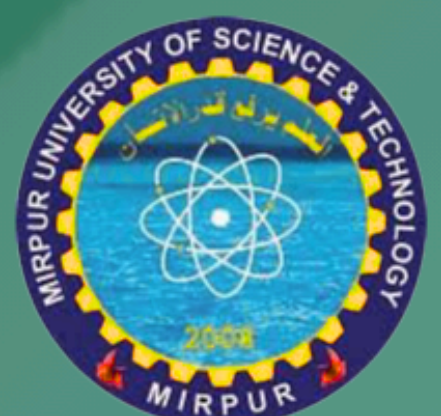

Erased from the Record

The Human Right to Legal Identity

Restoring Names, Rights, and Citizenship for the Street Children



MUST Legal Centre
In partnership with Muslim Hands
Project Maidaan Pakistan



Erased from the Record: The Human Right to Legal Identity

— *Restoring Names, Rights, and Citizenship for the Forgotten*

Dedication and Acknowledgment

"A name, a face, a story, a document

These are not mere papers, but a child's claim to exist

To be seen, to be heard, to belong in this world

No longer invisible, no longer forgotten

Each child deserves recognition, dignity, and a place to call their own"

This project, undertaken by MUST Legal Centre in partnership with the Muslim Hands Project Maidaan Pakistan, emerged from the stories of children whose lives, though full of promise, remain invisible in official records. Each certificate, each form, each piece of documentation represents far more than bureaucratic procedure; it embodies a child's right to exist, to be recognized, and to claim their place in the world. Through this work, we hope to illuminate the legal pathways that affirm identity as a birthright, not a privilege, and to ensure that every undocumented child can access the dignity, protection, and opportunities they deserve.

I would like to express my heartfelt gratitude to those who guided and supported me throughout this endeavor. Your encouragement, insights, and unwavering belief in the importance of this work have made it possible to transform a vision into reality.

Arooj Aziz Malik

Preface

Legal identity is a fundamental human right, essential for the recognition and protection of individuals within society. In Pakistan, this right is enshrined in the Constitution, which guarantees equality before the law, the protection of life and liberty, and the right to be treated in accordance with the law. Additionally, Pakistan's commitment to the United Nations Convention on the Rights of the Child underscores the importance of ensuring every child has a legal identity, enabling access to education, healthcare, and protection under the law.

Despite these legal frameworks, a significant number of children in Pakistan remain without legal identity. According to UNICEF, approximately 42% of children under the age of five in Pakistan are not registered at birth, leaving them vulnerable to exclusion from essential services and protections. This issue is particularly acute among street-connected children, orphans, and those born to single or undocumented mothers, who often face insurmountable barriers to obtaining birth registration and identity documents.

Recognizing these challenges, the National Database and Registration Authority (NADRA) has implemented policies aimed at facilitating the registration of children with unknown parentage. The Orphan Registration Policy, introduced in 2016, allows for the registration of children residing in registered orphanages or child protection units. However, this policy primarily covers institutionalized children, leaving many street-connected and informally cared-for children without access to legal identity.

Judicial interventions have highlighted the need for broader inclusion. Courts have emphasized that the absence of paternal documentation should not preclude children from obtaining identity documents, and have directed authorities to facilitate registration in such cases. These rulings underscore the judiciary's role in ensuring that all children, regardless of their parental circumstances, are recognized and protected under the law.

Recent developments indicate a positive shift towards more inclusive registration practices. NADRA has begun issuing Child Registration Certificates (CRCs) and Computerized National Identity Cards (CNICs) to children of unknown parentage, utilizing community attestations and affidavits to verify identity. These efforts are a step forward in addressing the legal identity gap for vulnerable children.

This guide aims to consolidate the legal, constitutional, and administrative frameworks pertaining to identity registration in Pakistan, providing a clear roadmap for the recognition of children who face systemic barriers. By presenting a detailed examination of laws, policies, and judicial precedents, it seeks to empower practitioners, policymakers, and advocates to understand, navigate, and improve the processes that secure legal identity for the country's most vulnerable children. Ultimately, it emphasizes that legal identity is not merely a formality but a vital tool for protection, inclusion, and empowerment, ensuring that every child's rights are recognized and upheld.

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List of Abbreviations

- ACC** – Alien Card Category
- AJK** – Azad Jammu and Kashmir
- CNIC** – Computerized National Identity Card
- CRC** – Child Registration Certificate (B-Form)
- FSC** – Federal Shariat Court
- GWA** – Guardians and Wards Act, 1890
- HC** – High Court
- IHC** – Islamabad High Court
- LHC** – Lahore High Court
- MoI** – Ministry of Interior
- NADRA** – National Database and Registration Authority
- NRC** – NADRA Registration Center
- PLD** – Pakistan Law Digest
- SOPs** – Standard Operating Procedures
- UC** – Union Council

Introduction: Identity of Children in Pakistan

Birth registration is the foundation of a child's legal identity, yet coverage in Pakistan remains low, with 42.2% of children under five and only 35% of children under one registered. Millions of children remain unregistered, making Pakistan the country with the highest number of unregistered children in South Asia. Challenges include complex procedures, high direct and indirect costs, limited awareness, and regional disparities. Initiatives such as the Digital Birth Registration (DBR) system, school-linked registration, and new registration sites, supported by UNICEF and partners, have improved access but gaps remain, particularly for marginalized groups, refugees, and minority communities.

Nationality and statelessness present additional hurdles. Historical legal provisions favored men in acquiring nationality for foreign spouses, while large populations of stateless children, including Bihari, Bengali, and Rohingya communities, face exclusion from basic services and legal protections.

Children's identities are further affected by alternative care, child marriage, migration, and child labour. While regional laws prioritize family preservation, residential care dominates, and foster care and guardianship systems are inconsistent. Kafalat sponsorship schemes support orphaned children, and UNICEF aids provincial governments in aligning laws with international standards and promoting deinstitutionalization. Child marriage remains prevalent, affecting nearly 19 million girls, with forced conversions disproportionately impacting minority communities. Judicial interventions and provincial reforms aim to increase the minimum legal age, strengthen reporting mechanisms, and ensure accountability for violations.

Children on the move, particularly Afghan refugees, face risks of separation, abuse, and restricted access to education, healthcare, and other essential services. UNICEF and partners are enhancing identification, protection, and referral systems at borders, in transit, and in settlements. Child labour persists, with girls increasingly affected, especially in Punjab. Comprehensive surveys supported by UNICEF inform policies and interventions, though gaps remain in enforcement, particularly in domestic and informal work sectors.

Falsification of identity, including in trafficking and unregulated guardianship arrangements, remains a serious concern. Pakistan lacks comprehensive legislation addressing the sale of children or cross-border removal, leaving disaster- and conflict-affected children vulnerable. Restoration efforts, such as the DBR pilot in Bahawalpur, digitalized registration, and judicial measures against child marriage and forced conversions, have strengthened legal recognition for many children.

Pakistan's Constitution, alongside the United Nations Convention on the Rights of the Child, guarantees every child the right to identity, equality, and protection. Despite constitutional guarantees, administrative gaps, societal barriers, and inconsistent enforcement continue to exclude vulnerable populations. Legal reforms, digital registration, inter-agency coordination, and international technical support remain essential to ensure that all children in Pakistan are recognized, protected, and empowered through legal identity.

Therefore, The ID card registration process embodies the realization of **children's fundamental rights—to identity, to registration, and to citizenship** translating constitutional guarantees and international obligations into tangible, practical steps that safeguard their recognition, dignity, and access to the protections every child is entitled to.

The Centrality of Identity Documentation

In Pakistan, the **Computerized National Identity Card (CNIC)** is more than an administrative requirement; it is the legal foundation of citizenship and the key to exercising fundamental rights. Without it, individuals are denied access to education, healthcare, property ownership, employment, banking, and even political participation. For children, this journey towards legal recognition begins at birth and culminates at the age of majority with the issuance of a CNIC. In principle, the system ensures continuity, but in practice, marginalized groups, particularly children of single or undocumented mothers face structural barriers that transform citizenship from a right into a privilege.

A typical Pakistani child is expected to progress through a standard sequence of documentation:

1. Birth certificate issued by hospital or Union Council.
2. Vaccination/immunization card provided by healthcare centers or NGOs.
3. School admission and leaving certificates that establish age and identity.
4. Child Registration Certificate (CRC/Form-B) issued by NADRA, generally requiring parental CNICs.
5. CNIC at 18 years, based on the continuity of earlier documents.

This checklist is intended to create an unbroken chain of identity evidence. However, its absence for many children results not in the loss of citizenship, but in denial of access to the administrative machinery that recognizes it.

Hurdles When Documentation Is Missing

Children born outside formal health systems, abandoned by one parent, or raised by unwed or divorced mothers often cannot produce these documents. The absence of a marriage certificate, refusal of NADRA to register children without a father's CNIC, or clerical discrepancies in school or Union Council records create roadblocks. In *Rubina v. NADRA* (Sindh High Court, 2015), the Court confronted this reality, holding that maternal citizenship is sufficient and rejecting the patriarchal presumption that a father's documentation is indispensable. Similarly, in *Zameen Abid v. NADRA* (2021 LHC 4733), the Lahore High Court clarified that identity cannot be denied due to circumstances of birth, underscoring the constitutional nature of this right.

The stakes are profound. Without documents, children are excluded from schools, health services, and eventually the labor market. Women raising children without paternal support face The stakes are profound. Without documents, children are excluded from schools, health services, and eventually the labor market. Women raising children without paternal support face an additional layer of stigma and exclusion. Thus, the “missing checklist” is not a private hardship but a systemic denial of rights.

Remedies in Law and Policy

Pakistani law and jurisprudence provide a layered set of remedies to overcome these hurdles. First, **Section 4** of the **Pakistan Citizenship Act, 1951** establishes that every person born in Pakistan is a citizen by birth, unless they fall within narrow exceptions (e.g., children of diplomats or enemy aliens). In *Saeed Abdi Mahmood v. NADRA* (2018 CLC 1588, IHC), Justice Mohsin Akhtar Kayani held that this provision is unambiguous, and NADRA cannot deny CNICs on speculative grounds.

Second, **constitutional protections** reinforce the right to identity. **Articles 9 (security of person), 14 (dignity of man), 25 (equality before law)** and **35 (protection of family, mother and child)** have been invoked by courts to safeguard undocumented individuals. For example, in *Hafiz Hamdullah Saboor v. Government of Pakistan* (PLD 2021 Islamabad 305), the Court held that NADRA cannot cancel CNICs or adjudicate citizenship status only the Federal Government has that power under **Section 16 of the Citizenship Act**.

Third, statutory remedies fill the gaps. Under **Section 42 of the Specific Relief Act, 1877**, individuals may seek declaratory relief from courts, affirming their citizenship or parental relationship through affidavits, oral testimony, and community verification. **The Guardians and Wards Act, 1890** further enables courts to formally appoint guardians in cases of abandoned or undocumented children, thereby creating a legally recognized parent-child link that NADRA must honor.

Finally, **NADRA's internal policies** particularly Undertaking **RP-6.0.0 C2** create administrative flexibility. This sworn affidavit allows applicants to affirm relationships or parental details when standard documentation is absent. It is particularly relevant for single mothers, orphans, and undocumented children, providing an official bridge between judicial declarations and NADRA's database systems.

Undocumented ≠ Stateless

Despite the absence of documents, undocumented children born in Pakistan are not stateless. Statelessness implies the lack of any nationality under international law, whereas these children are covered by the citizenship-by-birth clause in **Section 4 of the Pakistan Citizenship Act, 1951**.

Pakistani courts have consistently reiterated this point: database errors, missing certificates, or unwed parentage cannot strip a child of citizenship. In *Mst. Sharafat Bibi v. Ministry of Interior* (W.P. No.2503-P/2023, Peshawar High Court), the Court emphasized that even adverse database entries like **“Alien Card Category” (ACC)** do not nullify citizenship, and individuals must be given a fair process to prove their status.

Thus, while the absence of the documentary checklist creates practical and social hurdles, it does not erase citizenship itself. **The remedies declaratory relief, guardianship proceedings, NADRA undertakings, and constitutional protections together ensure that undocumented mothers and children remain within the fold of Pakistani nationality.**

Conclusion

The challenge, then, is not one of law but of access. The law already affirms the citizenship and identity rights of children and mothers without documents. Courts have repeatedly rebuked NADRA for overstepping its mandate, and administrative mechanisms like **RP-6.0.0 C2** provide operational pathways. What is lacking is a coherent, systematic roadmap that integrates these remedies into a practical toolkit for the most vulnerable. This project seeks to address that gap, offering a structured legal and administrative pathway to secure identity for single mothers and undocumented children in Pakistan.

While the introduction outlines the systemic and legal landscape affecting undocumented children and single mothers, the practical journey towards securing identity begins at the grassroots level. Step 1 operationalizes these principles by documenting oral history and community-based context where conventional records are missing. Through affidavits, testimonies, and judicially recognized alternative evidence, undocumented individuals can construct a legally valid identity trail that forms the foundation for subsequent administrative recognition.

Step 1: Documenting Oral History and Context

The first step of the identity registration roadmap involves identifying children who are eligible for legal registration and their corresponding guardians. This foundational step ensures that all subsequent legal and administrative actions are targeted, effective, and based on verified information.

Identification of Street-Connected and Vulnerable Children

Street children, or children living in informal care arrangements, often lack documentation that links them to a parent or legal guardian. Identification requires careful fieldwork, community engagement, and collaboration with local child protection organizations. Key measures include:

- 1. Community Surveys and Outreach:** Local NGOs, social workers, and municipal authorities conduct surveys to locate street-connected children, orphans, and abandoned minors. Community leaders, school teachers, and healthcare workers can provide valuable information about children's living situations.
- 2. Verification of Age and Identity:** Age verification may rely on hospital records, vaccination cards, or sworn affidavits from caregivers and community witnesses. Where records are absent, consistent and credible testimonies from multiple sources are used to establish the child's identity and age.

Identification of Guardians

For minors, legal guardianship is central to the registration process. Mothers, custodial relatives, or appointed guardians under the **Guardians and Wards Act, 1890** are recognized as authorized to represent children in legal and administrative matters.

1. Maternal Guardianship: In cases where fathers are absent, mothers are the primary guardians. Judicial recognition of maternal guardianship ensures that children can access identity documents without paternal records, as upheld in cases such as *Rubina v. NADRA* and *Zarmeen Abid v. NADRA*.
2. Alternative Guardians: Where neither parent is available, guardians appointed by courts or social welfare authorities are recognized to act on the child's behalf. Proper identification and legal recognition of these guardians prevent disputes during registration.

Practical Significance

This step ensures that every child entering the roadmap is properly accounted for, preventing exclusion due to lack of documentation. Correctly identifying children and guardians also minimizes administrative delays in later steps and strengthens the legal basis for CNIC and CRC applications.

Step 1 sets the foundation for Step 2, which involves collecting documentation and affidavits. Accurate identification ensures that all subsequent judicial and administrative processes are targeted, efficient, and legally enforceable.

Step 1: Initiation of Identity Registration

شناختی رجسٹریشن کا آغاز

The first step in obtaining a CNIC for undocumented street children

Process Description

This initial phase involves identifying the child's unregistered status and beginning the formal process of documentation with the relevant authorities.

Key Activities

- Child's birth or unregistered status is identified by caregivers, social workers, or community members
- Parent, guardian, or institution (shelter, NGO) approaches the local Union Council (UC) or NADRA office
- Initial collection of basic details and supporting documents begins
- Preliminary assessment of the case by authorities
- Guidance provided on required documentation and next steps

عمل کی تفصیل

اس ابتدائی مرحلے میں بچے کی غیر رجسٹرڈ حیثیت کی نشاندہی کرنا اور متعلقہ حکام کے ساتھ دستاویزات کے رسمی عمل کا آغاز کرنا شامل ہے۔

اہم سرگرمیاں

- دیکھ بھال کرنے والوں، سماجی کارکنوں، یا برادری کے اراکین کے ذریعے بچے کی پیدائش یا غیر رجسٹرڈ حیثیت کی نشاندہی کی جاتی ہے
- والدین، سرپرست، یا ادارہ (پناہ گاہ، غیر سرکاری تنظیم) مقامی یونین کونسل (UC) یا نادرا کے دفتر سے رابطہ کرتا ہے
- بنیادی تفصیلات اور معاون دستاویزات کا ابتدائی جمع کرنا شروع کیا جاتا ہے
- حکام کے ذریعے مقدمہ کا ابتدائی جائزہ لیا جاتا ہے
- مطلوبہ دستاویزات اور اگلے اقدامات کے بارے میں رہنمائی فراہم کی جاتی ہے

مطلوبہ دستاویزات اور معلومات | Required Documents & Information

Basic Information

- Child's full name (if known)
- Approximate date of birth
- Place of birth (if known)
- Names of parents (if known)

Supporting Evidence

- Affidavits from community members
- School records (if available)
- Medical records (if available)
- Shelter/NGO registration documents

Guardian Information

- Guardian's CNIC copy
- Guardianship proof (if applicable)
- Institution registration documents

Based on comprehensive legal analysis of Pakistan's citizenship laws and NADRA regulations

Step 1 of 7 in the CNIC acquisition process for undocumented street children

Step 2: Prepare an Affidavit and File a Section 42 Declaratory Suit

The second step of the roadmap involves preparing a formal affidavit and pursuing judicial recognition through a Section 42 declaratory suit under the Specific Relief Act, 1877. This step transforms the mother's sworn testimony into a legally binding declaration, ensuring that administrative authorities such as NADRA and Union Councils are compelled to recognize and act upon the child's right to identity.

Affidavit Preparation

Before approaching the court, the mother must prepare a detailed affidavit on stamp paper. The affidavit should state her full name, nationality, and approximate age, while affirming that she is the biological mother of the child. It should explicitly mention the absence of any male family members or a marriage certificate. To strengthen its credibility, the affidavit should be signed by reliable community witnesses such as a Union Councillor, teacher, or health worker. Supporting documents, including school admission records, vaccination cards, and community attestations, should be annexed to reinforce the claim.

