

**IN THE SUPREME COURT OF PAKISTAN**  
**(Original Jurisdiction)**

Constitution Petition No.\_\_\_\_\_/2023

Senator (r) Farhatullah Babar & Others

.....Petitioners

**V E R S U S**

Federation of Pakistan, through Caretaker Prime Minister of Pakistan,  
Prime Minister Secretariat & Others

.....Respondents

Counsel for the Petitioners:

**Umer Ijaz Gilani, ASC**

**With Muhammad Sharif Janjua,  
AOR**

Counsel for the Respondents:

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**PETITION UNDER ARTICLE 184(3) OF THE CONSTITUTION OF THE  
ISLAMIC REPUBLIC OF PAKISTAN, 1973 CHALLENGING THE DIRECTIVE  
OF THE "APEX COMMITTEE" OF CARETAKER GOVERNMENT  
REGARDING MASS DEPORTATION OF AFGHAN REFUGEES, ASYLUM-  
SEEKERS AND OTHER "ILLEGAL IMMIGRANTS"**

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**I N D E X**

<b>Sr. No.</b>	<b>Description</b>	<b>Date</b>	<b>Page No.</b>
1	Concise Statement		
2	Constitution Petition under Article 184(3)		
3	Copy of Overview of Refugee and Asylum-Seekers Population		
4	Copy of UNHCR-IOM Flash Update		
5	Copy of Regional Refugee Response Plan for Afghanistan Situation (Pakistan Chapter)		
6	Copy of Report of UNHCR	03.06.2022	
7	Copy of Report of International Organization for Migration		
8	Copy of Report of Deutsche Welle	05.10.2023	
9	Copy of International Organization for Migration on Undocumented Afghan		
10	Copy of Report of Reuters	31.10.2023	

<b>11</b>	Copy of Representations by HRCP and Amnesty International		
<b>12</b>	Copy of Joint Statement		
<b>13</b>	Stay Application		
<b>14</b>	Notice		

Certified that the paper book as bound is complete and correct

Advocate-on-Record  
For the Petitioners

Dated:-01-11-2023

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**CONCISE STATEMENT**

<b>Subject Matter and Law</b>	<b>Subject Matter:</b> <ul style="list-style-type: none"><li>● Illegal directive of the "Apex Committee" of the Caretaker Government regarding mass deportation of Afghan Refugees, Asylum-Seekers and Other "Illegal Immigrants".</li></ul> <b>Law:</b> <ul style="list-style-type: none"><li>● Constitution of the Islamic Republic of Pakistan</li><li>● Elections Act, 2017</li><li>● International Covenant on Civil and Political Rights (ICCPR)</li><li>● International Covenant on Economic, Social and Cultural Rights</li></ul>
<b>Which side has filed this Petition?</b>	The Petition is being filed in the original jurisdiction of the Supreme Court of Pakistan under Article 184(3)

**THE CONTROVERSY**

<b>The basic controversy between the parties:</b>	The controversy relates to the illegal directive issued by an "Apex Committee" of the Caretaker
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	Government in pursuance of which Afghan Refugees, Asylum-Seekers and other “Illegal Immigrants” have been subjected to mass deportations. The directive is illegal and beyond the powers of the Caretaker Government as enshrined in the Constitution and the Elections Act.
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**THE LITIGATION**

COURT, CASE NO. & DATES	DECISION
—	—

**QUESTIONS REQUIRING DECISION**

QUESTIONS	PETITIONER’S SUBMISSIONS
a. Whether a Caretaker Government has the constitutional and legal mandate to make a mass deportation policy which effectively reverses Pakistan’s 45-year-old tolerant policy toward immigrants from Afghanistan?	The powers of the Caretaker Government as provided for in the Constitution and the Elections Act lack the mandate to make a mass deportation policy, especially one that would effectively reverse a 45-year-old tolerant policy towards immigrants from Afghanistan.
b. Whether the Constitution and the laws of Pakistan allow for mass deportation of persons who are for the time being residing in Pakistan, without providing any robust mechanism for identifying genuine asylum-seekers, refugees and Pakistani birthright citizens?	No provision of the Constitution, or any law in force in Pakistan for that matter, allows for mass deportation of persons who are residing in Pakistan without providing for a robust mechanism which would allow for the identification and separation of the genuine asylum-seekers, refugees and Pakistani birthright citizens.
c. Whether coercive deportation of illegal immigrants whose asylum applications are still pending violates the principle of non-refoulement, thereby undermining Pakistan's international obligations and causing a breach of Article 4?	The coercive deportation of illegal immigrants whose asylum applications are still pending violates the principle of non-refoulement and its jurisprudence developed through international conventions and customary international law. Such coercive deportation would also violate Article 4 of the Constitution which protects the fundamental rights of all those residing within Pakistan, irrespective of their citizenship status.

<p>d. Whether the government's failure to differentiate between birthright citizens and illegal immigrants contravenes the fundamental rights enshrined in the Constitution of Pakistan read together with Section 4 of Citizenship Act, 1951?</p>	<p>The government's failure to differentiate between birthright citizens and illegal immigrants is a violation of the fundamental rights enshrined in the Constitution of Pakistan read together with Section 4 of the Citizenship Act, 1951.</p>
<p>e. Whether the impugned policy amounts to a violation of the rulings of the Superior Courts of Pakistan in <i>Aamir Aman vs. Federation of Pakistan (PLD 2020 Sindh 533)</i>, <i>Rahil Azizi versus The State (W.P. No. 1666/2023)</i>, <i>Hafiz Hamdullah Saboor v. Government of Pakistan (PLD 2021 305)</i> and the Order dated 20.10.2022 of the Hon'ble Islamabad High Court in <i>Fazal Haq versus NADRA and Others (W.P. No. 1254/2022)</i>?</p>	<p>The impugned policy amounts to a violation of the rulings of the Superior Courts of Pakistan in <i>Aamir Aman vs. Federation of Pakistan (PLD 2020 Sindh 533)</i>, <i>Rahil Azizi versus The State (W.P. No. 1666/2023)</i>, <i>Hafiz Hamdullah Saboor v. Government of Pakistan (PLD 2021 305)</i> and the Order dated 20.10.2022 of the Hon'ble Islamabad High Court in <i>Fazal Haq versus NADRA and Others (W.P. No. 1254/2022)</i>.</p>

**CERTIFICATE:**

*Certified that I have prepared this point noted index/concise statement and the same is considered to be correct.*

