

MOST IMMEDIATE  
COURT CASE

GOVERNMENT OF PAKISTAN  
CABINET SECRETARIAT  
ESTABLISHMENT DIVISION


No. 62/1/2018-E-I

Islamabad, the 7<sup>th</sup> March, 2018

OFFICE MEMORANDUM

Subject: PROVISION OF INFORMATION REGARDING DUAL NATIONALITY OF  
GOVERNMENT SERVANTS TO HONORABLE SUPREME COURT OF  
PAKISTAN

Further to this Division's OM of even number dated 06.03.2018, the undersigned is directed to enclose herewith the brief order of the Hon'ble Supreme Court of Pakistan for information and further necessary action at your end.

  
(Zaheeruddin Babar)  
Section Officer (E-I)  
Ph # 9203196

Distribution:

1. The Secretary to the President, President's Secretariat, Islamabad.
2. The Secretary to the Prime Minister, Prime Minister's Office, Islamabad.
3. All Federal Secretaries, Islamabad Rawalpindi.
4. All Chief Secretaries of the Provinces.
5. The Auditor General of Pakistan, Islamabad.
6. The Secretary, Senate Secretariat, Islamabad.
7. The Secretary, National Assembly Secretariat, Islamabad.
8. The Secretary, Election Commission of Pakistan, Islamabad.
9. The Secretary, Wafaqi Mohtasib (Ombudsman)'s Secretariat, Islamabad.
10. The Secretary, Federal Tax Ombudsman Secretariat, Islamabad.
11. The Ombudsperson, Federal Ombudsman Secretariat for Protection Against Harassment of Women at Work Place, Islamabad.
12. The Director General, Intelligence Bauru, Islamabad.

I

IN THE SUPREME COURT OF PAKISTAN  
(APPELLATE JURISDICTION)

**PRESENT:** MR. JUSTICE MIAN SAQIB NISAR, HCJ  
MR. JUSTICE UMAR ATA BANDIAL  
MR. JUSTICE IJAZ UL AHSAN

**SUC MOTU CASE NO. 3 OF 2018**

*(On) Nationality of Honble Judges  
and Officers of Courts and  
Government Officials)*

In attendance:

Mr. Ashtar Ausaf Ali, Attorney General for Pakistan  
Mr. M. Waqar Rana, Additional Attorney General  
Mr. Sajid Ilyas Bhatti, DAG  
Mian Abdul Rauf, A.G. Islamabad  
Mr. Ruzzaq A. Mirza, Addl.A.G. Punjab  
Mr. Ayaz Swati, Addl.A.G. Balochistan  
Mr. Zahid Yousaf Qureshi, Addl.A.G. KPK  
Mr. Shehryar Qazi, Addl.A.G. Sindh  
Mr. Shahid Khan, Secretary to President of Pakistan  
Mr. Fawad Hasan Fawad, Secretary to Prime Minister  
Mr. Arshad Nazir Mirza, Secy. M/o Interior  
Mr. Maroof Afzal, Secretary Establishment  
Mr. Khalid Masood Ch., Secretary M/o Religious  
Affairs  
Sardar Ahmed Nawaz Sukhera, Secretary Information  
Lt. Gen. (R) Zamir-ul-Hassan, Secretary M/o Defence  
Lt. Gen. (R) Mr. M. Ijaz Chaudhry, Secy. M/o Defence  
Production  
Mr. Ehsan-ur-Rahim, Joint Secy. M/o Defence  
Production  
Mrs. Tehmina Janjua, Secretary M/o Foreign Affairs  
Mr. Shah Jamal, Spl. Secretary M/o Foreign Affairs  
Mr. M. Younus Dhaga, Secretary M/o Commerce  
Ms. Yasmin Masood, Secy. M/o Science & Technology  
Mr. Hasan Iqbal, Secretary M/o Textile  
Mr. Fazal Maikan, Secretary M/o National Food  
Security & Research  
Mr. Furqan Bahadur, Secretary M/o Communication  
Mr. Naveed Kamran Baloch, Secretary M/o Ministry  
of National Health Services, Regulations  
Mr. Sohail Aamir, Secretary Cabinet Division  
Mr. Yousaf Naseem Khokhar, Secy. M/o Water &  
Power  
Mr. Sikandar Sultan, Secy. Petroleum  
Mr. Shumail Ahmed Khawaja, Secy. M/o Water  
Resources  
Mr. Tahir Hussain, Secy. National Assembly  
Mr. Irfan Anjum, Dy. Secy. M/o Privatization  
Mr. M. Ahmed Khan, Dy. Secy. M/o Postal Services  
Mr. M. Asghar Ch., Secy. Wafaqi Mohtasib  
Mr. Babar Aslam Bharwana, Secy. Housing & Works  
Mr. Abdul Sattar Khokhar, J.S. Aviation Division  
Mr. Siddique Joiya, Dy. Auditor General (A & C)