The affidavit serves as sworn evidence of the mother's identity and establishes her relationship with the child. Its evidentiary weight is further supported by judicial precedent. For example, in *Hafiz Hamdullah Saboor v. Government of Pakistan* (PLD 2021 Islamabad 305), the Islamabad High Court clarified that NADRA cannot cancel or deny CNICs arbitrarily, and that only judicial or federal determinations can validate citizenship. This precedent highlights the importance of affidavits and judicial involvement in securing recognition of identity.

Necessity of Section 42 Declaratory Suit

While the affidavit is crucial, it is insufficient on its own for formal recognition by administrative authorities. To render the claim enforceable, a declaratory suit under Section 42 of the Specific Relief Act, 1877, must be filed in the District Civil Court. Through this petition, the mother seeks a judicial declaration recognizing her as a Pakistani citizen and the child as her legal ward. The claim invokes constitutional protections under Articles 9, 25, and 35, which guarantee dignity, equality, and protection of the family. Once granted, the declaration compels administrative bodies, including NADRA, to act in accordance with the court's order, securing formal recognition of citizenship and identity.

Judicial Precedents

Judicial precedents highlight the admissibility and effectiveness of affidavits and community testimonies. In *Rubina v. NADRA* (Sindh High Court, 2015), the court rejected NADRA's refusal to issue a CNIC to a child based on missing paternal documentation, holding that maternal citizenship alone is sufficient. This case demonstrates that affidavits from mothers and relatives can serve as admissible evidence to substitute absent paternal records. In *Zarmeen Abid v. NADRA* (2021 LHC 4733), the Lahore High Court emphasized that the right to identity is fundamental and cannot be denied because of circumstances of birth. This judgment reinforces that oral or written testimonies can effectively bridge gaps in formal documentation. Similarly, in *Nazia Khalid v. NADRA* (AJK High Court), the court validated the use of school records and community documentation as sufficient evidence to correct identity records.

Sharafat Bibi v. Ministry of Interior (W.P. No. 2503-P/2023, Peshawar High Court) further affirmed that errors in NADRA's database cannot nullify citizenship, underscoring the importance of a fair verification process supported by testimonies. Finally, *Saify Ali Khan v. Federation* (C.P. D-31/2017, SHC) clarified that NADRA cannot investigate marital status or legitimacy, reinforcing the role of Family Courts under the Guardians and Wards Act in determining custodial and guardianship matters. Similarly, *Hafiz Hamdullah Saboor v. Government of Pakistan* (PLD 2021 Islamabad 305) clarified that NADRA cannot cancel or deny CNICs arbitrarily and that only judicial or federal determinations can validate citizenship.

Legal Significance

The affidavit strengthens the evidentiary basis, while the Section 42 petition transforms it into a legally binding declaration. This ensures that administrative bodies, including NADRA and Union Councils, are compelled to act in compliance with the court's order, securing formal recognition of citizenship and identity.

After filing a Section 42 petition and preparing the mother's affidavit, the legal claim is strengthened by additional supporting testimonies and documentary evidence. While the affidavit establishes the mother's identity under oath, courts and administrative authorities such as NADRA require corroborating evidence to verify the child's continuity of care and maternal guardianship. Step 3 involves assembling these testimonies, community records, and, where feasible, a Guardianship Certificate under the Guardians and Wards Act, 1890. This step ensures a multi-tiered evidentiary approach in which sworn statements, community acknowledgment, and judicial confirmation collectively validate the mother's claims. Together, Steps 2 and 3 create a robust legal and administrative foundation, aligning sworn testimony, community recognition, and statutory authority to secure the child's identity registration.

Step 2: Preliminary Documentation and Filing

ابتدائی دستاویزات اور فائلنگ

The second step in obtaining a CNIC for undocumented street children

Process Description

This phase involves preparing and submitting the initial documentation required for the Child Registration Certificate (CRC), which is the first step toward obtaining a CNIC.

Key Activities

- Preparation of Child Registration Certificate (CRC) application form
- Collection and submission of available birth proof documents:
 - Hospital or midwife birth certificates (if available)
 - Affidavits from community members or relatives
 - Orphanage certification (for institutionalized children)
- Filing of completed application with Union Council (UC) or NADRA office
- Payment of applicable fees (if any)
- Receipt of application acknowledgment

عمل کی تفصیل

اس مرحلے میں بچے کے رجسٹریشن سرٹیفکیٹ (CRC) کے لیے درکار ابتدائی دستاویزات تیار کرنا اور جمع کرنا شامل ہے، جو سی تک حاصل کرنے کی طرف پہلا قدم ہے۔

اہم سرگرمیاں

- بچے کے رجسٹریشن سرٹیفکیٹ (CRC) کی درخواست فارم کی تیاری
- دستیاب پیدائش کے ثبوت کی دستاویزات کا جمع کرنا اور جمع کرانا:
 - ہسپتال یا والدی کا پیدائشی سرٹیفکیٹ (اگر دستیاب ہو)
 - برادری کے اراکین یا رشتہ داروں سے حلفی بیانات
 - یتیم خانے کی تصدیق (اداروں میں رہنے والے بچوں کے لیے)
- یونین کونسل (UC) یا نادرا کے دفتر میں مکمل درخواست جمع کرانا
- قابل اطلاق فیس کی ادائیگی (اگر کوئی ہو)
- درخواست کی رسید کی وصولی

دستاویزات کے عمل کی روانی | Documentation Process Flow



مطلوبہ دستاویزات اور معلومات | Required Documents & Information

Application Forms

- Completed CRC application form
- Guardian consent form (if applicable)
- Institutional authorization (for orphanages/NGOs)

Supporting Evidence

- Hospital/midwife birth certificate (if available)
- Notarized affidavits from community members
- Orphanage certification documents
- School records (if available)

Guardian Information

- Guardian's CNIC copy
- Guardianship proof documents
- Institution registration documents

Step 3: Prepare and Attach Supporting Testimonies

Importance of Supporting Testimonies

The third step in the roadmap focuses on compiling supporting testimonies and documents to strengthen the application for registration of undocumented children. Many undocumented mothers and their children lack formal documentation such as CNICs, marriage certificates, and birth records. In these circumstances, community-based testimonies provide essential evidence to establish identity, parental connection, and continuity of care.

Legal Framework

Under the **NADRA Ordinance, 2000**, **NADRA** is empowered to demand satisfactory proof of identity but is not mandated to define the precise form of such proof. This legislative flexibility creates scope for alternative testimonies and affidavits. The Constitution of Pakistan, under Articles 9 (security of person), 14 (dignity of man), 25 (equality before law), and 35 (protection of family, mother and child), provides the constitutional basis for accepting community testimony in the absence of formal documentation. These provisions safeguard undocumented mothers and children from discrimination based on poverty, illiteracy, or the absence of paternal records.

Statutory remedies further fill the gap. Under Section 42 of the Specific Relief Act, 1877, individuals may seek declaratory relief from courts, affirming citizenship or parental relationships through affidavits, oral testimony, and community verification.

NADRA's internal policies, particularly Undertaking RP-6.0.0 C2, also provide administrative flexibility. This sworn affidavit allows applicants to affirm relationships or parental details when standard documentation is absent, bridging judicial declarations and NADRA's database systems.

Relevance of the Guardians and Wards Act, 1890

The Guardians and Wards Act, 1890 (GWA) is crucial when mothers are left as sole caregivers or where paternity of the child is unknown or undocumented. Section 7 empowers courts to appoint a guardian when it serves the welfare of the minor, a term broadly interpreted to include education, protection, and legal identity. Section 17 directs courts to prioritize the welfare of the minor, considering age, sex, religion, and character of the proposed guardian. Section 25 strengthens a mother's claim by recognizing her right to continuity of custody.

A Guardianship Certificate issued under this Act serves as a legal testimony of maternal guardianship, supplementing affidavits and community testimonies. Courts frequently prioritize mothers as natural guardians when fathers are absent, thereby creating a legally recognized parent-child link that NADRA must honor.

Judicial Precedents

Courts have consistently emphasized the admissibility of testimonies and maternal citizenship as sufficient grounds for identity documentation.

- *AHafiz Hamdullah Saboor v. Government of Pakistan* (PLD 2021 Islamabad 305): The Court held that NADRA cannot cancel CNICs or adjudicate citizenship status; only the Federal Government has that power under Section 16 of the Citizenship Act.
- *Rubina v. NADRA* (Sindh High Court): The Court rejected NADRA's denial of CNIC based on the absence of a father's record and held that maternal citizenship suffices, setting a precedent for accepting maternal and relative testimonies as substitutes for paternal documentation.
- *Zarmeen Abid v. NADRA* (2021 LHC 4733): The Lahore High Court reaffirmed the fundamental right to identity and ruled that oral or written testimonies can fill evidentiary gaps created by circumstances of birth.
- *Nazia Khalid v. NADRA* (AJK High Court): The Court accepted reliance on school records and community-level documentation as sufficient to correct identity records, broadening the range of admissible evidence.
- *Saify Ali Khan v. Federation* (C.P. D-31/2017, Sindh High Court): The Court ruled that NADRA has no authority to investigate legitimacy or marital status, reaffirming that such matters lie within the jurisdiction of family courts under the Guardians and Wards Act.

Application for Single or Abandoned Mothers

For single, widowed, divorced, or abandoned mothers who lack proof of marriage, affidavits alone may not suffice. The recommended approach is layered:

- **First tier:** Affidavits from community elders, Union Council representatives, neighbors, or local Imams confirming maternal identity, continuity of residence, and community acknowledgment of the child.
- **Second tier:** A Guardianship Certificate from the Family Court under the GWA affirming custody and welfare of the child, using the welfare-focused terminology of Section 17.

Together, these documents provide a robust evidentiary structure that supports administrative compliance by NADRA.

Practical Application

Supporting testimonies and documentation should be organized in a two-tier structure. The first tier consists of community and documentary evidence, including school records, vaccination slips, hospital birth slips, and Union Council confirmations. The second tier is judicial guardianship confirmation through a certificate under the GWA.

This dual framework ensures both administrative sufficiency for NADRA and legal validity under court jurisdiction, compelling the authority to process registration applications without imposing undue paternal documentation requirements. By integrating affidavits, community testimonies, and Guardianship Certificates, undocumented mothers can establish custodial authority and protect the child's right to legal identity.

Step 3: Verification and Authentication

تصدیق اور توثیق

The third step in obtaining a CNIC for undocumented street children

Process Description

This critical phase involves the verification and authentication of submitted documents by the authorities to establish the child's identity and eligibility for registration.

Key Activities

- Union Council (UC) or NADRA verifies the submitted documents for authenticity
- Cross-checking with NADRA's national database to prevent duplicate registrations
- Field verification may be conducted for confirmation of details
- For orphans and street children: confirmation from Child Protection Institutions or local notables
- Verification of guardian's credentials and relationship with the child
- Assessment of affidavits and community verification documents

عمل کی تفصیل

اس اہم مرحلے میں حکام کے ذریعے جمع کرائی گئی دستاویزات کی تصدیق اور توثیق شامل ہے تاکہ بچے کی شناخت اور رجسٹریشن کے لیے اہلیت قائم کی جاسکے۔

اہم سرگرمیاں

- یونین کونسل (UC) یا نادرا جمع کرائی گئی دستاویزات کی صداقت کی تصدیق کرتی ہے
- نادرا کے قومی ڈیٹابیس کے ساتھ کراس چیکنگ تاکہ نقل رجسٹریشن سے بچا جاسکے
- تفصیلات کی تصدیق کے لیے میدان میں تصدیق کی جاسکتی ہے
- یتیموں اور سڑک کے بچوں کے لیے: بچوں کے تحفظ کے اداروں یا مقامی معتبر افراد سے تصدیق
- سرپرست کے اسناد اور بچے کے ساتھ تعلق کی تصدیق
- حلف ناموں اور برادری کی تصدیقی دستاویزات کا جائزہ

تصدیق کا عمل | Verification Process

Document Authentication

Verification of submitted documents for authenticity and validity

دستاویزات کی صداقت اور درستگی کی تصدیق

1

Database Cross-Check

Checking against NADRA's national database to prevent duplicates

نادرا کے قومی ڈیٹا بیس کے خلاف چیکنگ تاکہ نقل سے بچا جاسکے

2

Field Verification

Physical verification may be conducted for confirmation

تصدیق کے لیے جسمانی تصدیق کی جاسکتی ہے

3

خاص کیسوں کی ہینڈلنگ | Special Case Handling

Orphans / Street Children

Confirmation from Child Protection Institutions or local notables required

بچوں کے تحفظ کے اداروں یا مقامی معتبر افراد سے تصدیق درکار

No Documentation

Enhanced verification process with community affidavits and interviews

برادری حلف ناموں اور انٹرویوز کے ساتھ بہتر تصدیق کا عمل

Discrepancies Found

Additional evidence may be requested to resolve inconsistencies

غیر مطابقتوں کو حل کرنے کے لیے اضافی ثبوت طلب کیا جاسکتا ہے

Step 4: Secure Court Order

Objective and Legal Basis

Once affidavits and supporting testimonies are prepared, the petitioner must obtain a formal judicial declaration to establish citizenship and identity rights. The principal legal remedy is a declaratory suit under Section 42 of the Specific Relief Act, 1877, which seeks judicial recognition of legal status. In cases involving minors or disputed parentage, this suit is often coupled with an application under Sections 7 and 17 of the Guardians and Wards Act, 1890, allowing the court to formally determine legal guardianship and prioritize the welfare of the child. This dual approach ensures that both citizenship and guardianship are legally validated, providing a solid foundation for administrative compliance.

Constitutional Foundations

The constitutional basis for securing a court order rests on multiple provisions. Article 9 guarantees the right to life and dignity, encompassing the right to legal identity. Article 25 enshrines equality before the law, preventing discrimination in registration or citizenship recognition. Article 35 protects the family, mother, and child, underscoring the state's obligation to ensure recognition of maternal rights and child welfare. Together, these constitutional provisions empower courts to act decisively when administrative authorities fail to recognize rights due to missing documentation or patriarchal biases.

Judicial Precedents

Judicial guidance reinforces the necessity of a formal court order. In *Saeed Abdi Mahmood v. NADRA* (2018 CLC 1588, IHC), the Islamabad High Court held that birth in Pakistan creates prima facie citizenship under Section 4 of the Citizenship Act, 1951, emphasizing that NADRA's role is administrative rather than judicial. Similarly, in *Rubina v. NADRA* (Sindh HC, 2015), the court ordered NADRA to process a mother's CNIC and register her child, explicitly rejecting the requirement of paternal documentation. In *Hafiz Hamdullah Saboor v. Government of Pakistan* (PLD 2021 Islamabad 305), the Islamabad High Court reiterated that only the Federal Government can determine citizenship status under Section 16 of the Citizenship Act and that NADRA cannot cancel or deny CNICs arbitrarily. These precedents collectively demonstrate that courts have consistently upheld the principle that oral evidence, affidavits, and community testimonies are sufficient to secure a legal declaration of citizenship and guardianship.

Administrative Implementation and RP-6.0.0 C2 Undertaking

From an administrative perspective, NADRA's RP-6.0.0 C2 Undertaking becomes crucial at this step. In cases where key documents such as marriage certificates, father's CNIC, or hospital birth records are unavailable, the court order can direct NADRA to accept sworn affidavits and C2 undertakings as substitute evidence. This procedural mechanism ensures that identity registration is grounded in both judicial and community validation, providing NADRA with a legally sanctioned basis to update its records.

Legal and Practical Significance

Securing the court order represents a critical turning point in the roadmap. It transforms oral narratives, affidavits, and supporting testimonies into a binding legal instrument. This order not only enforces the recognition of rights but also compels NADRA to act, preventing arbitrary denial of CNICs or CRCs. In essence, the declaratory order bridges the gap between community-based evidence and formal administrative recognition, safeguarding both maternal and child rights while establishing enforceability under the law.

After obtaining the court's declaratory order, the next phase involves ensuring its practical implementation through administrative channels. Step 5 focuses on serving the court order to NADRA and the Union Council, which converts judicial recognition into enforceable administrative action. The affidavits and supporting testimonies submitted in earlier steps provide the basis for administrative compliance, guiding officials to update databases, process CNIC applications, and issue Child Registration Certificates. Without this step, the court order remains theoretical, and the child's legal identity may not materialize in practice.

Step 4: Data Entry and Record Creation

ڈیٹا انٹری اور ریکارڈ تخلیق

The fourth step in obtaining a CNIC for undocumented street children

Process Description

This phase involves the official entry of the child's verified information into the national database and the creation of their official identity record.

Key Activities

- Union Council (UC) or NADRA official enters the child's verified details into the national database
- For children under 18 years: Child Registration Certificate (CRC/B-Form) is generated
- For children approaching 18: Preparation for CNIC application begins
- A permanent digital record is established in NADRA's system
- Unique identification number is assigned to the child
- All supporting documents are digitally archived

عمل کی تفصیل

اس مرحلے میں بچے کی تصدیق شدہ معلومات کو قومی ڈیٹابیس میں سرکاری اندراج اور ان کے سرکاری شناختی ریکارڈ کی تخلیق شامل ہے۔

اہم سرگرمیاں

- یونین کونسل (UC) یا نادرا کا اہلکار بچے کی تصدیق شدہ تفصیلات کو قومی ڈیٹابیس میں درج کرتا ہے
- 18 سال سے کم عمر بچوں کے لیے: بچے کے رجسٹریشن سرٹیفکیٹ (CRC/B-Form) تیار کیا جاتا ہے
- 18 سال کے قریب پہنچنے والے بچوں کے لیے: سی ٹک کی درخواست کی تیاری شروع ہوتی ہے
- نادرا کے نظام میں ایک مستقل ڈیجیٹل ریکارڈ قائم کیا جاتا ہے
- بچے کو ایک منفرد شناختی نمبر تفویض کیا جاتا ہے
- تمام معاون دستاویزات ڈیجیٹل طور پر محفوظ کی جاتی ہیں

ڈیٹا انٹری کا عمل | Data Entry Process



دستاویزات کی تیاری | Document Generation



Step 5: Serve Court Orders to NADRA and Union Council

Introduction: From Judicial Recognition to Administrative Enforcement

Securing a declaratory order from the court represents a major milestone in the process of establishing citizenship and identity for undocumented mothers and children. However, judicial recognition alone is insufficient if it does not translate into practical administrative action. Step 5 of the roadmap focuses on ensuring that the court's declaratory order is served and enforced through the relevant administrative bodies namely, the Union Council (UC) and the National Database and Registration Authority (NADRA). Serving the order formalizes the legal mandate and triggers procedural compliance. The petitioner must provide a certified copy of the court order along with supporting affidavits, witness testimonies, and applications for birth registration or CNIC/CRC issuance. This step ensures that the evidence collected and affirmed in prior steps, including oral histories, maternal affidavits, and community testimonies, becomes actionable and recognized by administrative authorities.