**Umer Ijaz Gilani**

Advocate Supreme Court

Advocate-on-Record

**IN THE SUPREME COURT OF PAKISTAN**  
**(Original Jurisdiction)**

Constitution Petition No. \_\_\_\_\_/2023

1. **Senator (r.) Farhatullah Babar**
2. **Senator Mushtaq Ahmed**
3. **Amina Masood Janjua**
4. **Mohsin Dawar**
5. **Mohammad Jibran Nasir**
6. **Syed Muaz Shah**
7. **Pastor Ghazala Parveen**
8. **Iman Zainab Mazari**
9. **Ahmad Shabbar**
10. **Advocate Imran Shafiq**
11. **Luke Victor**
12. **Sijal Shafiq**
13. **Rohail Kasi**

*...Petitioners*

*Versus*

1. **Federation of Pakistan**, through Caretaker Prime Minister of Pakistan, Pakistan, PM Secretariat, Constitutional Avenue, Islamabad.
2. **Islamabad Capital Territory**, through its Chief Commissioner, ICT Administration Complex, G-11/4, Islamabad.
3. **Province of Punjab**, through its Caretaker Chief Minister, Chief Minister Punjab's Secretariat, 7 & 8 Club Road, GOR-I, Lahore.
4. **Province of KPK**, through its Caretaker Chief Minister, Sahibzada Abdul Qayyum Road, Peshawar Cantonment, Peshawar.

5. **Province of Sindh**, through its Caretaker Chief Minister, Sindh Secretariat, Kamal Attaturk Road, Karachi.
6. **Province of Balochistan**, through its Caretaker Chief Minister, Chief Minister Office, CM Secretariat, Zarghoon Road, Quetta.
7. **Apex Committee through Secretary Interior**, Room #409, 4th Floor, R-Block Pakistan Secretariat, Constitution Avenue, Red Zone, Islamabad.
8. **Ministry of SAFRON**, through its Secretary, Ministry of SAFRON, States and Frontier Regions Division (SAFRON), Attaturk Avenue, Red Zone, Islamabad.
9. **Chief Commissioner for Afghan Refugees (CCAR)**, Ministry of SAFRON, Attaturk Avenue, Red Zone, Islamabad.
10. **National Database and Registration Authority**, through its Chairman, NADRA Headquarters, State Bank of Pakistan Building, Constitution Avenue, G-5/2, Islamabad.
11. **Director General Immigration and Passports**, Mauve Road, G-8, Islamabad.
12. **Ministry of Foreign Affairs**, through its Secretary, Ministry of Foreign Affairs, Constitution Ave, G-5/1, Islamabad.
13. **United National High Commission for Refugees** through its Country Representative, Diplomatic Enclave 2, Islamabad.
14. **Society for Human Rights and Prisoners Aid (SHARP)** through Chairman, House No. 1086, Street 45, G-16/3
15. **Society for Empowering Human Resource (SEHER)** through its Chairman, House No. 04, Bukhari Street, Spinny Road, Quetta, Balochistan, Pakistan.

...Respondents

## DEPORTATION OF AFGHAN REFUGEES, ASYLUM-SEEKERS AND OTHER “ILLEGAL IMMIGRANTS”

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*Respectfully Submitted:*

### POINTS OF LAW AND PUBLIC IMPORTANCE

- I. Whether a Caretaker Government has the constitutional and legal mandate to make a mass deportation policy which effectively reverses Pakistan’s 45-year-old tolerant policy toward immigrants from Afghanistan?
- II. Whether the Constitution and the laws of Pakistan allow for mass deportation of persons who are for the time being residing in Pakistan, without providing any robust mechanism for identifying genuine asylum-seekers, refugees and Pakistani birthright citizens?
- III. Whether the Constitution and the laws of Pakistan allow for expropriation of the property of foreigners residing for years in Pakistan, if they do not have valid visas or other documents entitling them to stay in Pakistan?
- IV. Whether coercive deportation of illegal immigrants whose asylum applications are still pending violates the principle of non-refoulement, thereby undermining Pakistan's international obligations and causing a breach of Article 4?
- V. Whether the government’s failure to differentiate between birthright citizens and illegal immigrants contravenes the fundamental rights enshrined in the Constitution of Pakistan read together with Section 4 of Citizenship Act, 1951?
- VI. Whether the impugned policy amounts to a violation of the rulings of the Superior Courts of Pakistan in *Aamir Aman vs. Federation of Pakistan* (PLD 2020 Sindh 533), *Rahil Azizi versus The State* (W.P. No. 1666/2023), *Hafiz Hamdullah Saboor v. Government of Pakistan* (PLD 2021 Islamabad 305) and the Order dated 20.10.2022 of the Hon’ble Islamabad High Court in *Fazal Haq versus NADRA and Others* (W.P. No. 1254/2022)?



- VII. Whether the impugned policy is *corum non judice*, having been passed by a body which finds no mention in the Constitution or the Rules of Business adopted thereunder? If not, what is the constitutional and legal mandate of the so-called “Apex Committee”?

### I. SUMMARY OF THE PETITION

1. The Petitioners, who are citizens of Pakistan, are compelled to knock the doors of this Hon’ble Court because of a **MASS DEPORTATION DRIVE which the Respondents have launched against so-called “illegal immigrants” without providing any robust mechanism for distinguishing refugees, asylum-seekers and birth-right citizens.** This decision, attributed to “Apex Committee” of the Caretaker Government, is causing a massive violation of fundamental rights of around 4.4 million persons of Afghan origin who are for the time being in Pakistan. It is also leading to a deterioration in citizen-state relationship of all the 240 million people living in Pakistan; once state officials get accustomed to indiscriminately shoving human beings in containers and throwing them out, there is no limit to where it will end. Not only that, the present decision amounts to a reversal of Pakistan’s 45-year-old policy of extending hospitality to refugees, asylum-seekers and even unregistered immigrants – a strategic decision which falls completely beyond the limited constitutional mandate of the Caretaker Government. Various national and international human rights’ organizations have condemned this decision and warn that this would lead to a devastating crisis. Since this repatriation is not voluntary, nor is the Government of Afghanistan facilitating the same, it is possible that many of those being deported will die of cold and hunger – amongst them would be Pakistani citizens and genuine refugees who never stood a chance to prove their legal claims.
2. The Petitioners approach this Court purely in the public interest and seek no relief for themselves. They belong to different walks of life, different ethnicities and different schools of thoughts; what unites them in is a firm commitment to the rights guaranteed by the Constitution to all people in Pakistan, especially the vulnerable and marginalized. Just like Darshan Masih, whose case is cited as *Darshan Masih v. The State (PLD 1990 SC 513)*, and who was the earliest beneficiary of the Supreme Court’s exercise of its original constitutional jurisdiction, the affectees of the present mass deportation drive belong to a

vulnerable and marginalized group, who have historically been unable to directly access the courts of law to vindicate their constitutional rights. Thus, this URGENT plea for public interest intervention by the Supreme Court of Pakistan.