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Mr. Arshad Ch., J.B. M/o Planning  
Mr. Tariq Jaffrey, Sr. J.C. M/o Planning  
Captain Jehansab, Secretary SAFRON  
Mr. Azhar Ali Ch., Secy. M/o CADD  
Mr. Zubair Alam, Dy. D.O., Admin Pakistan Post  
Syed Ghazoufar Ahmed Jilani, Secy. Economic Affairs  
Division  
Ms. Parveen Agha, Secretary M/o Railways  
Mr. Babar Yaqub Fatch, Secretary ECP  
Mr. Usman Yousof Mubeen, Chairman NADRA  
Mr. Ishrat Ali, Director General, Immigration &  
Passports  
Mr. Arshad Majeed, Secretary (S&GAD), KPK  
Mr. Farhan Aziz, Secretary (S&GAD), Punjab  
Mr. Kashif Dara, Dy. Secy. (S&GAD), Punjab  
Mr. Riaz-ul-Din, Secretary (S&GAD), Sindh  
Mr. Abdul Huzdar, Secretary Services, Balochistan  
Mr. M. Ashfaq Ghuman, Joint Secy. M/o  
Parliamentary Affairs  
Mrs. Humera Azam Khan, Joint Secy. M/o National  
History & Heritage Division  
Mr. Noor Zaman, senior Joint Secretary M/o  
Overseas Pakistanis  
Mr. Waqar Ahmed, senior Joint Secretary M/o  
Maritime Affairs  
Dr. Shafique, A.D.G., FIA,  
Mr. Yasir Parooq, COS to D.G. FIA  
Mr. Ghiyas Anwar, Dy. Director, FIA  
(On behalf of D.G. FIA)

Date of hearing: 5.3.2018

**ORDER**

During the course of hearing, this suo motu case pertaining to dual nationality of civil servants/government servants/officials of autonomous bodies etc., we have come across the information that four newly elected Senators, namely, Sarwar Chaudhry, Haroon Akhtar, Nuzhat Sadiq and Sadia Abbasi had the foreign dual nationality. There is no positive proof about their relinquishing or renouncing such nationality. When questioned, the learned Attorney General for Pakistan in unequivocal terms concedes that no person who is a foreign dual national can hold membership of the Parliament (including the Senate) and before taking oath or holding office they have to relinquish citizenship of such country and such relinquishment must be irreversible. In this view of the matter, we restrain the Election Commission of Pakistan from issuing the notification regarding election of the above-named four

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persons to the Senate of Pakistan. They are directed to produce proof of relinquishments of their foreign nationality before this Court at Branch Registry, Lahore on 8.3.2018. Such documents must establish that they are no longer citizens of any other country except Pakistan and that if they were holding dual nationality and they had relinquished and renounced that nationality, irrevocably and irreversibly and would not be re-acquired by them once their term of office ends or they resign from the membership of the Parliament/Senate.

2. We have already received data in relation to various officials in Grade-17 and above who are in the service of Pakistan, civil servants, and also working ex-cadre including statutory organizations as also autonomous bodies etc. However, on account of the meager number of dual national who have disclosed such information, we are of the view that possibility of concealment cannot be ruled out. Therefore, in order to verify whether all the officers have disclosed true particulars about dual nationality, we have sought proposals and suggestions from various quarters. The matter has been discussed at great length. It has been suggested by the learned Attorney General for Pakistan that a Committee be constituted which should be headed by the Director General, F.I.A. with the following members:-

- (i) Chairman NADRA,
- (ii) Director General, Immigration and Passports,
- (iii) Secretary M/o Interior,
- (iv) Additional Secretary, Establishment Division; and
- (v) Member (Administration), F.B.R.

3. In addition, a proforma has been prepared and placed on the record. According to this proforma the requisite data can be collected and verified online by the various ministries, divisions and

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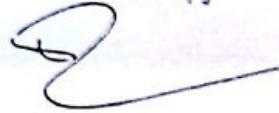
  
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departments, etc. Terms of reference are also provided to us on the basis of which NADRA will design and prepare the requisite software for online data collection through a dedicated website. It also provides timelines and benchmarks for each activity leading to completion of the entire exercise within two weeks. The Terms of Reference are taken on record as Mark 'A' and Mark 'B'. We accordingly direct the Committee constituted above to immediately take up the matter and complete the exercise of verification as has been proposed in Mark 'B' within the time stipulated therein. The report of the Committee shall be submitted before this Court within fourteen days as proposed in the Terms of Reference. To come up on 26.3.2018.

Sd/-.HCJ  
Sd/-.J  
Sd/-.J

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