Role of the Union Council in Birth Registration

The Union Council is the primary custodian of birth records under the **Punjab Local Government Act, 2013**, as well as analogous provincial legislation across Pakistan. Its responsibilities include maintaining accurate and complete registers of births and facilitating issuance of official documents based on verified information. Courts have consistently held that missing paternal documentation cannot justify denial of birth registration.

In *Zarmeen Abid v. NADRA* (2021 LHC 4733), the Lahore High Court emphasized that the right to identity is fundamental and cannot be denied due to unknown parentage. This case reinforces that the administrative requirement for a father's CNIC or proof of marriage is secondary to the child's right to recognition. Similarly, in *Rubina v. NADRA* (SHC, 2015), the Sindh High Court explicitly held that maternal citizenship alone suffices for child registration, removing historical patrilineal bias in administrative practices. Once the declaratory order is served, the UC is legally bound to process the registration without delay or discretion, transforming judicial validation into administrative compliance.

Obligations of NADRA in Citizen Registration

NADRA, established under the NADRA Ordinance, 2000, is tasked with maintaining the national database and issuing identification documents, including CNICs and Child Registration Certificates (CRCs). NADRA's role is administrative, not judicial, meaning it cannot independently determine citizenship status or cancel CNICs arbitrarily. The Islamabad High Court in *Hafiz Hamdullah Saboor v. Government of Pakistan* (PLD 2021 Islamabad 305) affirmed that only the Federal Government may challenge or revoke citizenship under Section 16 of the Citizenship Act, and NADRA must implement existing law and court directions.

Similarly, in *Mst. Sharafat Bibi v. Ministry of Interior* (W.P. No. 2503-P/2023, Peshawar HC), the court emphasized that database errors, including incorrect categorization as an Afghan Citizen Card (ACC) holder, cannot nullify citizenship, and NADRA must follow a transparent verification process. Serving the court order obligates NADRA to process CNIC and CRC applications in accordance with judicial directives, without imposing discretionary requirements such as marriage certificates, father's CNIC, or hospital birth records.

Administrative Mechanism: RP-6.0.0 C2 Undertaking

In practice, NADRA requires some form of documentary verification to update its database. The RP-6.0.0 C2 Undertaking provides a procedural mechanism for cases where standard documents are missing. The C2 undertaking is a sworn affidavit that can be used to validate identity and parental claims in the absence of conventional documentation. When accompanied by a certified court order declaring maternal citizenship and legal guardianship, the C2 form serves as a legally sufficient administrative submission. The integration of judicial orders with RP-6.0.0 C2 ensures that NADRA officers follow a defined procedure and reduces the risk of arbitrary rejection. This system creates a bridge between exceptional cases and routine administrative operations, allowing undocumented mothers and children to be registered despite gaps in conventional records.

Legal Enforcement and Remedies

Serving the court order formalizes the enforcement of rights and triggers legal obligations on both NADRA and the Union Council. If either institution fails to comply, petitioners have multiple legal remedies. They can invoke the court's contempt jurisdiction under Article 204 of the Constitution to compel immediate compliance. Alternatively, under Article 199, petitioners may file a writ petition for enforcement of fundamental rights, including the right to identity and equality. These remedies ensure that legal recognition, once granted by the court, is effectively implemented, thereby preventing bureaucratic obstruction or delay.

Practical Considerations

In addition to serving certified copies of the court order, the petitioner should compile a complete dossier including: the mother's affidavits, witness testimonies, community-level supporting documents (such as school admission records or vaccination cards), and a copy of the C2 undertaking for submission to NADRA. Coordination with the Union Council and NADRA registration centers can help preempt delays. Furthermore, petitioners should maintain proof of delivery of documents to both institutions and obtain acknowledgments where possible. In high-risk or complex cases, legal counsel may assist in monitoring compliance and filing enforcement actions if necessary.

Step 5 represents the critical interface between the judiciary and the administrative machinery. By serving the court order to NADRA and the Union Council, the petitioner transforms judicial recognition into enforceable action. The combination of sworn affidavits, supporting testimonies, RP-6.0.0 C2 undertakings, and certified court orders ensures that administrative authorities process registrations correctly, thereby facilitating the issuance of CNICs for mothers and CRCs for children. This step underscores the principle that legal identity and citizenship rights, once affirmed by the court, must be respected and implemented by administrative authorities without discretionary obstacles. Serving the order is not merely a procedural requirement; it is the mechanism through which fundamental rights are operationalized, ensuring that undocumented mothers and children gain legal recognition and access to their constitutional entitlements.

Once NADRA and the Union Council have received and acknowledged the court's directive, the next logical step is the formal application for identity documentation. Step 6 involves submitting applications for the mother's CNIC and the child's CRC (B-form), utilizing the court order, affidavits, and any ancillary testimonies as evidence. This step operationalizes the legal recognition into tangible documents that confer citizenship and access to rights. Prior steps ensure that these applications meet both legal and administrative requirements, removing barriers related to missing paternal documents or incomplete records.

Step 5: Issuance of CRC and CNIC

The fifth step in obtaining a CNIC for undocumented street children

Process Description

This phase involves the official issuance of identity documents based on the verified information and records created in the previous steps.

Key Activities

- Child Registration Certificate (CRC/B-Form) is issued to children under 18 years of age
- At 18 years: the individual applies for a Computerized National Identity Card (CNIC)
- CNIC is issued upon successful verification of all documents and information
- For orphans and street children: guardian or orphanage certification is used if needed
- Biometric verification is conducted for CNIC applicants
- Physical documents are issued and delivered to the applicant or guardian

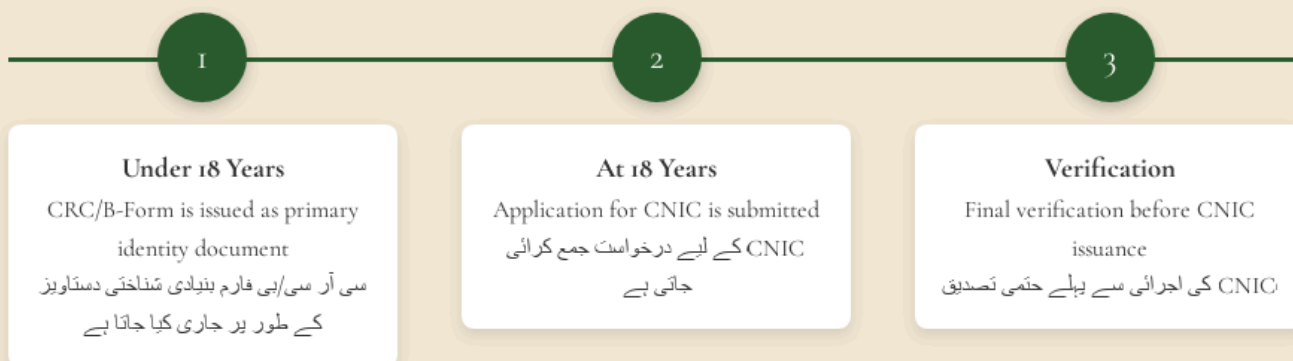
عمل کی تفصیل

اس مرحلے میں پچھلے مراحل میں تصدیق شدہ معلومات اور بنائے گئے ریکارڈز کی بنیاد پر شناختی دستاویزات کی سرکاری اجرائی شامل ہے۔

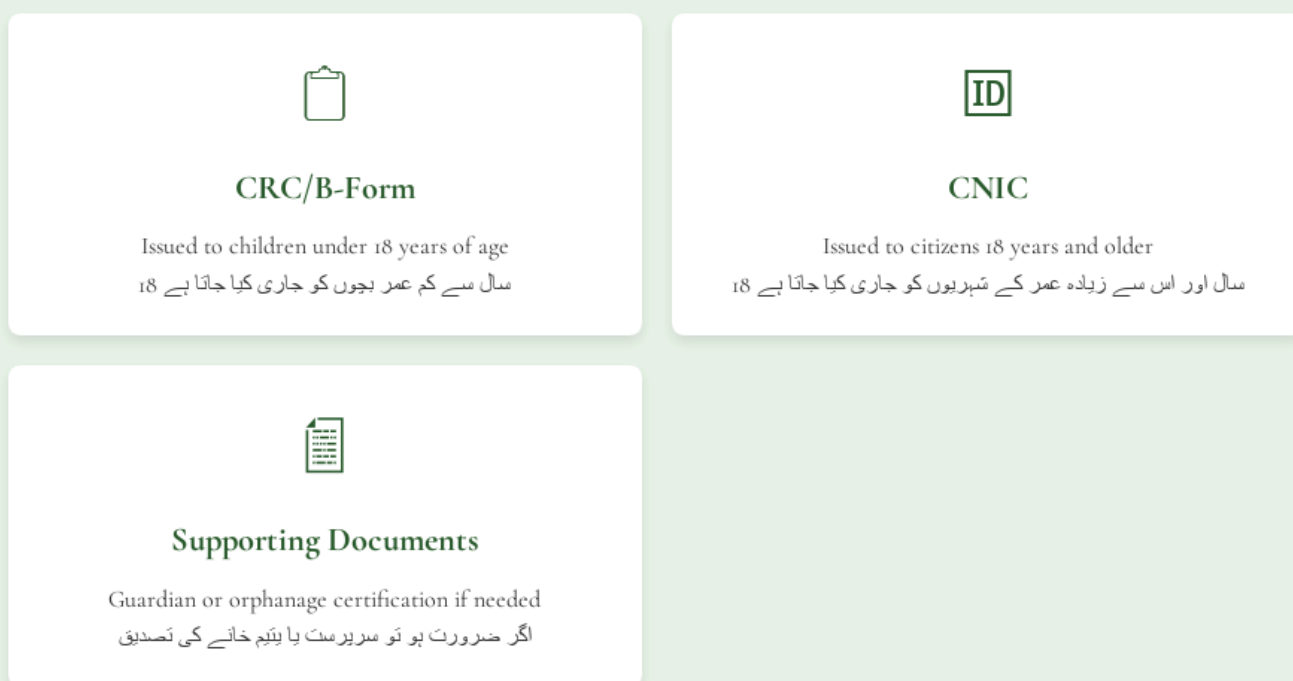
اہم سرگرمیاں

- 18 سال سے کم عمر بچوں کو بچے کے رجسٹریشن سرٹیفکیٹ (CRC/B-Form) جاری کیا جاتا ہے
- 18 سال کی عمر پر، فرد کمپیوٹرائزڈ قومی شناختی کارڈ (CNIC) کے لیے درخواست دیتا ہے
- تمام دستاویزات اور معلومات کی کامیاب تصدیق پر (CNIC) جاری کیا جاتا ہے
- یتیموں اور سڑک کے بچوں کے لیے: اگر ضرورت ہو تو سرپرست یا یتیم خانے کی تصدیق استعمال کی جاتی ہے
- (CNIC) کے درخواست دہندگان کے لیے بائیومیٹرک تصدیق کی جاتی ہے
- جسمانی دستاویزات درخواست دہندہ یا سرپرست کو جاری اور فراہم کی جاتی ہیں

دستاویزات کی اجرائی کا عمل | Document Issuance Process



شناختی دستاویزات | Identity Documents



CNIC کے لیے تصدیق | Verification for CNIC



Step 6: Apply for CNIC and B-Form (CRC)

After securing compliance from the Union Council and NADRA in response to the declaratory court order, the final phase of the identity registration roadmap is the formal application for the Computerized National Identity Card for the mother and the Child Registration Certificate, commonly known as the **B-Form**, for the child. This step represents the culmination of an extensive legal and administrative process, translating judicial recognition into enforceable legal identity. It ensures that previously undocumented mothers and their children are formally recognized as Pakistani citizens, thereby securing their constitutional rights and access to public services, education, healthcare, and civic participation.

CNIC Application for the Mother

The mother, particularly if she is undocumented or single, must submit her CNIC application at a NADRA Registration Center, accompanied by critical legal and supporting documentation. The primary document is the court-issued declaratory order affirming her citizenship and her legal guardianship of the child. In circumstances where standard documentation such as a husband's or father's CNIC is unavailable, sworn affidavits or RP-6.0.0 C2 Undertakings can be submitted as alternative proof. These affidavits must be attested by an oath commissioner and, where possible, corroborated by local witnesses such as community elders, teachers, or health workers.

Judicial precedent strongly supports this process. In *Hafiz Hamdullah Saboor v. Government of Pakistan*, the Islamabad High Court held that NADRA cannot arbitrarily block or cancel a CNIC or declare a person non-citizen, emphasizing that only the Federal Government may exercise adjudicatory powers over citizenship under Section 16 of the Citizenship Act, 1951. Similarly, in *Mst. Sharafat Bibi v. Ministry of Interior*, the Peshawar High Court clarified that errors in NADRA's database, including incorrect Afghan Citizen Card entries, cannot deprive a person of citizenship and directed NADRA to ensure a fair verification process. These judgments guarantee that once the mother presents a judicial declaration along with a sworn undertaking, NADRA has no legal basis to refuse the issuance of a CNIC.

The CNIC serves not only as proof of citizenship but also as a gateway to civic, economic, and social rights. It is critical for opening bank accounts, accessing healthcare, enrolling children in school, and participating in the political process. Therefore, ensuring that NADRA processes the application without imposing extra-legal requirements is fundamental for protecting the rights of vulnerable women.

Dar-ul-Ifta certificate

A certificate from Dar-ul-Ifta can be submitted to corroborate the mother's identity and her legal capacity to act as guardian. This document provides additional religious and legal verification to support CNIC and B-Form applications.

CRC (B-Form) for the Child

The Child Registration Certificate is dependent upon the mother's CNIC and the child's birth registration at the Union Council.

Judicial interpretation has established that maternal documentation alone is sufficient for registration in cases where paternal documentation is unavailable. In *Rubina v. NADRA*, the Sindh High Court directed NADRA to register a child based solely on maternal citizenship, explicitly rejecting the patrilineal bias that historically impeded registration. *Zarmeen Abid v. NADRA* further reinforced this principle, holding that unknown or missing paternal information cannot be grounds for denial of legal identity, emphasizing that every child has a fundamental right to identity and legal recognition under Articles 9 and 25 of the Constitution, which protect life, dignity, and equality before the law.

The Guardians and Wards Act, 1890 provides a statutory framework for such situations. When a mother has been legally recognized as the guardian of her child through a court order, she is empowered to represent the child in all matters of identity registration. Courts have consistently emphasized that this guardianship, combined with maternal citizenship, is sufficient for NADRA and the Union Council to process a CRC, even in the absence of paternal records. The act ensures that the child's welfare is paramount, and the mother's legal authority to register the child is binding on administrative authorities.

Administrative Reinforcement through RP-6.0.0

The RP-6.0.0 C2 Undertaking plays a critical role at this step by providing an administrative mechanism to bridge the gap between judicial recognition and bureaucratic procedures. In cases where documents such as marriage certificates, father's CNIC, or hospital birth records are absent, the C2 undertaking allows the mother to provide sworn attestation of her identity and guardianship. NADRA officers, in

accordance with their SOPs, are then able to update records without breaching internal verification rules. When combined with a court order, the C2 undertaking eliminates discretionary barriers that often obstruct women and children in vulnerable circumstances, ensuring that legal recognition is effectively converted into practical administrative compliance.

Constitutional Safeguards

The constitutional basis for maternal transmission of citizenship is further reinforced by the Federal Shariat Court in *Suo Motu No. 1/K of 2006*, decided in 2007. The Court declared Section 10 of the Citizenship Act discriminatory for restricting the ability of women to transmit citizenship, holding it repugnant to Articles 2-A and 25 of the Constitution as well as Islamic injunctions. This precedent provides a constitutional guarantee that maternal identity is sufficient for the purposes of CNIC and CRC applications, thereby strengthening the legal legitimacy of this step.

Implementation and Practical Significance

This step is where the legal, judicial, and administrative threads of the roadmap converge. The CNIC issued to the mother and the B-Form issued to the child provide tangible proof of citizenship, enabling access to healthcare, education, social protection programs, and legal recourse in matters of civil, property, and familial rights. The combination of court orders, affidavits, community testimonies, and RP-6.0.0 undertakings ensures that even in the absence of conventional documentation, identity registration is legally sound and practically enforceable.

The issuance of CNICs and CRCs marks the successful translation of oral evidence, affidavits, and judicial recognition into enforceable administrative action. It represents the final legal safeguard for undocumented mothers and their children, securing their constitutional and human rights, and providing a foundation for social inclusion and protection from statelessness or administrative neglect.

Legal Integration

Throughout this process, case law such as *Rubina v. NADRA*, *Zarmeen Abid v. NADRA*, *Hafiz Hamdullah Saboor v. Government of Pakistan*, and *Mst. Sharafat Bibi v. Ministry of Interior* establishes clear legal authority for maternal registration and administrative compliance. These cases collectively reinforce the principle that citizenship is a constitutional right and cannot be denied due to absence of paternal or conventional documentation. The RP-6.0.0 undertaking and court order together create a legally binding framework compelling NADRA and Union Councils to comply.