## II. BACKGROUND FACTS.

3. Since the year 1978, Pakistan has remained home to one of the largest “war-displaced” populations in the world. At present, according to some government estimates, there are a total of **3.8 million (thirty-eight lac)** people who fall in this category. There are 4 major categories:

**Firstly, POR holders.** This includes about **1.32 million** people who were issued Proof of Registration (POR) Cards by the government itself in collaboration with the United Nations High Commission for Refugees, in pursuance of the State of Pakistan’s successive “Tripartite Agreements” with the Government of Afghan and UNHCR. In these agreements, the State of Pakistan has repeatedly committed that refugees will only be repatriated on a voluntary basis. Refugees cannot be forcefully repatriated. The POR cards started being issued in the early 2000s and have since been renewed. All the POR card has EXPIRED on 30<sup>th</sup> June, 2023, leaving their holders liable to police exploitation.

**Secondly, ACCs.** There are around **8.44 lac people** who were issued Afghan Citizen Cards (ACCs), by the state of Pakistan, in collaboration with the International Organization for Migration (IOM) and who are still residing here.

**Thirdly, post-Taliban arrivals.** There are close to **7 lac people** who fled to Pakistan after the Taliban takeover in August 2021 in Afghanistan. Some of these people came after obtaining visas (issued at extortionate rates) while many others were permitted by the then government to cross the border without a visa. Even those who initially came with visas and are applying for renewals are not being granted renewals. As a result, there are almost no Afghans in Pakistan right now with valid visas. Their visas are deliberately not being renewed, without any speaking orders or plausible reasons.

Finally, the un-registered. There are **1.7 million people** who have been living in Pakistan for decades but have not, for various reasons, been issued any documents by the government. Capitalizing on this lack of documentation, the government is not planning to DEPORT EN MASSE and in a completely indiscriminate and inhuman way. They have been asked to leave by November 1, 2023; and are not allowed to take more than **Rs. 50,000 per family** with them,

which effectively means **confiscation** of the entire belongings of these families who are generally already very poor. Those who don't leave by the deadline will be forcefully deported.

4. It is important to mention that many of those falls in the third and fourth categories – post-Taliban arrivals and un-documented immigrants – are “asylum-seekers” in term of Pakistan’s own law as well as international law. This is because they have registered themselves with SHARP and SEHAR, the local Partners of UNHCR. These registrations are not being given any credence by the Government which is completely against the law. The registration amount to a proof of asylum-seeker status because in 1993 Pakistan signed a Cooperation Agreement with the UNHCR. It was agreed that since Pakistani state does not have its own “Refugee Agency”, UNHCR Pakistan will acts as a proxy for Pakistani state in processing asylum-seeker applications. UNHCR, in turn, has partnered with local NGOs, the most prominent of which is the Society for Human Rights and Prisoners Aid SHARP and SEHAR. All those who are registered with SHARP or UNHCR are considered asylum-seeker and have historically been allowed to stay in Pakistan. This point has also been judicially recognized by the superior courts of Pakistan in *Aamir Aman vs. Federation of Pakistan (PLD 2020 Sindh 533)*, *Rahil Azizi versus The State (W.P. No. 1666/2023)*, *Hafiz Hamdullah Saboor v. Government of Pakistan (PLD 2021 Islamabad 305)* and Order dated 20.10.2022 of the Hon’ble Islamabad High Court in *Fazal Haq versus NADRA and Others (W.P. No. 1254/2022)*

### **III. PAKISTAN’S 45-YEAR OLD STATE POLICY TOWARD “IMMIGRANTS” FROM AFGHANISTAN.**

5. It is important to realize that these 4.4 million people who are now all at a risk of being declared “illegal” did not suddenly or randomly end up living in Pakistan. Since at least 1978, Pakistani state has adopted a relatively flexible border-control policy towards Afghanistan.
6. The issue of deportation undocumented (and therefore, arguably illegal) Afghans residing in Pakistan has repeatedly come up before the ELECTED Federal

Cabinets of Pakistan. None of them decided to go for a categorical and mass deportation policy. Instead, more nuanced and humane solutions were opted for.

7. For instance, on February 7, 2017, the Federal Cabinet, which was presided by the then Prime Minister Muhammad Nawaz Sharif, took a number of important policy decisions for the management of Afghan refugees in Pakistan. Titled as (*REPATRIATION AND MANAGEMENT POLICY FOR AFGHAN REFUGEES*) these decisions were formally conveyed by the Ministry of States and Frontier Regions vide its letter F 4 (14) -RR/2017 dated 24 February 2017 to all relevant federal and provincial governments' ministries and departments (copy of the letter is enclosed).

Attention is kindly drawn towards (ii) of the said directive that states inter-alia, *"Till such time as the documentation process by NADRA is completed, harassment of unregistered Afghan Refugees and **application of Section 14 of the Foreigners Act, 1946 should be avoided**". Besides, it was also decided "Pakistan should enact her own Refugee Law/Legislation keeping in view of national interest and prevailing specific environment" (para iv)*

#### **GOVERNMENT LETTER TO PROVINCES IN FAVOR OF REFUGEES**

**TO BE PUBLISHED IN THE EXTRA ORDINARY GAZETTE OF PAKISTAN,  
ISLAMABAD-PART-II**

**GOVERNMENT OF PAKISTAN  
MINISTRY OF STATES & FRONTIER REGIONS**

Islamabad, the 24<sup>th</sup> February, 2017.

**NOTIFICATION**

No.F.4(14)-RR/2017:In pursuance of the approval of the Federal Cabinet conveyed vide Cabinet Division's Memorandum No.01/CM/2017-D, dated 22<sup>nd</sup> February, 2017, the Government of Pakistan is pleased to extend the Validity in respect of the Proof of Registration (PoR) Cards issued to the Afghan Refugees by NADRA, Government of Pakistan till 31<sup>st</sup> December, 2017.