Concluding Observations

Step 6 represents the operationalization of all prior steps in the roadmap. It ensures that judicial recognition, community-based evidence, and administrative compliance converge to deliver enforceable legal identity. The mother's CNIC and the child's B-Form are not merely documents but instruments that safeguard constitutional rights, provide access to social services, and protect against bureaucratic exclusion, thereby completing the legal journey from undocumented status to full civic recognition.

Step 6: Appeals, Review, and Correction Mechanisms

اپیلوں، جائزے اور تصحیح کے طریقہ کار

The sixth step in obtaining a CNIC for undocumented street children

Process Description

This phase addresses the mechanisms available for applicants to appeal rejected applications, request corrections, and resolve disputes through NADRA's established review processes.

Key Activities

- Rejected applications or errors can be appealed at NADRA Regional Office
- Correction requests for spelling errors, parent information, or clerical mistakes are processed
- NADRA Verification Board reviews contested cases and makes final determinations
- Additional evidence or documentation can be submitted during the appeal process
- Legal assistance may be sought for complex cases
- Timelines for resolution are established for each case

عمل کی تفصیل

یہ مرحلہ درخواست دہندگان کے لیے دستیاب طریقہ کار سے متعلق ہے تاکہ مسترد شدہ درخواستوں پر اپیل کر سکیں، تصحیح کی درخواست کر سکیں اور نادرا کے قائم کردہ جائزے کے عمل کے ذریعے تنازعات کو حل کر سکیں۔

اہم سرگرمیاں

- مسترد شدہ درخواستوں یا غلطیوں پر نادرا کے ریجنل آفس میں اپیل کی جا سکتی ہے
- اسپلنگ کی غلطیوں، والدین کی معلومات، یا کلرکی غلطیوں کے لیے تصحیح کی درخواستیں پراسیس کی جاتی ہیں
- نادرا کی تصدیقی بورڈ متنازعہ کیسز کا جائزہ لیتی ہے اور حتمی فیصلے کرتی ہے
- اپیل کے عمل کے دوران اضافی ثبوت یا دستاویزات جمع کرائی جا سکتی ہیں
- ہتچیدہ کیسز کے لیے قانونی مدد حاصل کی جا سکتی ہے
- فیصلے کے لیے وقت کی حد ہر کیس کے لیے مقرر کی جاتی ہے

اپیل کا عمل | Appeals Process

1 Appeal Submission

Formal appeal submitted at NADRA Regional Office with supporting documents

نادرا کے ریجنل آفس میں معاون دستاویزات کے ساتھ رسمی اپیل جمع کرائی جاتی ہے

2 Case Review

NADRA officials review the appeal and all supporting documentation

نادرا کے اہلکار اپیل اور تمام معاون دستاویزات کا جائزہ لیتے ہیں

3 Verification Board

Contested cases are elevated to NADRA Verification Board for final decision

متنازعہ کیسز حتمی فیصلے کے لیے نادرا کی تصدیقی بورڈ کو بھیجے جاتے ہیں

تصحیح کی اقسام | Types of Corrections

Spelling Errors

Correction of misspelled names or other textual errors in documents

غلطیوں کی textual دستاویزات میں غلط سپیلنگ والے ناموں یا دیگر تصحیح

Parent Information

Correction or addition of parent/guardian details

والدین/سرپرست کی تفصیلات کی تصحیح یا اضافہ

Clerical Errors

Fix administrative mistakes made during data entry

ڈیٹا انٹری کے دوران ہونے والی انتظامی غلطیوں کی درستگی

نادرا تصدیقی بورڈ | NADRA Verification Board

Composition

Board consists of senior NADRA officials, legal experts, and community representatives

بورڈ میں نادرا کے سینئر اہلکار، قانونی ماہرین اور برائے نمائندے شامل ہوتے ہیں

Authority

Has final decision-making power on contested identity cases

متنازعہ شناختی کیسز پر حتمی فیصلہ سازی کی اختیار رکھتی ہے

Process

Reviews all evidence, may conduct hearings, and makes binding determinations

تمام ثبوتوں کا جائزہ لیتی ہے، سماعتیں کر سکتی ہے، اور پابند فیصلے کرتی ہے

Step 7: Enforcement and Remedies

Even after successful compliance with judicial and administrative directives, instances persist where NADRA or Union Councils fail to implement court orders, delay the issuance of CNICs and CRCs, or arbitrarily block applications. Step 7 of the roadmap addresses the mechanisms available to safeguard the rights of mothers and children when authorities do not comply with legal mandates. This step ensures that the rights recognized in previous steps are enforceable and that remedies exist for administrative and bureaucratic failures.

Writ Jurisdiction under Article 199

The primary avenue for enforcement lies in invoking the constitutional writ jurisdiction of the High Courts under Article 199 of the Constitution of Pakistan, 1973. Citizens may approach the courts to obtain relief when authorities fail to perform their statutory duties. Key remedies include:

1. Writ of Mandamus – directing NADRA or UC officials to perform their statutory duty of registering births, issuing CNICs, or processing CRCs.
2. Writ of Certiorari/Prohibition – challenging illegal actions such as arbitrary cancellation, data blocking, or refusal to correct records.

In the case of *Hafiz Hamdullah Saboor v. Go*, the Islamabad High Court emphasized that NADRA has no adjudicatory authority to declare a citizen non-existent. The court ruled that cancellation or blocking of CNICs without due process violates Articles 4 and 25 of the Constitution. This landmark judgment affirms that writ petitions are a constitutionally guaranteed mechanism to enforce identity rights.

Contempt Proceedings for Non-Compliance

When NADRA or local authorities defy court orders, petitioners may invoke contempt jurisdiction under Article 204 of the Constitution and the **Contempt of Court Ordinance, 2003**. This provides a mechanism to hold officials personally accountable for delays or refusals to implement judicial directives. For instance, in *Rubina v. NADRA* (Sindh HC, 20, continued refusal by NADRA to issue a CNIC despite court orders prompted the issuance of show-cause notices against responsible officials. The court reminded NADRA that non-compliance not only obstructs fundamental rights but also undermines judicial authority, reinforcing that administrative discretion must yield to legal obligations.

Error Rectification and Database Challenges

Automated systems sometimes produce errors that impede registration. Common issues include misclassification of citizens as Afghan Citizen Card holders or duplicate entries. Courts have clarified that such errors cannot nullify citizenship. In *Mst. Sharafat Bibi v. Ministry of Interior* (W.P. No. 2503-P/2023, Peshawar HC), the court directed NADRA to provide a transparent verification forum for citizens affected by database anomalies, emphasizing that judicial oversight is essential to correct administrative mistakes.

Petitioners may therefore challenge database-based exclusions and compel NADRA to rectify errors under judicial supervision, ensuring that children and mothers are not unjustly denied identity documents.

Gender Equality as a Constitutional Remedy

Enforcement also includes invoking constitutional protections against gender-based discrimination. In *Suo Motu No. 1/K* of 2006 (Federal Shariat Court, 2007), the court struck down Section 10 of the Pakistan Citizenship Act, 1951, which restricted a woman's ability to transmit citizenship. This decision provides mothers with a constitutional shield: if NADRA refuses to process a child's CNIC or CRC due to the absence of paternal information, the mother can invoke this precedent to enforce equality under Articles 2-A and 25.

AND.

In addition to mandating the issuance of documents, courts may award damages when unlawful denial of identity obstructs access to essential services. Denial of CNICs or CRCs can prevent children from enrolling in school, accessing healthcare, or opening bank accounts. In *Zarmeen Abid v. NADRA* (2021 LHC 4733), the Lahore High Court held that unjust denial of identity violates the right to dignity under Article 14 and may entitle claimants to remedies beyond mere issuance of documents, including compensation for loss of access to civic and social rights.

Practical Significance

Step 7 operationalizes the previous legal and administrative measures, ensuring that compliance is not merely theoretical. Through writ petitions, contempt proceedings, judicial oversight of databases, constitutional remedies, and potential compensation, the roadmap provides a comprehensive enforcement framework.

This step ensures that mothers and children, especially those facing systemic disadvantages, have actionable recourse when authorities fail to perform their duties. It bridges the gap between formal recognition of rights and their tangible realization, guaranteeing that legal identity is protected as both a constitutional and practical safeguard.

Integration with Previous Steps

This step reinforces the entire roadmap: court orders, affidavits, and administrative mechanisms culminate in enforceable rights. Mothers can rely on judicial authority, constitutional safeguards, and procedural remedies to ensure CNICs and CRCs are issued without obstruction. The step also emphasizes accountability, transparency, and adherence to equality principles, ensuring that the roadmap does not end with registration but extends to protection and enforcement of identity rights.

Concluding Note on Practical Challenges

This handbook shows that legal identity can be secured through judicial and administrative remedies, and the seven-step roadmap offers a clear pathway for families, practitioners, and community workers. Yet practical challenges remain: court delays, resistance from officials, hidden expenses, and cultural stigma often make the process longer and more difficult. The roadmap has not yet been field-tested, judicial remedies are unevenly applied across provinces, and litigation alone cannot address the scale of Pakistan's registration crisis, with 42% of children still unregistered. Single mothers, orphans, and children of unknown parentage face particular stigma, while rural families struggle with poor access to courts, NADRA offices, and legal aid. Costs, repeated hearings, and weak enforcement mechanisms further burden vulnerable families, and legal precedents may be inconsistently applied. To overcome these barriers, the next steps should include pilot testing this process with NGOs and legal aid providers, preparing simplified Urdu and regional-language handbooks for community use, advocating policy reforms to reduce reliance on litigation, monitoring outcomes to measure success rates, and building the capacity of lawyers, social workers, and NADRA staff. This handbook is therefore both a practical guide for individual cases and a foundation for broader reforms to ensure every child and vulnerable family can realize their right to legal identity.

Step 7: Enforcement of Rights and Remedies

حقوق اور علاج کی نفاذ

The seventh and final step in obtaining a CNIC for undocumented street children

Process Description

This final phase addresses the legal remedies available when authorities refuse, delay, or wrongfully deny identity documents to eligible individuals, particularly vulnerable groups like street children.

Key Activities

- Filing writ petitions under Article 199 of the Constitution (mandamus, certiorari, prohibition)
- Initiating contempt proceedings for non-compliance with court orders
- Challenging wrongful database tagging (e.g., incorrect classification as Afghan nationals)
- Using gender equality precedents to enforce maternal registration rights
- Pursuing compensation claims for unlawful denial of CNIC/CRC
- Seeking judicial intervention to enforce fundamental rights

عمل کی تفصیل

یہ آخری مرحلہ اس وقت دستیاب قانونی علاج سے متعلق ہے جب حکام اہل افراد، خاص طور پر سڑک کے بچوں جیسے کمزور گروہوں کو شناختی دستاویزات دینے سے انکار کرتے ہیں، تاخیر کرتے ہیں یا غلط طریقے سے انکار کرتے ہیں۔

اہم سرگرمیاں

- آئین کے آرٹیکل 199 کے تحت رٹ پیشین دائر کرنا (mandamus, certiorari, prohibition)
- عدالت کے احکامات کی عدم تعمیل کے لیے توہین عدالت کے مقدمات شروع کرنا
- غلط ڈیٹابیس ٹیگنگ کو چیلنج کرنا (مثال کے طور پر، افغان شہریوں کے طور پر غلط درجہ بندی)
- مادری رجسٹریشن کے حقوق کو نافذ کرنے کے لیے صنفی مساوات کے precedents کا استعمال
- CNIC/CRC کے غیر قانونی انکار کے لیے معاوضے کے دعوے کرنا
- بنیادی حقوق کو نافذ کرنے کے لیے عدالتی مداخلت کی تلاش

قانونی علاج | Legal Remedies

Writ Petitions

Article 199 petitions for mandamus (compelling action), certiorari (quashing decisions), and prohibition (preventing actions)
(کارروائی کرنے پر مجبور کرنا) mandamus آرٹیکل 199 کے تحت کارروائیوں کو prohibition اور (بھولوں کو کالعدم کرنا) certiorari کے لیے پٹیشن (روکنا)

Contempt Proceedings

Initiated when authorities fail to comply with court orders for document issuance
جب حکام دستاویزات کی اجرائی کے لیے عدالت کے احکامات پر عمل درآمد کرنے میں ناکام ہوتے ہیں تو شروع کیا جاتا ہے

Compensation Claims

Seeking damages for unlawful denial of identity documents and resulting hardships
شناختی دستاویزات کے غیر قانونی انکار اور اس کے نتیجے میں ہونے کی تلافی damages والی مشکلات کے لیے

عدالتی عمل | Judicial Process

Filing Petition

Engage legal counsel to file a constitutional petition in the relevant High Court
متعلقہ ہائی کورٹ میں آئینی درخواست دائر کرنے کے لیے قانونی مشنر کو شامل کرنا

Court Hearing

Present evidence of wrongful denial or delay in identity document issuance
شناختی دستاویزات کی اجرائی میں غلط انکار یا تاخیر کے ثبوت پیش کرنا

Court Order

Obtain judicial direction compelling NADRA/UC to issue required documents
نادر/یو سی کو مطلوبہ دستاویزات جاری کرنے پر مجبور کرنے والی عدالتی ہدایت حاصل کرنا

Legal Precedents | قانونی precedents

Gender Equality

Using precedents that establish equal registration rights through maternal lineage
کا استعمال جو مادری نسب کے ذریعے برابر precedents ایسے رجسٹریشن کے حقوق قائم کرتے ہیں

Citizenship Rights

Cases affirming that undocumented status doesn't equate to statelessness
ایسے مقدمات جو تصدیق کرتے ہیں کہ غیر دستاویزی حیثیت بے ریاستی کے برابر نہیں ہے

Wrongful Tagging

Challenges to incorrect classification in NADRA's database systems
نادر/یو سی کے ڈیٹا بیس سسٹمز میں غلط درجہ بندی کے خلاف چیلجز

Checklist of Required Documents (Birth → CNIC at 18 Years)

At Birth (0–3 months)

- Hospital Birth Certificate (issued by hospital/clinic)
OR
- Midwife's Certificate / Affidavit (if home birth, attested by local councilor/UC)

Infant Registration (0–1 year)

- Union Council Birth Certificate (Form-B)
- Required to register the child's birth with Union Council.
- Based on hospital certificate + parents' CNICs.

Early Childhood (1–5 years)

- B-Form / Child Registration Certificate (CRC) issued by NADRA
- Documents required:
- Union Council Birth Certificate
- Father's CNIC (or Mother's CNIC if father not available, based on Rubina v. NADRA)
- Mother's CNIC
- Two passport-size photographs of the child

School Age (5–16 years)

- School Enrollment / Educational Record
- Admission form, school ID, and/or school leaving certificate (SLC)
- These documents later serve as corroborating evidence of date of birth.
- Vaccination / Health Card (Polio / EPI records; often requested in school or UC)
- Updated CRC (if changes in address or guardianship occur)

Adolescence (16–18 years)

At this step, the child prepares for CNIC at 18 years.

Mandatory Documents for CNIC (at 18 years):

- Original CRC (B-form)
- Father's CNIC (or Mother's CNIC if father absent, as upheld in *Rubina v. NADRA*,
- Union Council Birth Certificate (if required for verification)
- Matriculation Certificate (often accepted as proof of age/DoB)
- Domicile Certificate (sometimes required for students/employment, not mandatory for CNIC but helpful)
- Attested Photographs (for NADRA file)
- Guardian Court Order (only in disputed parentage/undocumented cases — see Guardians and Wards Act, 1890)

Attaining CNIC Despite Missing Documents in Pakistan

Obtaining a CNIC in Pakistan is generally a document-heavy process, requiring birth certificates, parental CNICs, and educational records. However, large segments of the population — particularly children of undocumented or single mothers, abandoned children, and members of marginalized communities often lack one or more of these documents. The law and courts have repeatedly intervened to establish that the right to citizenship and identity cannot be made conditional on rigid documentation requirements.

1. Constitutional and Legal Framework

- Article 15–25, Constitution of Pakistan (1973): Guarantee fundamental rights, including equality before law, dignity, and freedom of movement all of which are impaired if CNICs are denied.

- Section 4, Pakistan Citizenship Act, 1951: Establishes *jus soli* — any person born in Pakistan is a citizen, unless exceptions apply. This means birth alone creates a presumption of citizenship, irrespective of documents (*Saeed Abdi Mahmood v. NADRA*, 2018 CLC 1588, IHC).

- Section 16, Citizenship Act: Only the Federal Government can revoke or dispute citizenship. NADRA has no adjudicatory power (*Hafiz Hamdullah Saboor v. GoP*, PLD 2021 Islamabad 305).

Thus, NADRA's role is administrative, not judicial. Missing paperwork cannot be treated as conclusive proof against citizenship.

Practical Routes When Documents Are Missing

If birth certificates, father's CNIC, or educational records are absent, the following lawful mechanisms can still lead to successful CNIC registration:

1. **Affidavits and Testimonies:** Sworn affidavits from the mother, guardian, or community witnesses can substitute for missing documents. Courts have directed NADRA to accept such testimonies when statutory rights are at stake.
2. **Court Orders (Guardians and Wards Act, 1890):** Where parentage or guardianship is disputed or undocumented, a guardian certificate issued by a Family Court can establish legal recognition of the child, which NADRA must respect.
3. **Maternal CNIC as Primary Document:** As upheld in *Rubina* and *Zarmeen Abid*, the mother's CNIC alone can be the foundation for child registration if the father's identity is absent or untraceable.
4. **Educational and Health Records:** School certificates, vaccination cards, and hospital records, though secondary, have been judicially accepted as reliable evidence of date of birth and identity (Nazia Khalid).
5. **Relief through Writ Petitions:** Under Article 199 of the Constitution, High Courts can be approached directly against NADRA refusals. The judiciary has consistently granted relief in such cases, ordering registration or correction.