**(M. TARIQ HAYAT KHAN)**

Joint Secretary  
PH: 051-9206580

The Manager,  
Printing Corporation of Pakistan Press,  
Government of Pakistan,  
**Islamabad.**

**Copy for information to:**

1. Secretary, Ministry of Foreign Affairs, Government of Pakistan, Islamabad
2. Secretary, Ministry of Interior, Government of Pakistan, Islamabad.
3. Secretary, Ministry of Defense, Government of Pakistan, Islamabad.
4. Secretary to the Prime Minister, Prime Minister's Office, Islamabad.
5. Secretary, Ministry of Kashmir Affairs & Gilgit Baltistan, Islamabad.
6. Secretary, Ministry of Information, Broadcasting & National Heritage, Islamabad.
7. Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
8. Chief Secretary, Government of Balochistan, Quetta.
9. Chief Secretary, Government of Punjab, Lahore.
10. Chief Secretary, Government of Sindh, Karachi.
11. Chief Secretary, Government of Azad Jammu & Kashmir, Muzafarabad.
12. Home Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
13. Home Secretary, Government of Balochistan, Quetta.
14. Home Secretary, Government of Punjab, Lahore.
15. Home Secretary, Government of Sindh, Karachi.
16. Chairman NADRA, Islamabad.
17. Embassy of Islamic Republic of Afghanistan, Islamabad.
18. Chief Commissioner, Islamabad Capital Territory (ICT) Islamabad.
- ✓ 19. Country Representative, UNHCR, Islamabad.
20. Commissioner Afghan Refugees, Peshawar/Quetta/Lahore & Karachi.
21. Director to the Minister for SAFRON.
22. PS to Secretary, SAFRON.

8. It is pertinent to point out that the Cabinet decision of February 2017 still holds the field as it has not been formally turned down by any of the successive cabinets that followed.

9. On June 20, 2023, during the tenure of PM Shahbaz Sharif, the Ministry of SAFRON again wrote letters to the Ministry of Interior **RESTRAINING** the Ministry of Interior and other policing agencies from deporting or otherwise harassing Afghan Refugees. This letter (copied below) mentioned that the issue of a long-term policy regarding Afghan refugees in Pakistan was still under discussion before the Federal Cabinet. Until such a decision could be taken by the elected Cabinet, the status quo be maintained.

## GOVERNMENT LETTER TO LAW ENFORCEMENT AGENCIES IN FAVOR OF POR HOLDERS

Most Immediate/By Fax

No.F.4(4)-RR/2021  
GOVERNMENT OF PAKISTAN  
MINISTRY OF STATES & FRONTIER REGIONS  
\*\*\*\*\*

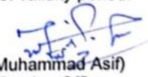
Islamabad the 20<sup>th</sup> June, 2023

1. The Secretary, Ministry of Interior, Islamabad.
2. The Chief Secretaries, Governments of Punjab (Lahore), Sindh (Karachi), Khyber Pakhtunkhwa (Peshawar), Balochistan (Quetta) and Azad Jammu & Kashmir (Muzaffarabad), and Gilgit Baltistan.
3. The Home Secretaries, Governments of Punjab (Lahore), Sindh (Karachi), Khyber Pakhtunkhwa (Peshawar), Balochistan (Quetta) Azad Jammu Kashmir (Muzaffarabad) and Gilgit Baltistan.
4. The Chief Commissioner, ICT, Islamabad.
5. The Inspectors General of Police, Punjab (Lahore), Sindh (Karachi) Khyber Pakhtunkhwa (Peshawar), Balochistan (Quetta), & Azad Jammu Kashmir (Muzaffarabad), Gilgit Baltistan and ICT, Islamabad.

Subject: ARREST / DETENTION OF AFGHAN REFUGEES (POR/ACC HOLDERS).

I am directed to refer to the above subject and to state that Afghan refugees with valid Proof of Registration (PoR) card can only be repatriated on voluntary basis unless they are found in any criminal/ anti state activities. In this regard, instructions are also passed to all concerned stakeholders including the Provincial Governments, time and again. Moreover, harassing arresting / detaining registered Afghan Refugees would adversely affect Pakistan's image and goodwill earned over the last forty-three years.

2. In view of above, it is requested to kindly issue instructions to all relevant Departments/Agencies to ensure that no harassment or undue adverse action be taken against registered Afghan Refugees holding Proof of Registration (PoR) Cards and holders of Afghan Citizen Cards (ACC) issued by NADRA till the decision of the Federal Cabinet as a summary for the cabinet has already been submitted for extension of validity period.

  
(Muhammad Asif)  
Section Officer

Copy to:

- i. PS to Minister.
- ii. PS to Secretary.
- iii. The Governor, State Bank of Pakistan, Islamabad.
- iv. The Chief Commissioner, Afghan Refugees (CCAR), Islamabad.
- v. The Embassy of Islamic Republic of Afghanistan, Islamabad.
- vi. Country Representative, UNHCR, Islamabad.
- vii. The Commissioners, Afghan Refugees, Khyber Pakhtunkhwa (Peshawar) Balochistan (Quetta), Sindh (Karachi) & Punjab (Lahore),

10. Six days after the above-said notification, the Ministry of SAFRON issued another letter to the State Bank which was meant to secure the property rights of the refugees and asylum-seekers:

## GOVERNMENT LETTER TO STATE BANK IN FAVOR OF REFUGEES

**MOST IMMEDIATE**


**No.F.4 (4)-RR/2021  
Government of Pakistan  
Ministry of States & Frontier Regions  
\*\*\*\*\***

Islamabad, the 26<sup>th</sup> June, 2023

Mr. Faizan Hassan Yawar,  
Deputy Director,  
State Bank of Pakistan,  
Banking Policy & Regulations Department,  
I.I. Chundrigar Road,  
**Karachi**

Subject: - **EXTENSION OF THE PROOF OF REGISTRATION (POR) CARD  
HOLDERS FOR AFGHAN REFUGEES LIVING IN PAKISTAN.**

I am directed to refer State Bank of Pakistan's, letter No. BPRD/AML-01/2023-3796 dated 12<sup>th</sup> May, 2023 on the subject noted above and to intimate that after inter Ministerial consultations, case regarding extension of PoR's validity is under submission to the cabinet. Therefore, regulated entities may be advised not to block the accounts of PoR card holders. As soon as the decision of the Cabinet is received, the same will be communicated to all the concerned stakeholders.