Alternate Legal Route for Stateless Families

Testimonial Judicial Path to Identity Documentation

Situation: No ID, No Father, No Documents

Mother's Situation

- Has no CNIC
- No marriage certificate
- No male family member

Child's Situation

- No birth certificate
- No school admission
- No hospital slip

Administrative Challenges

- Functionally stateless
- NADRA/UC rejects all applications
- No formal documentation

↻ Alternate Legal Route (Testimonial Judicial Path)

Step 1

Collect Personal Testimony

Document oral history from mother: name, family background, child's birth date/location, and details of father (if known)

This forms the basis of your legal claim

Step 2

Secure Two Witness Affidavits

From neighbors, local councillors, midwives, religious leaders, or NGO workers confirming:

- Mother's residence
- Her Pakistani origin
- Her maternal link to the child

These serve as identity surrogates

Step 3

Draft & Notarize a Petition for 'Declaratory Relief'

File a civil petition under Section 42 of the Specific Relief Act, 1877, asking the court to:

- Declare the woman a Pakistani citizen
- Declare the child as her biological child
- Order NADRA to issue both identities

This legally binds NADRA to act

Step 4

Add Supporting Material (If Any)

Old photos, local community letter, charity support docs, school/madrasa letters

Even weak evidence supports credibility

Step 5

File in District Civil Court

Preferably where the woman resides or child was born

You'll likely receive a hearing within 3–6 weeks

Step 6

Court Issues Declaratory Order

Once judge is satisfied with witness testimony and affidavits

NADRA and Union Council are now legally bound to issue IDs

Step 7

Serve Court Order to NADRA & UC

Personally deliver with an affidavit of service

This enables CNIC/B-Form application

Step 8

Submit Application at NADRA with Order

Include the court judgment, witness affidavits, and court-stamped copies

NADRA will initiate internal verification, often approving within 1–2 weeks

عمل کا خلاصہ

Process Summary

2

بچے کے کھید انٹی سرٹیفکیٹ کے لیے یونین کونسل میں درخواست
→

Apply at Union Council for child's birth certificate →

1

ماں اور گواہوں کا حلف نامہ →

Affidavit by mother witnesses →

4

ماں کو نادرا میں رجسٹر کریں →

Register mother at NADRA →

3

اگر انکار کیا جائے تو عدالت میں درخواست دائر کریں →

File court petition if refused →

6

اگر مسترد کر دیا جائے تو نادرا میں دوبارہ اپیل کریں →

Appeal again to NADRA if denied →

5

بچے کے بی فارم کے لیے درخواست دیں →

Apply for child's B-Form →

7

غیر سرکاری تنظیموں یا قانونی کلینکس سے مدد

Support from NGOs or legal clinics

پاکستان کی شہریت کے قوانین اور نادرا کی regulations پر جامع قانونی تجزیہ پر مبنی

Based on comprehensive legal analysis of Pakistan's citizenship laws and NADRA regulations

Legal Precedents to Rely On

- *Rubina v NADRA* (Sindh High Court, 2015)
- *Zarmeen Abid v NADRA* [2021] LHC 4733
- *Saeed Abdi Mahmood v NADRA* [2018] CLC 1588 (IHC)]
- *Hafiz Hamdullah Saboor v Government of Pakistan* [2021] PLD Islamabad 305
- *Mst Sharafat Bibi v Ministry of Interior* (Writ Petition No 2503-P/2023, Peshawar High Court)
- *Nazia Khalid v NADRA* (AJK High Court)
- *Saify Ali Khan v Federation* (C.P. D-31/2017, Sindh High Court)
- *Suo Motu No 1/K of 2006* (Federal Shariat Court, 2007)

Templates

- Affidavit by mother (Urdu + English) (copy-attached)
- Witness affidavit (for neighbors/NGO) (copy-attached)
- Draft court petition under Section 42 (copy-attached)
- Cover letter for NADRA post-court order (copy-attached)
- Alternative Supporting Proofs (If No Official Paper)
- Even weak or “non-governmental” documents can help:
- Mobile SIM registered in mother’s name (via NADRA)
- Electricity or water bill from rental house
- Local mosque/madrassa verification letter
- NGO ID card or ration card

If All Else Fails

If even courts are inaccessible:

- Contact Legal Aid Society, Aurat Foundation, or Edhi Foundation (in the case of abandoned children)
- They have legal standing with NADRA and UC offices to certify identities or initiate registration

This pathway may take 6–12 weeks, but it is proven to work even in total absence of documentation.

Conclusion

While NADRA SOPs require strict documentation, Pakistani courts have established that **citizenship is a right, not a privilege**, and cannot be lost due to absence of paperwork. The combined effect of case law particularly *Rubina, Zarmeen Abid, and Saeed Abdi Mahmood* is **that identity must be registered even in the absence of complete documentation, provided there is reasonable proof of birth and connection to a Pakistani parent or territory**. The roadmap for **undocumented children and single mothers thus rests on** using alternative proofs, affidavits, and judicial remedies to overcome bureaucratic hurdles.

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United Nations, '*Convention on the Rights of the Child*' (1989)

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Appendix A: Survey Questionnaire

Survey on Access to Legal Identity Documentation in Pakistan

پاکستان میں قانونی شناختی دستاویزات تک رسائی پر سروے

Purpose / مقصد

To gather data on challenges faced by undocumented individuals in obtaining identity documents.

شناختی دستاویزات حاصل کرنے میں دستاویزات سے محروم افراد کے سامنے آنے والی مشکلات کے بارے میں ڈیٹا جمع کرنا۔

Sample Questions / نمونہ سوالات

Question 1 / سوال 1

What identity documents do you currently possess?

آپ کے پاس فی الحال کون سی شناختی دستاویزات موجود ہیں؟

CNIC	Birth Certificate	Passport
قومی شناختی کارڈ	پیدائشی سرٹیفکیٹ	پاسپورٹ
None		
کوئی نہیں		

Question 2 / سوال 2

Have you ever faced difficulty in obtaining a CNIC or birth certificate?

کیا آپ کو کبھی قومی شناختی کارڈ یا پیدائشی سرٹیفکیٹ حاصل کرنے میں دشواری کا سامنا کرنا پڑا ہے؟

Yes	No
جی ہاں	نہیں

Question 3 / سوال 3

If yes, what were the main barriers?

اگر ہاں، تو اہم رکاوٹیں کیا تھیں؟

Financial	Bureaucratic	Social
مالی	بیوروکریٹک	سماجی
Other		
دیگر		

Question 4 / سوال 4

Has lack of identity documentation affected access to education, healthcare, or employment?

کیا شناختی دستاویزات کی کمی نے تعلیم، صحت کی دیکھ بھال، یا روزگار تک رسائی کو متاثر کیا ہے؟

Education	Healthcare	Employment
تعلیم	صحت کی دیکھ بھال	روزگار
All of the above	None	
مندرجہ بالا تمام	کوئی نہیں	

Question 5 / سوال 5

Are you aware of any legal avenues to obtain identity documentation if undocumented?

کیا آپ دستاویزات سے محروم ہونے کی صورت میں شناختی دستاویزات حاصل کرنے کے کسی قانونی ذرائع سے واقف ہیں؟

Yes	No	Somewhat
جی ہاں	نہیں	کسی حد تک

Survey on Access to Legal Identity Documentation in Pakistan

پاکستان میں قانونی شناختی دستاویزات تک رسائی پر سروے

Appendix B: List of Relevant Laws and Policies

Legal framework governing identity documentation in Pakistan

پاکستان میں شناختی دستاویزات کے حوالے سے قانونی فریم ورک

ملکی قوانین اور پالیسیاں / Domestic Laws and Policies

1

The Pakistan Citizenship Act, 1951

پاکستانی شہریت ایکٹ، 1951

Defines citizenship criteria and acquisition.

شہریت کے معیار اور حصول کی وضاحت کرتا ہے۔

Citizenship / شہریت

2

National Database and Registration Authority Ordinance, 2000 (NADRA Ordinance)

نیشنل ڈیٹابیس اور رجسٹریشن اتھارٹی آرڈیننس، 2000 (نادرا آرڈیننس)

Governs registration of citizens and issuance of CNICs.

شہریوں کے رجسٹریشن اور قومی شناختی کارڈ جاری کرنے کا انتظام کرتا ہے۔

Registration / رجسٹریشن

3

Births, Deaths, and Marriages Registration Act, 1886 / Provincial amendments

پیدائش، اموات اور شادیوں کی رجسٹریشن ایکٹ، 1886 / صوبائی ترامیم

Framework for birth registration.

پیدائش کی رجسٹریشن کا فریم ورک۔

Vital Records / اہم ریکارڈز

4

Constitution of Pakistan, 1973

آئین پاکستان، 1973

Article 25 (Equality before law) and Article 37 (Provision of basic necessities).

آرٹیکل 25 (قانون کے سامنے مساوات) اور آرٹیکل 37 (بنیادی ضروریات کی فراہمی)۔

Constitutional / آئینی

بین الاقوامی معاہدے / International Instruments

5

International Covenant on Civil and Political Rights (ICCPR)

شہری اور سیاسی حقوق کا بین الاقوامی عہد نامہ (ICCPR)

Article 16 (Right to recognition as a person before the law).

آرٹیکل 16 (قانون کے سامنے شخص کے طور پر تسلیم ہونے کا حق)۔

Human Rights / انسانی حقوق

6

Convention on the Rights of the Child (CRC)

بچوں کے حقوق کا کنونشن (CRC)

Article 7 (Right to birth registration and name).

آرٹیکل 7 (پیدائش کی رجسٹریشن اور نام کا حق)۔

Children's Rights / بچوں کے حقوق

اضافی وسائل / Additional Resources

For more information on these laws and policies, consult legal experts or official government publications.

ان قوانین اور پالیسیوں کے بارے میں مزید معلومات کے لیے قانونی ماہرین یا سرکاری حکومتی اشاعتوں سے رجوع کریں۔

🔗 Access official legal databases / سرکاری قانونی ڈیٹا بیس تک رسائی حاصل کریں

Appendix C: Affidavit Template Guide

For CNIC / Birth Registration

قومی شناختی کارڈ/پیدائشی رجسٹریشن کے لیے رہنمائی

❗ Purpose / مقصد

Provides guidance for undocumented mothers or guardians applying for child registration when standard documentation is unavailable.

دستاویزات سے محروم ماؤں یا سرپرستوں کو بچے کی رجسٹریشن کے لیے درخواست دینے میں رہنمائی فراہم کرتا ہے جب معیاری دستاویزات دستیاب نہ ہوں۔



حلف نامے کے اہم اجزاء / Key Components of the Affidavit



Personal Details

ذاتی تفصیلات

Full name and address of mother/guardian

ماں/سرپرست کا مکمل نام اور پتہ



Child Information

بچے کی معلومات

Child's full name and date of birth

بچے کا مکمل نام اور تاریخ پیدائش



Declaration

اعلان

Statement of no male guardian available

دستاویزات پیش کرنے کے لیے مرد سرپرست کی عدم دستیابی کا بیان



Attachments

منسلکات

Reference to supporting documents

معاون دستاویزات کا حوالہ

📁 Required Supporting Documents / ضروری معاون دستاویزات

1. Two witness affidavits from community members

کیونٹی کے اراکین کے دو گواہ کے حلف نامے

2. Proof of residence (utility bill, rental agreement)

رہائش کا ثبوت (یوٹیلیٹی بل، کرایہ کا معاہدہ)

3. Any available birth-related documents

دستیاب پیدائش سے متعلق دستاویزات

4. Mother's/guardian's identification if available

ماں/سرپرست کی شناخت اگر دستیاب ہو



عمل کے مراحل / Process Steps

- 1 Obtain proper stamp paper from court or authorized vendor
- 2 Draft affidavit with all required information
- 3 Have two witnesses sign their supporting affidavits
- 4 Get all documents attested by Oath Commissioner
- 5 Submit to relevant NADRA office with application form

1 عدالت یا authorized فروش سے مناسب سٹامپ پیپر حاصل کریں

2 تمام ضروری معلومات کے ساتھ حلف نامہ تیار کریں

3 دو گواہوں سے ان کے معاون حلف ناموں پر دستخط کروائیں

4 تمام دستاویزات کی حلف کشنر سے توثیق کروائیں

5 درخواست فارم کے ساتھ متعلقہ نادرا آفس میں جمع کروائیں

💡 Important Notes / اہم نوٹس

• This affidavit serves as secondary evidence when primary documents are unavailable

• یہ حلف نامہ ثانوی ثبوت کے طور پر کام کرتا ہے جب بنیادی دستاویزات دستیاب نہ ہوں

• The affidavit must be attested by an Oath Commissioner

• حلف نامے کی توثیق حلف کشنر کے ذریعے ضروری ہے

• Community witness affidavits strengthen your application

• کیونٹی کے گواہ کے حلف نامے آپ کی درخواست کو مضبوط بناتے ہیں

• Keep copies of all submitted documents for your records

• اپنے ریکارڈ کے لیے جمع کرائی گئی تمام دستاویزات کی کاپیاں محفوظ کریں

Affidavit by Mother

ماں کا حلف نامہ

حلفیہ بیان

میں، [ماں کا مکمل نام]، بیٹی [والد کا نام]، فی الوقت مقیم [مکمل پتہ]، حلفاً یہ بیان دیتی ہوں:

- کہ میں پیدائشی پاکستانی شہری ہوں اور [شہر/گاؤں/صوبہ] کی مستقل رہائشی ہوں۔
- کہ میں [بچے کا مکمل نام] کی حیاتیاتی ماں ہوں، جو [تاریخ پیدائش] کو [مقام] میں پیدا ہوا تھا۔
- کہ [وجہ - مثلاً غربت، چھوڑ دینا، عصمت درمی، طلاق] کی بنا پر، میں کوئی سرکاری شناختی دستاویز حاصل کرنے یا رکھنے سے قاصر تھی۔
- کہ بچہ ہسپتال کے ماحول سے باہر پیدا ہوا تھا، بغیر رسمی رجسٹریشن کے، اور میرے پاس شادی کی سند یا سپورٹنگ دستاویزات نہیں ہیں۔
- کہ میں اس بچے کی واحد دیکھ بھال کرنے والی اور سرپرست ہوں۔

میں یہ حلفیہ بیان سرکاری رجسٹریشن بشمول شناختی کارڈ اور بی فارم جاری کرنے کے مقاصد کے لیے اپنی اور اپنے بچے کی شناخت کی تصدیق کے لیے دیتی ہوں۔

دستخط کنندہ:

قومی شناختی کارڈ (اگر

دستیاب):

تاریخ:

بذریعہ حلف اٹھانے والا کمشنر تصدیق شدہ

Attested by Oath Commissioner

Affidavit

I, [Mother's Full Name], daughter of [Father's Name], currently residing at [Full Address], do hereby solemnly affirm and declare as follows:

That I am a citizen of Pakistan by birth and a permanent resident of [City/Village/Province].

That I am the biological mother of [Child's Full Name], born on or around [Date of Birth] in [Place].

That due to [reason – e.g., poverty, abandonment, rape, divorce], I was unable to obtain or retain any official identity documents.

That the child was born outside of a hospital environment, without formal registration, and I do not possess a marriage certificate or supporting documents.

That I am the sole caregiver and guardian of this child.

I make this affidavit to affirm my identity and that of my child for the purposes of official registration, including CNIC and B-form issuance.

Deponent's Signature:

CNIC (if available):

Date:

Attested by Oath Commissioner

Witness Affidavit

گواہ کا حلف نامہ

(For Neighbor, NGO Worker, Local Leader)

(بڑوسی، این جی او کارکن، مقامی رہنما کے لیے)

گواہ کا حلفیہ بیان

میں، [مکمل نام]، بیٹا/بیٹی [والد کا نام]، مقیم [پتہ]، حلفاً درج ذیل بیان دیتا/دیتی ہوں:

- کہ میں ذاتی طور پر [ماں کا نام]، بیٹی [اس کے والد کا نام]، کو [X سال] سے جانتی/جاتا ہوں۔
- کہ وہ میرے محلے/برادری میں رہتی ہے اور پاکستان کی شہری کے طور پر جانی جاتی ہے۔
- کہ وہ [بچے کا نام] کی حیاتیاتی ماں اور واحد سرپرست ہے، جو [تاریخ] کو پیدا ہوا تھا۔
- کہ معاشی و سماجی مشکلات کی وجہ سے، اس کے پاس سرکاری دستاویزات نہیں ہیں۔

میں اس کی شناخت اور بچے کے رجسٹریشن کی حمایت میں یہ حلفیہ بیان دیتا/دیتی ہوں۔

دستخط گواہ:

قومی شناختی کارڈ (اگر

دستیاب):

تاریخ:

بذریعہ حلف اٹھانے والا کمشنر تصدیق شدہ

Attested by Oath Commissioner

Witness Affidavit

I, [Full Name], son/daughter of [Father's Name], residing at [Address], do hereby solemnly state on oath:

That I personally know [Mother's Name], daughter of [Her Father's Name], for the past [X years].

That she resides in my neighborhood/community and is known to be a citizen of Pakistan.

That she is the biological mother and sole guardian of [Child's Name], who was born on or about [Date].

That due to socio-economic hardships, she lacks formal documents.

I affirm this affidavit in support of her identity and the child's registration.