  
(Muhammad Saleem Ullah)  
Deputy Secretary (R)

Cc: -

- i. PS to Secretary, Ministry of States & Frontier Regions.
- ii. PS to Chief Commissioner Afghan Refugees, Islamabad.
- iii. PS to Commissioner, HQ Afghan Refugees, Islamabad.
- iv. PS to Joint Secretary (R&S).

#### **IV. CAUSE OF ACTION: IMPUGNED DECISION OF THE "APEX COMMITTEE"/CARETAKER GOVERNMENT WHICH OVERTURNED PAKISTAN'S 45-YEAR OLD STATE POLICY AGAINST MASS DEPORTATIONS**

11. On October 3, 2023, the "Apex Committee" which purportedly includes senior members of the Caretaker Government, took the whole world by surprise. Going well beyond its mandate - to carry out elections - it decided to take a roll back Pakistan's 45-year-old flexible and humane policy regarding protecting immigrants from Afghanistan - documented as well as undocumented ones. The media suddenly started reporting a decision of the so-called "Apex Committee", which as not been notified in the official gazette, that all "illegal residents" in Pakistan without a valid visa. While framed in somewhat neutral language, the



decision is obviously targeted at the millions of Afghan Refugees who are compelled by circumstances to live in Pakistan and have various level of documentation, none of which is a fully defense against the threat of expulsion.

12. The relevant part of the Apex Committee decision (the “**Impugned Decision**”), as reported in various media sources, is as follows:

1. *All foreign nationals residing in Pakistan illegally are hereby cautioned to depart from the country by October 31, 2023.*

2. *Starting from November 1, 2023, federal and provincial law enforcement agencies will take all necessary measures to effectuate the apprehension and forceful deportation of all unlawfully residing foreigners.*

3. *Effective from October 10, 2023, travel across the Pakistan-Afghanistan border will require a computerized identity card (E-Tazkira), and from November 1, 2023, only passport and visa holders will be allowed passage. All other forms of documentation will be deemed invalid for cross-border travel.*

4. *Commencing November 1, 2023, businesses and properties owned by illegal foreigner will be confiscated, and legal action will be taken against both these unlawful business operators and their accomplices.*

5. *Stringent legal measures will be taken against any Pakistani citizen or company found providing shelter or support to illegal foreigners in Pakistan after November 1, 2023.*

6. *A task force, under the Ministry of Home Affairs, comprising members from law enforcement and intelligence agencies, will work towards identifying individuals with counterfeit identity cards and properties acquired through fraudulent documentation.*

7. *NADRA has been instructed to promptly invalidate all counterfeit identity cards, and in cases of identity doubt, DNA tests will be conducted for confirmation.*



8. *Information regarding the illegal residence or business activities of foreigners in Pakistan can be reported through the web portal and UAN helpline. Confidentiality will be maintained for those who cooperate with the city government.*

[https://twitter.com/IntelPk\\_/status/1709170444065198578](https://twitter.com/IntelPk_/status/1709170444065198578)

13. It is worth reiterating that Para 1 of the Decision of the Apex Committee does not provide any clarity about which category of “illegal immigrants” it is talking about; and the oral clarification that some government officials are giving on TV that POR holders and ACC holders are not included in this is only a subsequent afterthought. The Decision announced by the “Apex Committee” doesn’t actually clarify that. Also, neither written nor oral government policy statements have so far clarified the status of those “asylum-seekers” who have filed application for asylum with SHARP and SEHAR, the local partners of UNHCR who effectively act as a proxy for the Government of Pakistan insofar as refugee screening process goes.

14. In subsequent press conferences and interviews, the Caretake Prime Minister of Pakistan and the Caretaker Minister of Interior, who simply do not have any mandate to take such policy decisions, have reiterated the decision of the executive branch of government to carry out “Mass Deportations” against the illegal immigrants presently residing in Pakistan.

15. Subsequently, various Police Departments all over the country started campaigns to hound all kinds of immigrants on the pretext that they are “illegal immigrants”. On October 4, 2023, the Islamabad Police posted:



**Islamabad Police**

@ICT\_Police

پاس کے افراد۔ 503 گئی کی جانچ کی افراد 1126 دوران کے آپریشنز خلاف کے ملکوں غیر مقیم غیر قانونی مجاز کر کے کارروائی تحت کے ایکٹ فارنر 14 خلاف کے ان تو۔ تھے نہیں کاغذات کوئی کے قسم کسی

شده منظور کو افراد - 623 رہے سامنا کا مقدمات اور ہیں پر ریمانڈ جوڈیشل وہ گیا کیا پیش میں عدالتوں  
- آیا نہیں پیش واقعہ ناخوشگوار کوئی دوران کے عمل تمام اس گیا کیا رہا پر کرنے پیش دستاویزات شناختی  
پاس آس کے آپ کے اگر ہے نہیں درست کرنا منسلک ساتھ کے ملکوں غیر مقیم قانونی غیر کو عناصر پیشہ جرائم  
مقیم قانونی غیر کسی گا جائے رکھا میں راز صیغہ نام کا آپ دیں اطلاع کو پولیس تو ہو مقیم غیر قانونی کوئی  
ہے ہو سکتی کارروائی قانونی پر جس ہے جرم بھی دینا ملازمت یا پناہ کو #ICTP #Islamabad

[Translate post](#)

12:21 PM · Oct 4, 2023

16. Again, on October 7, 2023, the Islamabad Police posted this:



**Islamabad Police**

@ICT\_Police

گئی لائی میں عمل پڑتال جانچ کی افراد 1172 تک ہیں، اب جاری کارروائیاں خلاف کے ملکوں غیر مقیم قانونی غیر  
ممکنہ - 19 ہے گیا کیا پیش میں عدالتوں مجاز کر کے درج مقدمات 69 خلاف کو ملکوں غیر مقیم قانونی غیر - 511 ہے  
مقیم تمام، ہیں گئی بھجوائی نادرا کے لیے تصدیق دستاویزات کی ان تھیں دستاویزات پاکستانی پاس کے جن ملکی غیر  
آگاہی میں آبادیوں والی تجاوزات پر زمین سرکاری کی ملکوں ہے، غیر گئی کر لی مکمل ٹیگنگ جیو کی ملکوں غیر  
ہدایات کی ہونے منتقل میں کیمپوں شدہ مختص میں گھنٹوں 48 اگلے پر طور رضاکارانہ ہیں جارہے کیے نشر پیغامات  
ہیں گئی کی جاری #ICTP

[Translate post](#)

9:39 AM · Oct 7, 2023

17. As the “deadline” for expulsion draws nearer, many caravans of frightened immigrants started returning to Afghanistan against their will. To harass them further, the Government passed a notification saying that they can only carry a total of Rs. 50,000 per person. This clearly amounts to expropriation of their property without any legal sanction.