Witness Signature:

CNIC (if any):

Date:

Attested by Oath Commissioner

Appendix D – Mandatory Offices & Contact Points

لازمی دفاتر اور رابطہ پوائنٹس

نادرا ریجنل آفس | NADRA Regional Offices

نادرا ہیڈ آفس، اسلام آباد

NADRA Head Office, Islamabad

www.nadra.gov.pk | 111-786-100

خدمات: قومی شناختی کارڈ، سی آر سی، بی فارم، خاندانی رجسٹر

Services: CNIC, CRC, B-Form, Family Registration

نادرا ریجنل آفس، لاہور

NADRA Regional Office, Lahore

042-111-786-100 | ایگلے چوک، لاہور

خدمات: شناختی دستاویزات، درخواست کی حیثیت، مسائل کا حل

Services: Identity documents, application status, issue resolution

نادرا ریجنل آفس، کراچی

NADRA Regional Office, Karachi

021-111-786-100 | ایس پی ایس سی بلڈنگ، کراچی

خدمات: تیز رفتار سروس، ایگزیکٹو سنٹر، مخصوص کیس مینجمنٹ

Services: Fast-track services, executive center, special case management

نادرا موبائل رجسٹریشن یونٹ

NADRA Mobile Registration Units

مقامی نادرا آفس سے رابطہ کریں

خدمات: دور دراز علاقوں کے لیے موبائل سروس، دیہی علاقوں میں دستاویزات

Services: Mobile services for remote areas, documentation in rural communities

یونین کونسلیں | Union Councils

یونین کونسل آفس (پیدائش کی رجسٹریشن کے لیے)

Union Council Office (For Birth Registration)

مقامی یونین کونسل سے رابطہ کریں

خدمات: پیدائش سرٹیفکیٹ، رہائش سرٹیفکیٹ، مقامی توثیقات

Services: Birth certificates, residence certificates, local attestations

ڈسٹرکٹ رجسٹرار آفس

District Registrar Office

ضلعی ہیڈ کوارٹر سے رابطہ کریں

خدمات: پیدائش و موت رجسٹریشن، دستاویزات کی توثیق

Services: Birth and death registration, document attestation

نوٹ: پیدائش کی رجسٹریشن کے لیے اپنی مقامی یونین کونسل سے رابطہ کریں۔ زیادہ تر یونین کونسلیں B-فارم جاری کرتی ہیں۔

Note: Contact your local Union Council for birth registration. Most Union Councils issue B-Forms.

فیملی کورٹ (سیکشن 42 درخواستوں کے لیے)

Family Court (For Section 42 Petitions)

ضلعی عدالت سے رابطہ کریں | ہر ضلع میں واقع

خدمات: سیکشن 42 درخواستیں، گارڈینشپ کیسز، بچوں کے حقوق کے معاملات

Services: Section 42 petitions, guardianship cases, children's rights matters

گارڈینشپ کورٹ

Guardianship Court

ضلعی عدالت سے رابطہ کریں

خدمات: سرپرستی کے معاملات، بے گھر بچوں کے لیے قانونی سرپرستی

Services: Guardianship matters, legal guardianship for street children

ڈسٹرکٹ کورٹ

District Court

ضلعی عدالت سے رابطہ کریں

خدمات: declaratory احکامات، قانونی توثیقات، حلف ناموں کی تصدیق

Services: Declaratory orders, legal attestations, affidavit verification

اوتھ کمشنر / سٹیمپ فروش | Oath Commissioners / Stamp Vendors

اوتھ کمشنر

Oath Commissioner

ضلعی عدالت کے قریب یا مقامی مارکیٹ میں دستیاب

خدمات: حلف ناموں کی توثیق، دستاویزات کی تصدیق، قانونی توثیقات

Services: Affidavit attestation, document verification, legal attestations

سٹیمپ فروش

Stamp Vendors

عدالتوں کے قریب یا مرکزی مارکیٹ میں دستیاب

خدمات: سٹیمپ پیپر فروخت، دستاویزات کے لیے ضروری سامان

Services: Stamp paper sales, necessary supplies for documentation

ڈاک خانہ

Post Office

ہر علاقے میں دستیاب

خدمات: سٹیمپ پیپر، ڈاکیومنٹ ایڈریس پروف، ڈاک کے ذریعے بھیجنا

Services: Stamp paper, document address proof sending via post

نوٹ: حلف ناموں کے لیے متعلقہ قیمت کا سٹیمپ پیپر خریدیں اور اسے اوتھ کمشنر سے توثیق کروائیں۔

Note: Purchase stamp paper of relevant value for affidavits and get it attested by an oath commissioner.

اہم نوٹس | Important Notes

دستاویزات لے جانے سے پہلے فون کر کے تصدیق کریں

Call to verify before visiting offices

عام کام کے اوقات: صبح 9 بجے سے شام 5 بجے تک

تمام ضروری دستاویزات کی فوٹوکاپیاں تیار رکھیں

Keep photocopies of all required documents

اصل دستاویزات کے ساتھ فوٹوکاپیاں بھی ضروری ہیں

آن لائن درخواست کی سہولت دستیاب ہے

Online application facility is available

https://id.nadra.gov.pk/ | NADRA Pakistan App

Cover Letter for NADRA

نادرا کے لیے کور لیٹر

بذریعہ:
اسسٹنٹ ڈائریکٹر،
قومی ڈیٹابیس اور رجسٹریشن اتھارٹی (نادرا)،
[شہر / ضلع آفس]

موضوع: ڈیکلیریٹری عدالتی حکم نامے کی بنیاد پر شناختی کارڈ/بی
فارم کی رجسٹریشن کی درخواست

محترم / محترمہ،

براہ کرم منسلک عدالتی حکم نامہ [تاریخ] کو سول کورٹ، [ضلع]
کے ذریعے جاری کردہ، جس میں [ماں کا مکمل نام] اور اس کے
بچے [بچے کا نام] کی شناخت قرار دی گئی ہے۔
براہ کرم منسلک حکم نامے اور دستاویزات کے مطابق شناختی
کارڈ اور بی فارم جاری کرنے کا عمل مکمل کریں:

منسلکات:

- مصدقہ عدالتی فیصلہ
- ماں اور گواہ کے حلفی بیانات
- بچے کی پیدائش کی درخواست (اگر منسلک ہے)
- 2 پاسپورٹ سائز کی تصاویر

آپ کے تعاون کی بہت تعریف کی جائے گی۔

آپ کا مخلص،
وکیل کا نام / ماں کا نام
رابطہ نمبر: [فون نمبر]

دستخط / انگوٹھے کا نشان

To:

The Assistant Director,
National Database & Registration Authority (NADRA),
[City/District Office]

Subject: Application for Registration of CNIC / B-Form
Based on Declaratory Court Order

Dear Sir/Madam,

Please find enclosed the court order dated [dd/mm/yyyy]
issued by the Civil Court, [District], declaring the identity
of [Mother's Full Name] and her child [Child's Name].

Kindly process the CNIC and B-form issuance as per the
attached order and documents:

Enclosures:

- Certified court judgment
- Mother's and witness affidavits
- Child's birth application (if attached)
- 2 passport-sized photos

Your cooperation will be highly appreciated.

Sincerely,

Lawyer's Name / Mother's Name

Contact Number: [Your Phone Number]

Signature / Thumbprint

لازمی دفاتر اور معاون دستاویزات

Mandatory Offices & Supporting Documents

CNIC کے حصول کے عمل کے لیے ضروری معلومات

آپ کے جانے ممکن لازمی دفاتر

Mandatory Offices You'll Likely Visit

مقصد Purpose	دفتر Office
پیدائشی سرٹیفکیٹ کی رجسٹریشن یا تصحیح Birth certificate registration or correction	یونین کونسل Union Council
بی فارم CNIC کی اجرائی Issuance of B Form or CNIC	نادرا سینٹر NADRA Centre
حلف نامے کی تسلیم؛ سرپرستی سرٹیفکیٹ یا عدالتی احکامات Affidavit recognition; guardian certificate or court orders	سول / فیملی کورٹ Civil/Family Court
ماں کے حلف نامے کی توثیق یا تصدیق فراہم کرنا To endorse mother's affidavit or provide verification	مقامی حکومت Local Government
اگر ترک یا لاپتہ باپ کا قانونی اعلان درکار ہو If legal declaration of abandonment or missing father is needed	پولیس اسٹیشن Police Station

معاون دستاویزات جو مددگار ثابت ہو سکتی ہیں

Supporting Documents That Can Be Helpful

تعلیمی ریکارڈ مدرسہ یا اسکول کے داخلے کی سلیپ Madrasa or school admission slip	طبی ریکارڈ ویکسینیشن ریکارڈ / ہسپتال کی پیدائشی سلیپ Vaccination record / hospital birth slip
بائش کا ثبوت ماں کے نام سے ٹیلیٹی بل Utility bills in mother's name	شناختی دستاویزات پرانی این آئی سیز، میعاد ختم ہونے والے پاسپورٹ Old NICs, expired passports
مذہبی دستاویزات مذہبی نکاح نامہ (یہاں تک کہ غیر رجسٹرڈ) Religious nikahnama (even unregistered)	برادتی تصدیق پڑوسیوں کے حلف نامے Neighbour affidavits

پاکستان کی شہریت کے قوانین اور نادرا کی regulations پر جامع قانونی تجزیہ پر مبنی

Based on comprehensive legal analysis of Pakistan's citizenship laws and NADRA regulations

Appendix E – Supporting Documents Checklist

معاون دستاویزات کی چیک لسٹ

ماں کا قومی شناختی کارڈ (اگر دستیاب ہو)

HIGH PRIORITY

☐

Mother's CNIC (if available)

نوٹ: اگر ماں کا قومی شناختی کارڈ دستیاب نہیں ہے، تو حلف نامہ اور گواہوں کے بیانات جمع کروائیں

Note: If mother's CNIC is not available, submit affidavit and witness statements

بچے کا ہسپتال کارڈ / حفاظتی ٹیکے کا ریکارڈ

HIGH PRIORITY

☐

Child's hospital card / immunization record

نوٹ: ہسپتال یا صحت مرکز سے جاری کردہ دستاویزات زیادہ بہتر ہیں

Note: Documents issued by hospital or health center are preferable

اسکول / پناہ گاہ سرٹیفکیٹ

MEDIUM PRIORITY

☐

School / shelter certificate

نوٹ: سرٹیفکیٹ پر اسکول / پناہ گاہ کی مہر اور دستخط ضروری ہیں

Note: Certificate must have school/shelter stamp and signature

این جی او تصدیقی خط

MEDIUM PRIORITY

☐

NGO verification letter

نوٹ: خط میں بچے کے ساتھ تعلق کی مدت اور نوعیت کی وضاحت ہونی چاہیے

Note: Letter should specify duration and nature of association with the child

کیونٹی کے گواہوں کے خطوط

LOW PRIORITY

☐

Community witness letters

نوٹ: گواہوں کے قومی شناختی کارڈ کی کاپیاں خطوط کے ساتھ منسلک کریں

Note: Attach copies of witnesses' CNICs with the letters

عدالتی احکامات کی کاپیاں

HIGH PRIORITY

☐

Court order copies

نوٹ: عدالتی احکامات کی مصدقہ کاپیاں ہونی چاہئیں

Note: Court orders must be certified copies

رہائش کا ثبوت

MEDIUM PRIORITY

☐

Proof of residence

نوٹ: یوٹیلیٹی بل یا یونین کونسل کی رہائش سرٹیفکیٹ

Note: Utility bill or Union Council residence certificate

تصاویر

LOW PRIORITY

☐

Photographs

نوٹ: حالیہ پاسپورٹ سائز کی تصاویر (نیلی یا سفید بیک گراؤنڈ)

Note: Recent passport-size photographs (blue or white background)

اہم ہدایات: تمام دستاویزات کی دو سیٹ تیار کریں۔ ایک اصل کے لیے اور ایک کاپیوں کے لیے۔ ہر دستاویز پر اپنا نام اور تاریخ لکھیں۔

Important Instructions: Prepare two sets of all documents - one for originals and one for copies. Write your name and date on each document.

دستاویزات کی تیاری کے مراحل

Document Preparation Steps

1. تمام ضروری دستاویزات اکٹھی کریں

1. Collect all required documents

2. فوٹوکاپیاں تیار کریں (سیاہ سفید اور رنگین)

2. Prepare photocopies (black & white and color)

3. تمام دستاویزات پر تاریخ اور دستخط کریں

3. Date and sign all documents

4. دستاویزات کو ترتیب سے آرگنائز کریں

4. Organize documents in order

5. ایک کور لیٹر تیار کریں جس میں تمام دستاویزات کی فہرست ہو

5. Prepare a cover letter listing all documents

Appendix F – Draft Petition (Section 42 Declaratory Suit Template)

ضمیمہ ف - درخواست کا سانچہ (سیکشن 42 ڈیکلیریٹری سوٹ)

یہ سانچہ سیکشن 42 ڈیکلیریٹری سوٹ کی درخواست کے لیے بنیادی ڈھانچہ فراہم کرتا ہے۔ تمام پلیس ہولڈرز (سرمنی رنگ میں نمایاں) کو اپنے کیس کی مخصوص تفصیلات سے تبدیل کریں۔

This template provides a basic structure for a Section 42 Declaratory Suit petition. Replace all placeholders (highlighted in gray) with the specific details of your case.

ضروری دستاویزات | Required Documents

درخواست گزار کا حلف نامہ (facts کی تصدیق)

Petitioner's affidavit (verifying facts)

دستیاب دستاویزات (ہسپتال کارڈ، اسکول سرٹیفکیٹ، وغیرہ)

Available documents (hospital card, school certificate, etc.)

این جی او توثیقی خط (اگر دستیاب ہو)

NGO verification letter (if available)

گواہان کے حلف نامے

Witness affidavits

حکام کے ساتھ خط و کتابت (اگر کوئی ہو)

Correspondence with authorities (if any)

ہدایت: تمام معاون دستاویزات کو Exhibit A, B, C, وغیرہ کے طور پر نشان زد کریں اور انہیں درخواست میں مناسب طریقے سے حوالہ دیں۔ یقینی بنائیں کہ تمام exhibits جہاں required ہو وہاں properly attested ہوں۔

Guidance: Mark all supporting documents as Exhibit A, B, C, etc., and reference them appropriately in the petition. Ensure all exhibits are properly attested where required.

اہم نوٹس | Important Notes

درخواست جمع کروانے سے پہلے تمام facts کی تصدیق کریں

Verify all facts before submitting the petition

دستاویزات کی دو سیٹس تیار کریں۔ ایک اصل کے لیے اور ایک کاپی کے لیے

Prepare two sets of documents - one for original and one for copy

عدالتی فیس اور دیگر expenses کا budget بنائیں

Budget for court fees and other expenses

فیلین کرنے سے پہلے legal professional سے مشورہ کریں

Consult with a legal professional before filing

یہ صرف ایک سانچہ دستاویز ہے۔ فائل کرنے سے پہلے legal professional سے مشورہ کریں۔ | This is a template document only. Consult with a legal professional before filing

Draft Court Petition

Under Section 42 of the Specific Relief Act, 1877

ڈرافٹ عدالتی درخواست

قانون خصوصی مدد، ۱۹۷۷ء کے دفعہ ۴۲ کے تحت

عنوان:

سول جج کورٹ، (ضلع)
قانون خصوصی مدد، ۱۹۷۷ء کے دفعہ ۴۲ کے تحت
ڈیکلیریٹری ڈکری کی دعوی
مدعی: ماں کا مکمل نام
مقابل
مدعا علیہ: نادرا، یونین کونسل [نام]

دعا:

- ۱۔ کہ عدالت محترمہ مہربانی فرما کر مدعی کو پاکستان کا شہری قرار دے۔
- ۲۔ کہ یہ بھی قرار دیا جائے کہ [بچے کا نام] مدعی کا حیاتیاتی بچہ ہے۔
- ۳۔ کہ عدالت نادرا اور یونین کونسل کو ہدایت کرے کہ مدعی اور اس کے بچے کو شناختی کارڈ اور بی فارم جاری کرنے کے لیے رجسٹر کریں۔
- ۴۔ کوئی بھی دیگر راحت جو موزوں سمجھی جائے، عطا کی جائے۔

درج کراتے ہوئے:

وکیل کا نام، دستخط اور مہر
ماں کے انگوٹھے کا نشان یا دستخط

ماں کے انگوٹھے کا نشان یا دستخط

دستخط اور مہر

Draft Court Petition

Under Section 42 of the Specific Relief Act, 1877

Title:

In the Court of Civil Judge, (District)
Suit for Declaratory Decree Under Section 42 of the
Specific Relief Act, 1877
Plaintiff: Mother's Full Name
Versus
Defendant: National Database & Registration
Authority (NADRA), Union Council [Name]

Prayer:

- That the honorable court may be pleased to declare the plaintiff as a citizen of Pakistan.
- That it may further be declared that [Child's Name] is the biological child of the plaintiff.
- That the court may direct NADRA and Union Council to register the plaintiff and her child for issuance of CNIC and B-form respectively.
- Any other relief deemed appropriate may also be granted.

Filed by:

Lawyer's Name, Signature & Stamp

Mother's Thumbprint or Signature

Signature & Stamp

Appendix G – Approximate Legal Costs

Identity Registration Process for Street Children in Pakistan

پاکستان میں سٹریٹ چلڈرن بے گھر بچوں کے شناختی اندراج کا عمل
لاگت کے تجزیہ اور عمل کا جائزہ | Cost Analysis and Process Overview

! Important Notice | اہم نوٹس

Recent court fee increases of 500-1000% have significantly impacted registration costs. This makes accurate information critical for practitioners.

عدالتی فیسوں میں حالیہ 500-1000% اضافے نے رجسٹریشن کی لاگت پر نمایاں اثر ڈالا ہے۔ اس سے practitioners کے لیے درست معلومات انتہائی اہم ہو گئی ہے۔

Cost Overview | لاگت کا جائزہ

Minimum Estimated Cost |
کم سے کم تخمینی لاگت

Rs 1,500

Self-representation with no legal help

بغیر قانونی مدد کے خود نمائندگی

With Legal Assistance |
قانونی مدد کے ساتھ

Rs 10,000

Average cost with basic legal help

بنیادی قانونی مدد کے ساتھ
اوسط لاگت

Average Process Duration |
اوسط عمل کی مدت

3-8 months | 3-8

ماہ

From document preparation to NADRA processing

دستاویز کی تیاری سے نادرا کی
پروسیسنگ تک

Fee Waivers and Support | فیس معافی اور مدد

- Apply for Indigent Status | غربت کی حیثیت کے لیے درخواست دیں**
Submit an application to the court declaring your financial status with supporting documents (income certificate, utility bills, etc.)
- Seek Legal Aid Society Assistance | لیگل ایڈ سوسائٹی کی مدد حاصل کریں**
Approach your local Legal Aid Society office with proof of income and residence for free or subsidized legal support.
- Request Court Fee Exemption | عدالتی فیس سے استثنیٰ کی درخواست کریں**
File a petition for fee exemption under Order XXXIII of the Code of Civil Procedure if you qualify as indigent.

Troubleshooting Common NADRA Rejections | عام نادرا مستردگیوں کے حل

Common NADRA Rejections & Solutions | عام نادرا مستردگیاں اور حل

Rejection Reason مسترد ہونے کی وجہ	Solution حل	Documents Needed ضروری دستاویزات
Inconsistent Information غیر مستقل معلومات	Ensure all documents have matching names and dates یقینی بنائیں کہ تمام دستاویزات میں نام اور تاریخیں مماثل ہوں	Affidavit for name variation نام کے فرق کے لیے حلف نامہ
Lack of Proof of Residence رہائش کے ثبوت کی کمی	Obtain residence certificate from Union Council یونین کونسل سے رہائش سرٹیفکیٹ حاصل کریں	Utility bills, voter registration یوٹیلیٹی بلز، ووٹر رجسٹریشن
No Birth Record پیدائش کے ریکارڈ کی عدم موجودگی	File delayed birth registration with supporting affidavits تاخیر سے پیدائش کی رجسٹریشن حلف ناموں کے ساتھ جمع کریں	School records, vaccination cards اسکول ریکارڈز، ویکسینیشن کارڈز
Incomplete Documentation نامکمل دستاویزات	Use NADRA's document checklist before submission جمع کرانے سے پہلے نادرا کی دستاویزات کی چیک لسٹ استعمال کریں	NADRA checklist, all relevant IDs نادرا چیک لسٹ، تمام متعلقہ شناختی دستاویزات

Direct Costs | براہ راست اخراجات

Document/Service دستاویز/خدمت	Standard Fee (Rs) معیاری فیس (روپے)	Expedited Fee (Rs) فوری فیس (روپے)	Notes نوٹس
Child Registration Certificate (CRC) بچے کا اندراج سرٹیفکیٹ	50	500	Core identity document for children بچوں کے لیے بنیادی شناختی دستاویز
CNIC (at 18 years) قومی شناختی کارڈ (18 سال کی عمر میں)	200-500	2,500	Executive service (7 days) ایگزیکٹو سروس (7 دن)
Birth Certificate (Union Council) پیدائش سرٹیفکیٹ (یونین کونسل)	20-50	100-200	Varies by UC یونین کونسل کے لحاظ سے مختلف ہوتی ہے

Total Cost Estimates | کل لاگت کے تخمینے

Scenario منظر نامہ	Minimum Cost (Rs) کم سے کم لاگت (روپے)	Maximum Cost (Rs) زیادہ سے زیادہ لاگت (روپے)	Average Cost (Rs) اوسط لاگت (روپے)
Self-Representation (No Legal Help) خود نمائندگی (قانونی مدد کے بغیر)	1,500	3,500	2,500
With Basic Legal Assistance بنیادی قانونی مدد کے ساتھ	6,000	15,000	10,000

Important Notes | اہم نوٹس

- Recent court fee increases of 500-1000% significantly impact total costs
- Fee waivers are available for indigent applicants through Legal Aid Societies
- Always verify current fees with NADRA and court offices as rates change frequently
- Exchange rate: Approximate USD 1 = PKR 280 (as of 2024)
- Time investment required: Document preparation (1-2 weeks), Court proceedings (2-6 months), NADRA processing (2-4 weeks)

APPENDIX G

Field Case Observations

Real-World ID Challenges for *Project Maidan*

🎯 Purpose

To equip Project Maidan practitioners and NGO staff with real-life examples of hurdles faced by students and families in obtaining identity documents (CNICs, B-Forms, birth certificates, passports), highlighting key lessons for effective guidance.

Case / Observation	Problem	Cause / Context	Practical Tip
Parents misreporting children	Registration delays, verification issues	Parents lied about number of children and withheld real names; affected students needing passports for international tournaments	Emphasize honesty from the start; use affidavits and community verification
Mismatch in marriage records	Difficulty proving identity, required court intervention	Different name on Nikkah Nama; applicant needed annulment; indirectly affected children under guardianship	Ensure all legal documents match official records; seek legal guidance early
Absence of husband/father	Staff reluctant to process application	NADRA staff follow security/legal protocol requiring male presence; mothers applying for students faced extra scrutiny	Use networks, NGO support, or legal representation if applicant is unmarried or single
Inaccessible government departments	Slow processing, procedural hurdles	Staff must verify all claims due to security/regulatory requirements; even experienced applicants face delays	Prepare applicants, document steps, maintain patience; prior knowledge or contacts help
Jurisdictional / inter-province issues	Difficulty obtaining birth certificates or other documents	Born in one province (e.g., Punjab) but living in AJK or another province; separate courts and registration systems	Anticipate extra coordination and time; contact local UC and relevant provincial or AJK authorities; keep copies of all originals
Personal experience (ID renewal)	Minor delays	Staff were cooperative but bank procedures caused wait	Plan extra time, persist, keep records of submissions

💡 Key Takeaways for Project Maidan Practitioners

- 2 Truthfulness is essential — false or incomplete information causes major delays.
- 4 Document consistency matters — mismatched names or records may require court intervention.
- 6 Gender & marital status considerations — mothers or unmarried women may face added scrutiny.
- 8 Patience & persistence — bureaucratic delays are normal; anticipate and guide applicants accordingly.
- 10 Networks & know-how — having contacts or prior experience can make offices more accessible.
- 12 Jurisdictional awareness — inter-province or AJK cases may require extra coordination and time.
- 14 Practical guidance for Project Maidan — pre-prepared affidavits, supporting documents, and stepwise planning reduce delays and help students access passports for international competitions.



Appendix G1 – Project Maidan: Field Case Quick Checklist

Quick reference for NGO staff guiding students and families through ID registration and passport access. Tick boxes help track steps and key lessons.

Case / Observation	Key Lesson / Action	Completed
Parents misreporting children	Ensure complete honesty; collect affidavits and community verification	☐
Mismatch in marriage records	Verify all documents match official records; seek legal guidance early	☐
Absence of husband/father	Use NGO support, legal representation, or community contacts for unmarried applicants	☐
Inaccessible government departments	Document all steps; prepare applicants; know process or have contacts	☐
Jurisdictional / inter-province issues	Anticipate extra coordination if born in one province/region (AJK, Punjab, etc.); keep copies of originals	☐
Personal experience (ID renewal)	Plan extra time; persist; maintain records of all submissions	☐



Practical Field Tips for Project Maidan Staff:

- ☒ Use this checklist for every student to ensure all hurdles are tracked.
- ☒ Prepare affidavits, supporting documents, and stepwise roadmap before submission.
- ☒ Maintain patience; bureaucratic delays are common.
- ☒ Build and use networks for smoother coordination with NADRA, UCs, or other offices.
- ☒ Highlight inter-province or jurisdictional differences early to plan timelines.
- ☒ Keep a copy of all documents for backup and verification.

 Select All

 Clear All

 Print Checklist

 Save Progress

Progress: 0% completed

Appendix H – Community Support Letters (Templates)

Templates for community verification letters to support identity documentation

شناختی دستاویزات کی حمایت کے لیے کمیونٹی کی تصدیق کے خطوط کے سانچے

Purpose / مقصد

Community support letters serve as secondary evidence when primary documentation is unavailable for street-connected children's identity registration.

جب سٹریٹ سے منسلک بچوں کی شناختی رجسٹریشن کے لیے بنیادی دستاویزات دستیاب نہ ہوں تو کمیونٹی سپورٹ خطوط ثانوی ثبوت کے طور پر کام کرتے ہیں۔

Community Verification Letter / کمیونڈی تصدیق خط

COMMUNITY VERIFICATION LETTER

کمیونٹی تصدیق خط

To Whom It May Concern,

جنہیں اس سے سروکار ہے،

I, [Full Name], residing at [Address], do hereby verify that:

میں، [مکمل نام]، مقیم [پتہ]، اس بات کی تصدیق کرتا/کرتی ہوں کہ:

I have known [Child's Name] and his/her mother [Mother's Name] for approximately [Number] years.

میں [بچے کا نام] اور اس کی ماں [ماں کا نام] کو تقریباً [تعداد] سالوں سے جانتی/جانتا ہوں۔

To the best of my knowledge, [Child's Name] was born on or around [Date] and has been residing in our community since birth.

میرے علم کے مطابق، [بچے کا نام] [تاریخ] یا اس کے آس پاس پیدا ہوا تھا اور پیدائش سے ہی ہماری کمیونٹی میں رہ رہا ہے۔

I am aware that the child does not have a male guardian available to provide documentation for identity registration.

مجھے علم ہے کہ بچے کے پاس دستاویزات فراہم کرنے کے لیے کوئی مرد سرپرست دستیاب نہیں ہے۔

I affirm that the information provided above is true and accurate to the best of my knowledge.

میں تصدیق کرتا/کرتی ہوں کہ اوپر دی گئی معلومات میرے علم میں سچی اور درست ہیں۔

Sincerely,

آپ کا مخلص،

[Full Name]

[مکمل نام]

CNIC: [CNIC Number]

قومی شناختی کارڈ: [قومی شناختی کارڈ نمبر]

Contact: [Phone Number]

رابطہ: [فون نمبر]

(To be attested by Oath Commissioner)

(حلف کشنر کے ذریعے توثیق کرنا)

Neighborhood Committee Affidavit / محلہ کمیٹی کا حلف نامہ

NEIGHBORHOOD COMMITTEE AFFIDAVIT

محلہ کمیٹی کا حلف نامہ

We, the undersigned members of the [Area Name] Neighborhood Committee, do hereby solemnly affirm that:

ہم، [علاقے کا نام] محلہ کمیٹی کے ذیل میں دستخط کرنے والے اراکین، حلفیہ طور پر یہ تصدیق کرتے ہیں کہ:

[Child's Name], son/daughter of [Mother's Name], has been a resident of our community since [Year].

[بچے کا نام]، [ماں کا نام] کا بیٹا/بیٹی، [سال] سے ہماری کمیونٹی کا رہائشی ہے۔

The child was born on or around [Date] and has been under the care of his/her mother since birth.

بچہ [تاریخ] یا اس کے آس پاس پیدا ہوا تھا اور پیدائش سے ہی اپنی ماں کی دیکھ بھال میں ہے۔

To the best of our knowledge, there is no male guardian involved in the child's upbringing or available to provide documentation.

ہمارے علم کے مطابق، بچے کی پرورش میں کوئی مرد سرپرست شامل نہیں ہے یا دستاویزات فراہم کرنے کے لیے دستیاب نہیں ہے۔

We support the application for [Child's Name]'s identity registration and confirm the accuracy of the information provided.

ہم [بچے کا نام] کی شناختی رجسٹریشن کی درخواست کی حمایت کرتے ہیں اور فراہم کردہ معلومات کی درستگی کی تصدیق کرتے ہیں۔

Committee Members:

کمیٹی کے اراکین:

1. [Name], CNIC: [Number]

1. [نام]، قومی شناختی کارڈ: [نمبر]

NGO Worker Certification Letter

این جی او کارکن تصدیق نامہ

جن کے علم میں یہ آئے | To Whom It May Concern

Your Name | آپ کا نام

Enter your full name | اپنا پورا نام درج کریں

NGO/Organization Name | این جی او/ادارے کا نام

Enter NGO/organization name | این جی او/ادارے کا نام درج کریں

Child's Name | بچے کا نام

Enter child's full name | بچے کا پورا نام درج کریں

Child's Location | بچے کا مقام

Enter child's location | بچے کا مقام درج کریں

I, [Name], working with [NGO/Organization Name], certify that [Child Name], residing in [Location], is street-connected and lacks parental guardianship. We support the application for legal identity documents.

میں، [نام]، [این جی او/ادارے کا نام] کے ساتھ کام کرتے ہوئے، تصدیق کرتا/کرتی ہوں کہ [بچے کا نام]، جو [مقام] میں رہتا ہے، سڑک سے منسلک ہے اور والدین کی سرپرستی سے محروم ہے۔ ہم قانونی شناختی دستاویزات کے لیے درخواست کی حمایت کرتے ہیں۔

Sincerely,

آپ کا مخلص،

Name, Designation | نام، عہدہ

Date: _____

Generate Letter | خط تیار کریں

Print | پرنٹ کریں

Union Councilor Certification Letter

یونین کونسلر تصدیق نامہ

جن کے علم میں یہ آئے | To Whom It May Concern

Councilor Name | کونسلر کا نام

Enter councilor name | کونسلر کا نام درج کریں

Union Council Name | یونین کونسل کا نام

Enter union council name | یونین کونسل کا نام درج کریں

Child's Name | بچے کا نام

Enter child's full name | بچے کا پورا نام درج کریں

I certify that [Child Name] is recognized in the local community. The child is street-connected, and we acknowledge the need for proper documentation. I support their application for legal identity documents.

میں تصدیق کرتا/کرتی ہوں کہ [بچے کا نام] مقامی کمیونٹی میں تسلیم شدہ ہے۔ یہ بچہ سڑک سے منسلک ہے، اور ہم مناسب دستاویزات کی ضرورت کو تسلیم کرتے ہیں۔ میں قانونی شناختی دستاویزات کے لیے ان کی درخواست کی حمایت کرتا/کرتی ہوں۔

Sincerely,

آپ کا مخلص،

[Name], Union Councilor,
[Union Council Name] |
یونین کونسلر، [یونین کونسل کا نام]
کا نام

Date: _____

Generate Letter | خط تیار کریں

Print | پرنٹ کریں

School Teacher / Shelter Staff Letter

اسکول ٹیچر / پناہ گاہ اسٹاف کا خط

To Whom It May Concern | جن کے علم میں یہ آئے

Your Name | آپ کا نام

Enter your name | اپنا نام درج کریں

Your Designation | آپ کا عہدہ

Enter your designation | اپنا عہدہ درج کریں

Institution Type | ادارے کی قسم

School | اسکول

Institution Name | ادارے کا نام

Enter institution name | ادارے کا نام درج کریں

Child's Name | بچے کا نام

Enter child's full name | بچے کا پورا نام درج کریں

I confirm that [Child Name] attends [School/Shelter Name] and is known to staff and local community. We support issuance of legal documentation for the child.

میں تصدیق کرتا/کرتی ہوں کہ [بچے کا نام] [اسکول/پناہ گاہ کا نام] میں حاضری دیتا/دیتی ہے اور اسٹاف اور مقامی کمیونٹی میں جانا جاتا ہے۔ ہم بچے کے لیے قانونی دستاویزات کے اجراء کی حمایت کرتے ہیں۔

Sincerely,

آپ کا مخلص،

[Name], [Designation] | [نام],
[عہدہ]

Date: _____

Note: Letters are templates; actual letters may vary based on the child's situation and community resources.

نوٹ: خطوط سانچے ہیں؛ اصل خطوط بچے کی صورت حال اور کمیونٹی کے وسائل کی بنیاد پر مختلف ہو سکتے ہیں۔

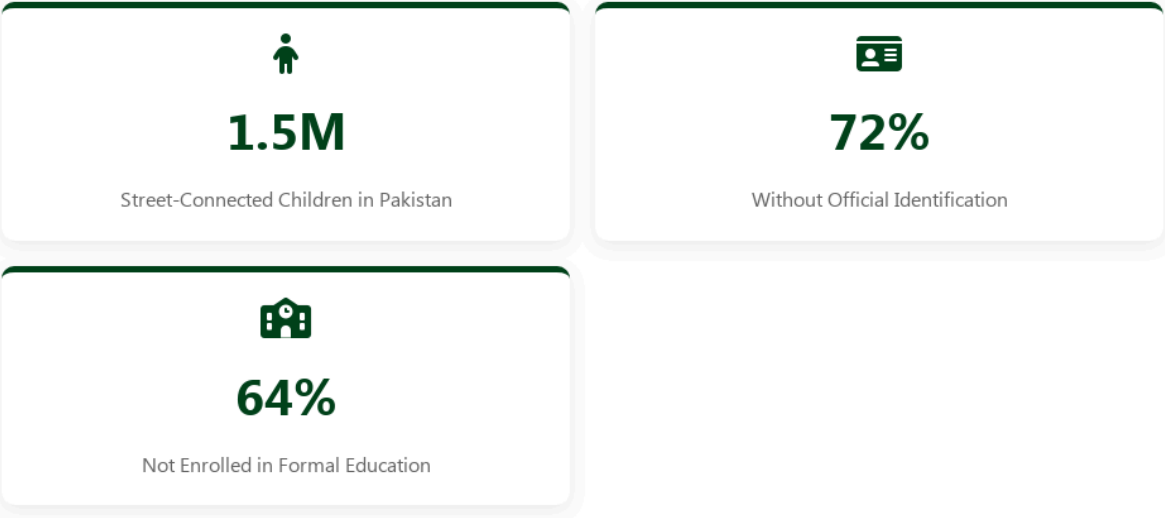
Generate Letter | خط تیار کریں

Print | پرنٹ کریں

Appendix I – Statistical Data & Cost Estimates

For Street-Connected Children in Pakistan

Demographic Statistics



Age Distribution of Street-Connected Children

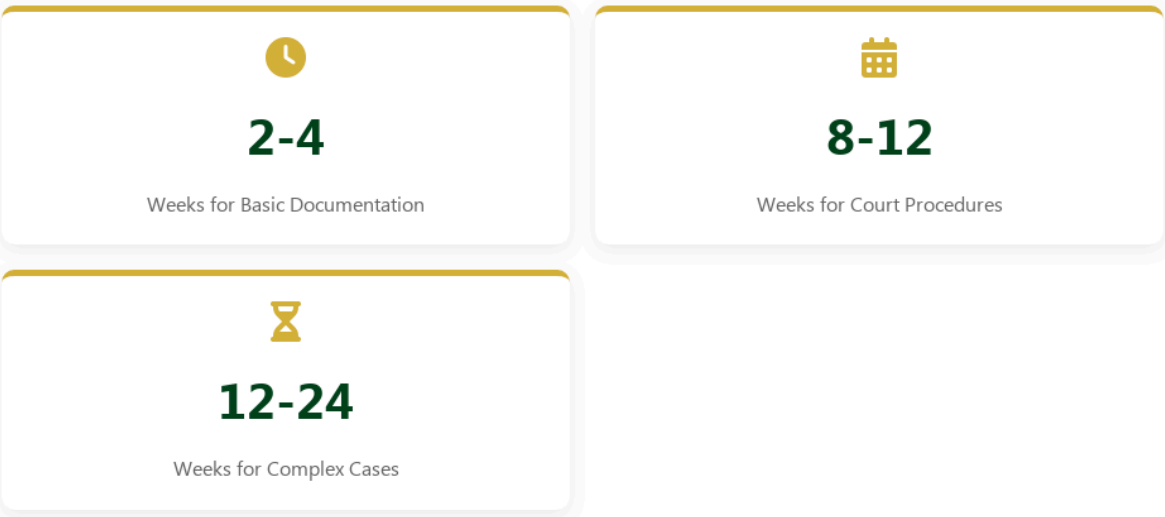
Cost Analysis

Cost Breakdown for Identity Documentation

Detailed Cost Estimates (in PKR)			
Document/Service	Standard Fee	Expedited Fee	Notes
Child Registration Certificate (CRC)	50	500	Core identity document for children
CNIC (at 18 years)	200-500	2,500	Executive service (7 days)
Birth Certificate (Union Council)	20-50	100-200	Varies by Union Council
Affidavit (Stamp Paper)	50-100	-	Required for mother's statement
Court Filing Fee (Section 42 Petition)	500-1,000	-	Estimated based on civil court fees
Process Server Fee	200-300	-	For serving court orders
Legal Documentation	100-300	-	Photocopies, attestation