18. As the caravans started moving, the situation became more and more dire. On October 29, 2023, a group of immigrants who were lumped together in a truck while returning urgently to Afghanistan, died on account of a road accident.

Again, this is just one example of the kind of horrors which are being unleashed. And if the mass deportation goes through, worse is expected to come.

**DAWN**  
TODAY'S PAPER | OCTOBER 30, 2023

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**2 dead, 25 injured as trailer carrying Afghan families overturns in Attock**

Tahir Naseer | Published October 29, 2023 | Updated a day ago



Two people died and 25 were injured when a trailer overturned in Attock on Sunday. — DawnNewsT

0:00 / 1:12      1x 1.2x 1.5x

**Two people died while 25 others were injured after a 22-wheeler trailer carrying Afghan families overturned near the Grand Trunk Road in Punjab's Attock, officials said.**

<https://www.dawn.com/news/1784726/2-dead-25-injured-as-trailer-carrying-afghan-families-overturns-in-attock>

19. The Petitioners are personally in touch with a number of Afghan refugees living in Pakistan who are being hounded by the police and are being illegally extorted. This is only the start of a human rights crisis; much worse is expected unless the impugned policy is suspended.
20. Recently, both Human Rights Commission of Pakistan (HRCP) and Amnesty International have issued representations/letters on this issue alerting both Pakistani authorities as well as the international community of the impending human rights disaster, if this deportation exercise goes through.

21. That some, not all, of the petitioners in the present petition have previously sent a representation to the National Commission of Human Rights seeking urgent intervention; however, the said petition has not borne fruit. Given the urgency of the matters, the Petitioners are left with no other adequate alternative remedy except approaching the highest court of the land in its fundamental rights jurisdiction.

## **V. GROUNDS FOR PETITION**

### **A. THE IMPUGNED DECISION IS A MAJOR POLICY DECISION WHICH FALLS BEYOND THE MANDATE OF THE CARETAKER GOVERNMENT UNDER THE CONSTITUTION AND THE LAWS**

As pointed out in the earlier paras of this petition, the issue of undocumented and possibly illegal Afghan immigrants in Pakistan is not something that has suddenly cropped up during the tenure of the present Caretake Government and therefore require urgent resolution. It is a 45-year old issue on which various elected government of Pakistan have adopted various policies – all of which were more nuanced and humane than the impugned decision. As late as June, 2023, an elected government pondered over this issue and did not take any decision in favor of Mass Deportation.

The Caretaker government whose legal mandate under Section 230 of the Elections Act, 2017 is narrow and whose constitutional mandate under Article 224 is perhaps even narrower, simply does not have the mandate to reverse the earlier policies and to adopt a whole new policy to this issue. It is BARRED by Section 230 from taking POLICY DECISIONS.

It is extremely disturbing that instead of doing its job – preparing of Elections - the Caretaker Government is taking strategic policy decisions whose consequence will be borne by the people of this country.

For ease of reference, Section 230 of the Elections Act, 2023, is reproduced below:

*230. Functions of caretaker Government. – (1) A caretaker Government shall –*

- (a) perform its functions to attend to day-to-day matters which are necessary to run the affairs of the Government;*
- (b) assist the Commission to hold elections in accordance with law;*
- (c) restrict itself to activities that are of routine, non-controversial and urgent, in the public interest and reversible by the future Government elected after the elections; and*
- (d) be impartial to every person and political party.*

*(2) The caretaker Government **shall not** –*

- (a) take **major policy decisions** except on urgent matters;*
- (b) take any decision or make a policy that may have effect or pre-empt the exercise of authority by the future elected Government;*
- (c) enter into major contract or undertaking if it is detrimental to public interest;*
- (d) enter into major international negotiation with any foreign country or international agency or sign or ratify any international binding instrument except in an exceptional case;*
- (e) make promotions or major appointments of public officials but may make acting or short term appointments in public interest;*
- (f) transfer public officials unless it is considered expedient and after approval of the Commission; and*
- (g) attempt to influence the elections or do or cause to be done anything which may, in any manner, influence or adversely affect the free and fair elections:*

*Provided that sub-sections (1) and (2) shall not apply where the caretaker Government has to take actions or decisions regarding existing bilateral or multilateral agreements or the projects already initiated under the Public Private Partnership Authority Act, 2017 (VIII of 2017), the Inter-Governmental Commercial Transactions Act, 2022 (XXX of 2022) and the Privatization Commission Ordinance, 2000 (LII of 2000).*

**B. THE IMPUGNED POLICY FAILS TO PROVIDE ANY MECHANISM FOR DISTINGUISHING BETWEEN ASYLUM-SEEKERS AND OTHER ILLEGAL IMMIGRANTS; THEREBY IT VIOLATES THE RULINGS OF THE SUPERIOUR COURTS OF PAKISTAN IN AAMIR AMAN VS. FEDERATION OF PAKISTAN (PLD 2020 SINDH 533), RAHIL AZIZI VERSUS THE STATE (W.P. NO. 1666/2023), HAFIZ HAMDULLAH SABOOR V. GOVERNMENT OF**

***PAKISTAN (PLD 2021 ISLAMABAD 305) AND FAZAL HAQ VERSUS NADRA AND OTHERS (W.P. NO. 1254/2022)***

The Petitioner vehemently disagree with the government's view that all foreigners living in Pakistan who do not have a valid visa are liable to be deported. This simplistic view about "illegal immigrants" fails to take account of the fact that many of these so-called "illegal" and undocumented" refugees were actually born in this country and, as per Section 4 of the Citizenship Act, 1951, have a solid claim to birthright citizenship. That they have remained without documents is because the government is simply not willing to issue them documents, despite the law and despite court judgments in their favor.