Timeframe Analysis

Process Duration by Document Type (Weeks)



Regional Variations

Cost Variations by Region (PKR)

Key Insights:

- Urban centers have 15-20% higher documentation costs compared to rural areas
- Court fees increased by 500-1000% in 2023, significantly impacting total costs
- Remote regions face additional transportation costs averaging PKR 2,000-5,000
- Provinces with digital infrastructure have 30% faster processing times

Success Rate Analysis

Documentation Success Rates by Approach

Recommendations:

- Community-supported applications have 3x higher success rates
- Legal assistance increases success probability by 45%
- Early intervention (before age 12) yields better documentation outcomes
- NGO-facilitated processes reduce completion time by 40%

Approximate Legal Costs (Updated 2024)

Estimated Expenses for Identity Documentation in Pakistan

English

اردو

Estimated Legal Costs for Identity Documentation

Item	Approx. Cost	Notes / Source
Affidavit (stamp paper)	Rs 50 – 300	Province & stamp duty changes
Oath Commissioner attestation	Rs 100 – 200	Varies by district
Court fee (Section 42 suit)	Rs 500 – 3,000	Includes Punjab 2024 increase, depends on jurisdiction
Guardianship certificate filing	Rs 2,000 – 5,000	Excluding lawyer's fees
Certified copy of order	Rs 100 – 200 per page	Registry rates vary
Lawyer's fees	Rs 20,000 – 100,000	Depends on city & complexity
CNIC (age 18)	Rs 200 – 500 (standard), Rs 2,500 (executive)	NADRA 2024 fees
Child Registration Certificate (B-Form / CRC)	Rs 50 (standard), Rs 500 (expedited)	NADRA 2024 fees
Birth Certificate (UC)	Rs 20 – 50	Varies by Union Council
Process Server Fee	Rs 200 – 300	Local rates
Legal Documentation / Prep	Rs 100 – 300	Approximate

Indirect Costs:

- Transportation: Rs 200–500 per trip (3–5 trips typically)
- Lost Daily Wages: Rs 500–1,000 per day (2–3 days)
- Legal Assistance (optional): Rs 5,000–15,000

Total Cost Estimates:

- Self-Representation: Rs 2,000–4,000
- Basic Legal Assistance: Rs 7,000–16,000
- Complex Cases / Lawyer Support: Rs 10,000–25,000

⚠ Disclaimer on Costs

Court fees and stamp duties change frequently and differ by province (Punjab, Sindh, KP, Balochistan, ICT, AJK, GB) and even between districts. The above costs are approximate ranges only. Verify current fees with the court registry or NADRA office before filing.
Note: Supreme Court review petitions require Rs 10,000 cash security (exceptional cases only).

APPENDIX J

Validation and Testing Framework

Ensuring Practical Application for Frontline Workers

🎯 **Purpose**

To ensure the handbook is not only theoretically sound but also practically applicable for frontline workers, NGOs, and policymakers addressing the legal identity crisis of street-connected children.



Validation Processes

Systematic approach to ensure content meets the practical needs of frontline workers and addresses real-world challenges.



Stakeholder Testing

Rigorous testing with NGOs, policymakers, and frontline workers to ensure applicability and effectiveness.



Child-Centered Approach

Focus on practical solutions that address the legal identity crisis of street-connected children.

Validation and Testing Framework

To ensure the handbook is not only theoretically sound but also practically applicable for frontline workers, NGOs, and policymakers

یعنی بنانے کے لیے کہ ہینڈ بک نہ صرف نظریاتی طور پر مضبوط ہے بلکہ فرنٹ لائن کارکنوں، این جی اوز اور پالیسی سازوں کے لیے عملی طور پر قابل اطلاق ہے

Pilot Testing Methodology

A pilot study is "a testing ground for the tools, techniques, and strategies that will be employed in the main study."

پائلٹ مطالعہ "اوزار، تکنیک اور حکمت عملیوں کے لیے ایک آزمائشی میدان ہے جو اصل مطالعہ میں استعمال کیے جائیں گے۔"

For this handbook, 3–5 cases of street-connected children should be selected in partnership with NGOs.

اس ہینڈ بک کے لیے، سڑک سے منسلک بچوں کے 3-5 معاملات این جی اوز کے ساتھ شراکت داری میں منتخب کیے جانے چاہئیں۔

Data to Record:

- Dates of recruitment and follow-up
- Baseline demographic details
- Progress and outcome at each step

تاریخوں کی بھرتی اور فالو اپ
بنیادی ڈیموگرافک تفصیلات
ہر قدم پر پیشرفت اور نتائج

Success Rates & Obstacles

Documentation Requirements:

- Completion rates per step
- Average time taken
- Out-of-pocket costs and delays

ہر قدم پر تکمیل کی شرحیں

اوسط وقت

آؤٹ آف پاکٹ اخراجات اور تاخیریں

Common Obstacles:

- Missing or unwilling witnesses
- Judicial delays in declaratory suits
- NADRA rejections
- Informal payments requested

گمشدہ یا غیر رضامند گواہ

declaratory مقدمات میں عدالتی تاخیر

نادرا مستردگی

غیر رسمی ادائیگیوں کی درخواست

NADRA Feedback

Feedback from NADRA is essential for refining the roadmap.

روڈ میپ کو بہتر بنانے کے لیے نادرا کی رائے ضروری ہے۔

Feedback Mechanisms:

- Complaint Management System (CMS)
- Direct visits and informal discussions

شکایت مینجمنٹ سسٹم (CMS)

براہ راست دورے اور غیر رسمی گفتگو

Expected Insights:

- Bottlenecks in processing court orders
- Views on affidavits and guardianship claims
- Operational limits

عدالتی احکامات پر کارروائی میں رکاوٹیں

حلف ناموں اور سرپرستی کے دعوؤں پر خیالات

آپریشنل حدود

Iterative Refinement

Pilot findings should be used to refine future editions of the handbook.

ہینڈ بک کے مستقبل کے ایڈیشنز کو بہتر بنانے کے لیے پائلٹ کے نتائج استعمال کیے جانے چاہئیں۔

Potential Adjustments:

- Streamlining affidavit formats
- Adding clarifications to court filing procedures
- Highlighting "workarounds" for common NADRA pushbacks

حلف نامہ فارمیٹس کو ہموار کرنا

عدالت میں فائلنگ کے طریقہ کار میں clarifications

شامل کرنا

عام نادرا pushbacks کے لیے "workarounds" کو

نمایاں کرنا

Data should inform policy advocacy briefs aimed at reforms.

اصلاحات کے لیے ڈیٹا پالیسی ووکیسی بریفز کو

inform کرنا چاہیے۔

Reality Check

Pilot testing is crucial because NADRA's system is known for delays, lack of staff sensitivity, and weak grievance redressal.

پائلٹ ٹیسٹنگ انتہائی اہم ہے کیونکہ نادرا کا نظام تاخیر، اسٹاف کی حساسیت کی کمی، اور کمزور شکایت redressal کے لیے جانا جاتا ہے۔

The goal is not to fix the institution but to help frontline workers navigate bureaucratic bottlenecks effectively.

مقصد ادارے کو ڈھیک کرنا نہیں ہے بلکہ فرنٹ لائن کارکنوں کو بیوروکریٹک رکاوٹوں سے مؤثر طریقے سے نمٹنے میں مدد کرنا ہے۔

Key Considerations:

- Collect credible data to push for structural change
- Focus on practical navigation of existing systems
- Document both challenges and success stories

ساختی تبدیلی کے لیے credible ڈیٹا جمع کرنا

موجودہ نظاموں کے عملی navigation پر توجہ مرکوز

کریں

دونوں چیلنجز اور کامیابی کی کہانیاں دستاویز کریں

Disclaimer

The cost estimates and procedural information in this handbook are based on NADRA's official fee structure. Court fees for Section 42 petitions may vary by jurisdiction and change over time.

This handbook is a practical guide and not a substitute for professional legal advice. The procedures described have not been formally validated.

اس ہینڈ بک میں لاگت کے تخمینے اور procedural معلومات نادرا کے سرکاری فیس ڈھانچے پر مبنی ہیں۔ سیکشن 42 کی درخواستوں کے لیے عدالتی فیسز دائرہ اختیار کے لحاظ سے مختلف ہو سکتی ہیں۔

یہ ہینڈ بک ایک عملی گائیڈ ہے اور پیشہ ورانہ قانونی مشورے کا متبادل نہیں ہے۔ بیان کردہ طریقہ کار کو formally validate نہیں کیا گیا ہے۔

APPENDIX K

Quick Field Tools

A set of ready-to-use charts, checklists, and flow diagrams designed to help field workers apply the guide practically

Optional Supplementary Resource



Reference Charts

Visual guides for quick information access



Checklists

Step-by-step verification tools



Flow Diagrams

Process visualization for complex procedures

Visual Pocket Handbook – Street-Connected Children

Rapid guidance for frontline workers to help street-connected children obtain legal identity

بصری جیبی ہینڈ بک – سڑک سے منسلک بچوں کے لیے: فوری حوالہ

Step Flow (Color-Coded + Icons)



Cost Snapshots

 Affidavit Rs. 50-300	 Court Filing (Section 42) Rs. 10-500	 Guardianship Certificate Rs. 2,000-5,000	  Lawyer Fees Rs. 20,000-100,000
 CNIC Rs. 200-500	 CRC Rs. 50	 Travel Rs. 200-500/trip	 Lost Wages Rs. 500-1,000/day

Troubleshooting Section

 Missing documents Use affidavits as alternative proof دستاویزات غائب ہیں - متبادل ثبوت کے طور پر حلفی بیان استعمال کریں	 Online errors Submit paper application instead آن لائن غلطیاں - اس کے بجائے کاغذی درخواست جمع کرائیں	 Delays Attach certified court order to expedite تاخیر - رفتار بڑھانے کے لیے مصدقہ عدالتی حکم منسلک کریں
 Non-compliance Escalate via writ/contempt petition عدم تعمیل - رٹ/توہین عدالت کی درخواست کے ذریعے اسکیلٹ کریں		

Pilot Testing & Feedback

Purpose: Measure practical success, identify obstacles, and refine future editions. مقصد: عملی کامیابی کی پیمائش کریں، رکاوٹوں کی نشاندہی کریں، اور مستقبل کے ایڈیشنز کو بہتر بنائیں۔ Instructions (Field-Friendly): - Track success rates for each child (✔ registered vs ✗ not registered) - Log common obstacles (document missing, UC delays, online errors) - Collect staff feedback: clarity, usability, timeline issues - Collect NADRA official feedback: procedural gaps, common bottlenecks - Use data to improve future editions and inform policy briefs ہدایات (فیلڈ دوست): ہر بچے کے لیے کامیابی کی شرح ٹریک کریں، عام رکاوٹوں کو لاگ ان کریں، عملے کی رائے جمع کریں، نادرا کی سرکاری رائے جمع کریں، ڈیٹا کو مستقبل کے ایڈیشنز کو بہتر بنانے کے لیے استعمال کریں۔

 Quick Field Disclaimer Court fees and duties change frequently. Confirm rates with local court registry or NADRA office. Extra costs may apply (lawyer, transport, attestation). عدالتی فیسوں اور ڈیوٹیوں میں بار بار تبدیلی آتی ہے۔ مقامی عدالت کے رجسٹری یا نادرا آفس سے شرحوں کی تصدیق کریں۔ اضافی اخراجات لاگو ہو سکتے ہیں (وکیل، نقل و حمل، توثیق)۔

CNIC Acquisition Timeline for Undocumented Street Children

غیر دستاویزی بچوں کے لیے CNIC حاصل کرنے کا عمل

Total Estimated Timeline: 12 to 36 Months

Phase 1: 3-9 Months

Evidence Gathering

Collecting community affidavits, medical age estimates, and any available records.
Securing guardianship if needed.

شہادتیں جمع کرنا - مقامی بیانات، عمر کا طبی
اندازہ، اور دستیاب ریکارڈز

Phase 2: 6-18 Months

Legal Recognition

Filing a declaratory lawsuit to have citizenship legally recognized through the court system.

قانونی تسلیم - عدالت کے ذریعے شہریت کی
قانونی تسلیمیت حاصل کرنا

Phase 3: 3-9 Months

NADRA Processing

Submitting court order to NADRA, completing biometric registration, and receiving CNIC.

نادرا پرو CNIC - عدالتی حکم جمع کروانا،
بائیومیٹرک رجسٹریشن اور سی نک حاصل کرنا

Critical Success Factors

- Undocumented ≠ Stateless: The child is a citizen by birth - the problem is proof, not status
- Court order is essential: It transforms community testimony into legally admissible evidence
- Guardian role is crucial: The process requires a competent adult (NGO/shelter) to guide the child

• غیر دستاویزی ≠ بے ریاست • عدالتی حکم ضروری ہے • سرپرست کا کردار انتہائی اہم ہے

Based on comprehensive legal analysis of Pakistan's citizenship laws and NADRA regulations

Legal basis: Specific Relief Act 1877, Citizenship Act 1951, NADRA Ordinance 2000, and judicial precedents

اہم کامیابی کے عوامل | Critical Success Factors

Undocumented ≠ Stateless

The child is a citizen by birth under Section 4 of the Pakistan Citizenship Act, 1951. The problem is proof, not status.

بچپیدائش سے شہری ہے۔ مسئلہ ثبوت کا ہے،
حیثیت کا نہیں۔

The Role of the Court

The court order transforms community testimony into legally admissible evidence, serving as the master key to NADRA's bureaucratic process.

عدالت کا حکم کمیونٹی کی گواہی کو قانونی طور پر قابل
قبول ثبوت میں بدل دیتا ہے۔

Essential Legal Precedents

Cases like Zameen Abid v. NADRA affirm that identity cannot be denied due to "circumstances of birth."

قانونی precedents (جیسے زرین عابد بمقابلہ نادرا)
شناخت سے انکار کی اجازت نہیں دیتے۔

The Guardian's Role

The process is impossible without a competent adult (from an NGO, charity, or state shelter) to act as a sponsor and guide.

بغیر کسی سرپرست (غیر سرکاری تنظیم، charity یا
سرکاری پناہ گاہ) کے یہ عمل ناممکن ہے۔

Based on comprehensive legal analysis of Pakistan's citizenship laws and NADRA regulations
Legal basis: Specific Relief Act 1877, Citizenship Act 1951, NADRA Ordinance 2000, and judicial precedents
بر جامع قانونی تجزیہ پر مبنی regulations پاکستان کی شہریت کے قوانین اور نادرا کی

Concluding Note on Practical Challenges

This handbook provides a structured legal pathway that can help individual undocumented children and families obtain identity documents in difficult circumstances. However, it has not yet been systematically field-tested, and its success will depend heavily on resources, legal expertise, and local conditions. Court procedures in Pakistan are often slow, costly, and inconsistent across provinces, while NADRA and Union Councils may resist compliance. For most vulnerable families, the expenses of travel, documentation, and repeated hearings make litigation inaccessible without sustained legal aid.

It must be emphasized that litigation cannot resolve a crisis affecting an estimated 20 million unregistered children. The seven-step roadmap should therefore be viewed as a tactical intervention suitable for selected cases, not as a universal solution. Its primary value lies in supporting individual families while also generating evidence for broader policy and legislative reform.

Future progress requires administrative simplification, legislative clarity, and partnerships between civil society, legal aid providers, and government institutions. Pilot testing with clear timelines, cost tracking, and success metrics will be essential to evaluate effectiveness. In this way, the roadmap contributes both to immediate relief in individual cases and to building momentum for the systemic reforms necessary to ensure every child in Pakistan has access to legal identity.

A Roadmap to Justice

In Pakistan, approximately **42% of children** under five remain unregistered, invisible to the state and denied their fundamental rights. This guide turns complex constitutional protections, statutory provisions, and case law into a clear, step-by-step roadmap for securing legal identity especially for orphans, street children, and children of undocumented mothers.

Key Features

- Practical seven-step process from affidavits to enforcement.
- Analysis of landmark judicial precedents and statutory remedies.
- Guidance for lawyers, policymakers, and community advocates.
- International perspective linking Pakistan to global human rights norms.

About the MUST Legal Centre (MLC)

The MUST Legal Centre at Mirpur University of Science and Technology advances access to justice and legal empowerment through research, policy engagement, and advocacy. **Erased from the Record** was developed under the research leadership of **Arooj Aziz Malik**, in collaboration with the MLC team, as part of its mission to restore recognition and dignity to unregistered children across Pakistan.