- C. Also, those who have POR Cards, ACCs or Pre-screening Slips issued by UNHCR-sponsored organizations such as **SHARP, SEHAR** cannot be considered even remotely as illegals. By all account, the latter category – asylum-seekers who have slips issued by SHARP and SEHAR – are clearly being targeted in the present operation.
- D. Also, those whom the government itself allowed to come in Pakistan and had an unstated policy of hosting in Pakistan cannot all of a sudden be called illegals and deported en masses. This is a gross violation of fundamental rights.
- E. This Government's simplistic stand also fails to take stock of the constitutional right to asylum which exists in Pakistan and has recently been reiterated by the Islamabad High Court in the famous case of *Raheel Azizi v. State* (**W.P. 1666/2023**) (a copy of which is accessible on the Court's website)  
  
[https://mis.ihc.gov.pk/attachments/judgements/161521/1/W.P.No.1666\\_of\\_2023\\_Rahil\\_Azizi\\_Vs\\_The\\_State\\_638282052901135229.pdf](https://mis.ihc.gov.pk/attachments/judgements/161521/1/W.P.No.1666_of_2023_Rahil_Azizi_Vs_The_State_638282052901135229.pdf)
- F. The High Court, in a 21-page judgment authored by Justice Babar Sattar, has declared that the fundamental rights promised by the Constitution include the rights of foreigners living in Pakistan; and it follows that those foreigners who have a claim to refugee-status cannot be forcefully deported – even if they are undocumented and illegal. To do so would violate fundamental rights. Reliance is

also placed on *Aamir Aman vs. Federation of Pakistan (PLD 2020 Sindh 533)*, the case of Turkish schools' teachers whom the government was trying to deport. In this judgment, authored Justice Munib Akhtar as His Lordship then was, the High Court granted a stay against deportation until such time that the teachers' asylum application was not decided by the UNHCR.

**G. THAT THE IMPUGNED POLICY IS IN VIOLATION OF THE PRINCIPLES INCORPORATED IN ARTICLE 2A OF THE CONSTITUTION**

**H. THE THAT IMPUGNED POLICY FAILS TO TAKE ACCOUNT OF THE FACTS THAT MANY OF THE PERSONS BEING DEPORTED OR MADE LIABLE TO DEPORTATION MAY BE DOUBLY MARGINALIZED ON ACCOUNT OF FACTORS SUCH AS ETHNICITY, RELIGIONS, GENDER AND SOME OTHER FACTORS.**

**I. THAT THE IMPUGNED POLICY IS CORUM NON JUDICE.** The impugned policy is corum non judice, having been passed by the so-called "Apex Committee". This is a body which finds no mention in the Constitution or the Rules of Business adopted thereunder. As such, the the so-called "Apex Committee does not have any constitutional and legal mandate.

**J. THE IMPUGNED POLICY FAILS TO PROVIDE ANY MECHANISM FOR DISTINGUISHING BETWEEN BIRTHRIGHT-CITIZENS AND ILLEGAL IMMIGRANTS; THEREBY IT VIOLATES THE RULINGS OF THE SUPERIOR COURTS OF PAKISTAN IN HAFIZ HAMDULLAH SABOOR versus FEDERATION (PLD 2021 Islamabad 305) AND FAZAL HAQ V. NADRA (W.P. No. 1254/2022)**

**K. THE IMPUGNED DECISION VIOLATES ARTICLE 4 OF THE CONSTITUTION READ TOGETHER WITH INTERNATIONAL LAW.**

*i) Human Rights of Foreigners, especially Refugees under International Instruments*

22. Pakistan has signed numerous major international human rights treaties: International Covenant on Civil and Political Rights (ICCPR), International

Covenant on Social and Economic Right (ICESER) etc. Some of these conventions create obligations that state parties have towards foreigners living in their territory and especially those living as refugees. For instance, Article 2 of CCPR promises: *“Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”* The language of Article 2 makes it abundantly clear that the legal obligations of a state party extend not only to its citizens but also to all other persons such as refugees and asylum-seekers who happen to reside in its territory.

*ii) Recognized Rights of Refugees and Asylum-Seekers under International Customary Law.*

23. The principle of non-refoulement – i.e. that a person should never be expatriated to a state where he or she faces the risk of political persecution – is considered by jurists to have attained that status of international customary law. International customary law is that part of international law which every member of the comity of nations is expected to follow, regardless of whether it has signed any treaty or not. Therefore, even a state like Pakistan which has not signed the International Convention on the Status of Refugees, is bound to respect this principle. This point has been endorsed in numerous judgments of the superior courts such as the judgment of the Sindh High Court in *Najib Zariab Ltd vs the Government of Pakistan (PLD 1993 Karachi 93)* where it held: *“the community of nations requires that rules of international law may be accommodated in the municipal law even without express legislative sanction provided they do not run into conflict with the Acts of the Parliament.”*

*iii) Fundamental Rights of Foreigners under the Constitution*

24. The right to due process under Article 4 of the Constitution, which is the Pakistani equivalent of the American Due Process clause, extends to foreigners in Pakistan also. It stipulates: *“[t]o enjoy the protection of law and to be treated in accordance with law is the inalienable right of every citizen, wherever he may be, and of every other person for the time being within Pakistan.”*

*(Emphasis added)*



25. Furthermore, there are at least 12 fundamental rights mentioned in the Constitution whose scope has been extended to foreigners through the use of the term “person.”. These are: Article 9 (Life and Liberty), Article 10 (Arrest and Detention procedures), Article 10A (Fair Trial), Article 11 (Slavery and forced labour), Article 12 (Retrospective punishment), Article 13 (Self-incrimination and double jeopardy), Article 14 (Human dignity and privacy of home), Article 21 and 22 (Religious Oppression), Article 24 (Expropriation) and Article 25A (Children’s education). The state of Pakistan is under a constitutional obligation to ensure that these fundamental rights of foreigners living for the time being in Pakistan are secured. This obligation can only be discharged by addressing the issues highlighted in the Petition.

26. Summing up, this Court has ample jurisdiction under Article 184(3) to look into violations of fundamental rights which are mentioned in this Petition, and to grant the relief sought.

## **VI. PRAYER**

In above mentioned legal and factual submission, it is most humbly prayed that the Hon’ble Court may kindly:

- i. Declare that the Caretaker Government’s decision regarding Mass Deportation announced by the Apex Committee on October 3, 2023, is illegal and unconstitutional, being ultra vires Section 230 of the Elections Act, 2017 and the fundamental rights provisions of the Constitution and set aside the same;
- ii. Restrain Respondent No. 1/Federation and its instrumentalities from detaining, forcefully deporting or otherwise harassing anyone who possesses a POR, ACC, Asylum-seeker application issued by UNHCR/Respondent No. 6 or pre-screening slip issued by UNHCR-partners SHARP and SEHAR; this basic legal principle regarding exemption of is refugee or an asylum-seekers from penal action has already been settled by the superior courts of Pakistan in *Raheel Azizi v. State (W.P. 1666/2023)* and *Aamir Aman vs. Federation of Pakistan (PLD 2020 Sindh*

533) which rulings the respondents may be directed to implement in letter and spirit;

- iii. Direct Respondent No. 1/Federation and its instrumentalities from detaining, forcefully deporting or otherwise harassing anyone who was born in Pakistan and has a claim to birth-right citizenship in accordance with Section 4 of the Citizenship Act, 1951 and the ruling of the Islamabad High Court in *Hafiz Hamdullah Saboor vs. Federation of Pakistan* (PLD 2021 Islamabad 305);
- iv. Direct Respondent No. 1/Federation and its instrumentalities to permit UNHCR and its partner organizations to register and expeditiously process and decide all the asylum-seeking applications filed by foreigners presently residing in Pakistan; and
- v. Direct Federation/Respondent No. 1 to coordinate with all the relevant federal and provincial law enforcement agencies to secure the fundamental rights of all persons for the time being in Pakistan.

**DRAWN BY**

**FILED BY**

**Umer Ijaz Gilani**

Advocate

Supreme Court of Pakistan

Advocate-on-Record

Supreme Court of Pakistan

**CERTIFICATE**

As per instruction of the Petitioner this is the first Const. Petition filed before this august Court and not filed any other High Court.

Advocate-on-Record

For the Petitioners

Dated:-01-11-2023

**IN THE SUPREME COURT OF PAKISTAN**  
**(Original Jurisdiction)**

CMA No. \_\_\_\_\_/2023

IN

Const. Petition No. \_\_\_\_\_/2023

Senator (r) Farhatullah Babar & Others

.....Petitioners

**V E R S U S**

Federation of Pakistan, through Caretaker Prime Minister of Pakistan,  
Prime Minister Secretariat & Others

.....Respondents

**APPLICATION UNDER ORDER XXXIII, RULE 6 OF SUPREME COURT**  
**RULES 1980**

1. That the above-titled Petition has been filed before this Hon'ble Court by the Petitioners and the contents of the same may kindly be read as an integral part of this Application.
2. That the Petitioner has a good prima facie case which is likely to be decided in favor of the Petitioner.
3. That balance of convenience is also in favor of the Petitioner and if the stay as prayed for is not granted the Petitioner shall suffer irreparable loss and injury.

**PRAYER**

It is humbly prayed on behalf of the above-named Petitioners that this Hon'ble Court may be pleased to:

- (i) Suspend the operation of the Impugned Decision;
- (ii) Restrain Respondent No. 1/Federation and its instrumentalities from detaining, forcefully deporting or otherwise harassing anyone who is either a refugee or an asylum-seeker and possesses a POR, ACC, Asylum-seeker application issued by UNHCR/Respondent No. 6 or pre-screening slip issued by UNHCR-partners such as SHARP and SEHAR; this basic legal principle has already been endorse by the courts of Pakistan in *Raheel Azizi v. State (W.P. 1666/2023)* and *Aamir Aman vs. Federation of Pakistan (PLD 2020 Sindh*

533) which ruling the respondents may be directed to implement in letter and spirit;

- (iii) Direct Respondent No. 1/Federation and its instrumentalities from detaining, forcefully deporting or otherwise harassing anyone who was born in Pakistan and has a claim to birth-right citizenship in accordance with Section 4 of the Citizenship Act, 1951 and the ruling of the Islamabad High Court in *Hafiz Hamdullah Saboor vs. Federation of Pakistan (PLD 2021 Islamabad 305)*;
- (iv) Grant such other relief which this Hon'ble Court may deem fit in the circumstances of this case may also be granted.

Advocate on Record  
Supreme Court of Pakistan  
Islamabad  
For the Petitioners

Dated:- 01-11-2023

**IN THE SUPREME COURT OF PAKISTAN**  
**(Original Jurisdiction)**

Constitution Petition No.\_\_\_\_\_/2023

Senator (r) Farhatullah Babar & Others

.....Petitioners

**V E R S U S**

Federation of Pakistan, through Caretaker Prime Minister of Pakistan,  
Prime Minister Secretariat & Others

.....Respondents

**N O T I C E**

To,

1. **Federation of Pakistan**, through Caretaker Prime Minister of Pakistan, Pakistan, PM Secretariat, Constitutional Avenue, Islamabad.
2. **Islamabad Capital Territory**, through its Chief Commissioner, ICT Administration Complex, G-11/4, Islamabad.
3. **Province of Punjab**, through its Caretaker Chief Minister, Chief Minister Punjab's Secretariat, 7 & 8 Club Road, GOR-I, Lahore.
4. **Province of KPK**, through its Caretaker Chief Minister, Sahibzada Abdul Qayyum Road, Peshawar Cantonment, Peshawar.
5. **Province of Sindh**, through its Caretaker Chief Minister, Sindh Secretariat, Kamal Attaturk Road, Karachi.
6. **Province of Balochistan**, through its Caretaker Chief Minister, Chief Minister Office, CM Secretariat, Zarghoon Road, Quetta.
7. **Apex Committee through Secretary Interior**, Room #409, 4th Floor, R-Block Pakistan Secretariat, Constitution Avenue, Red Zone, Islamabad.
8. **Ministry of SAFRON**, through its Secretary, Ministry of SAFRON, States and Frontier Regions Division (SAFRON), Attaturk Avenue, Red Zone, Islamabad.
9. **Chief Commissioner for Afghan Refugees (CCAR)**, Ministry of SAFRON, Attaturk Avenue, Red Zone, Islamabad.
10. **National Database and Registration Authority**, through its Chairman, NADRA Headquarters, State Bank of Pakistan Building, Constitution Avenue, G-5/2, Islamabad.
11. **Director General Immigration and Passports**, Mauve Road, G-8, Islamabad.
12. **Ministry of Foreign Affairs**, through its Secretary, Ministry of Foreign Affairs, Constitution Ave, G-5/1, Islamabad.

13. **United National High Commission for Refugees** through its Country Representative, Diplomatic Enclave 2, Islamabad.

Please take Notice that today I filed the above mentioned Constitution Petition Under article 184(3) of The Constitution of the Islamic Republic of Pakistan, 1973, on behalf of the petitioners, in the Supreme Court of Pakistan at Islamabad.

Advocate-on-Record  
For the Petitioners

Dated:-01-11-2023