

AS  
[TO BE INTRODUCED IN THE SENATE]A  
BILL

further to amend the National Database and Registration Authority Ordinance, 2000

**WHEREAS** it is expedient further to amend the National Database and Registration Authority Ordinance, 2000 (VIII of 2000) for the purpose hereinafter appearing;

It is hereby enacted as follows: -

**1. Short title and commencement.** - (1) This Act may be called the National Database and Registration Authority (Amendment) Act, 2023.

(2) It shall come into force at once.

**2. Amendment of preamble, Ordinance VIII of 2000.-** In the National Database and Registration Authority Ordinance, 2000 (VIII of 2000), hereinafter referred to as the said Ordinance, in the preamble, for the words "to facilitate", the words "to ensure" shall be substituted.

**3. Amendment of section 2, Ordinance VIII of 2000.-** In the said Ordinance, in section 2,-

(a) after clause (g), the following new clause (ga) shall be inserted, namely:-

"(ga) "local government" means a local government or cantonment constituted under any law;"

(b) in clause (n), after the word "rules", the words "or regulations" shall be inserted.

**4. Amendment of section 5, Ordinance VIII of 2000.-** In the said Ordinance, in section 5,-

(a) in sub-section (1), in clause (b), for the words "the broadening of the registration base to bring" the word "bringing" shall be substituted;

(b) in sub-section (4):

(i) after clause (a), the following new clause (aa) shall be inserted, namely:-

"(aa) shall issue or renew National Identity Card to a citizen for a prescribed period, form and manner;"

(ii) in clause (b), the expression "citizen," shall be omitted.

**5. Insertion of sections 5A and 5B in Ordinance VIII of 2000.-** In the said Ordinance, after section 5, the following new sections 5A and 5B shall be inserted, namely:-

**"5A. Registration of certain classes of citizens.-** (1) The Authority shall take special initiatives to facilitate and ensure easy and cost-effective issuance or renewal of the National Identity Cards to certain classes of citizens especially women, persons with disabilities, transgender persons, prisoners and religious minorities.

(2) The Authority shall conduct research and analysis identifying the causes of deficiencies in issuance or renewal of the National Identity Cards to certain classes of citizens like women, persons with disabilities, transgender persons and religious minorities in any area and take effective measures to address these causes for universal issuance or renewal of the National Identity Cards to these classes of citizens.

**5B. Periodic campaign for registration.-** (1) The Authority shall take proactive measures including periodic campaigns for achieving universal registration of citizens and completion of family trees for swift issuance of the National Identity Cards to citizens who have attained eighteen years of age.

(2) The Federal Government shall, by rules, fix the timelines for provision of services to citizens by the Authority with clear roles and responsibilities of the Registration Officers.

(3) In case of failure of the Authority in provision of a service within the prescribed timeline, the Authority shall waive entire fee for provision of the service to the citizen and shall take disciplinary action against the responsible officer or officers."

**6. Amendment of sections 6, Ordinance VIII of 2000.-** In the said Ordinance, in sections 6, for the words "local authority" wherever occurring, the words "local government" shall be substituted.

**7. Amendment of sections 7, Ordinance VIII of 2000.-** In the said Ordinance, in sections 7, for the words "local authority" wherever occurring, the words "local government" shall be substituted.

**8. Substitution of section 9, Ordinance VIII of 2000.-** In the said Ordinance, for section 9, the following shall be substituted, namely:-

**"9. Registration of citizens.-** (1) The Authority shall, in the prescribed manner, register a citizen who has attained the age of eighteen years and after birth of a citizen in coordination with the local governments.

(2) A citizen who has attained the age of eighteen years shall, within six months from the date of attaining the age of eighteen years, apply for registration with the Authority.

(3) A parent or guardian shall, within six months from the date of the birth of a citizen, apply for registration of the child with the local government.

(4) The Authority shall develop an integrated birth registration database management system in coordination with the local governments and shall take measures for universal child birth registration of the citizens.

(5) A local government shall assist the Authority for universal child birth registration of the citizens through the integrated birth registration database management system and the Authority may issue directions to the local governments which shall be binding on the local governments.

(6) For a citizen born outside Pakistan, an embassy or a high commission of Pakistan shall be deemed as a local government for the child birth registration.

(7) A citizen may make an application for birth registration in such form and to such person or forum as may be prescribed.

(8) The Authority shall issue to a citizen who has not attained the age of eighteen years but is registered under sub-section (1) such certificate of registration in such form and manner and containing such information relating to such registered citizen as may be prescribed.

(9) A court or any other forum shall admit in evidence the certificate issued under sub-section (8) or a National Identity Card

(10) issued under this Ordinance for the purpose of proving the identity of, and other information or particulars contained in it relating to the citizen."

**9. Substitution of section 10, Ordinance VIII of 2000.-** In the said Ordinance, for section 10, the following shall be substituted, namely:-

**"10. National Identity Cards.-** (1) The Authority shall issue or renew National Identity Card to a citizen who has attained the age of eighteen years and is registered under section 9, having the period of validity, upon payment of a reasonable fee and in the form and manner, as may be prescribed.

(2) Before issuing or renewing a card under this section, the Authority may require a person to surrender the National Identity Card earlier issued to the person under this Ordinance.

(3) The Authority shall identify the unregistered citizens or class of citizens like women, transgender persons, persons with disabilities and religious minorities, and areas with low registration and shall take measures for ensuring registration of those citizens by facilitating them in issuance of the National Identity Cards.

(4) Notwithstanding anything contained in this Ordinance, the Authority shall issue a National Identity Card to a citizen under this Ordinance for the period as may be prescribed by the Federal Government with a view to promoting uniformity, authenticity and technological advancement in the registration of citizens and issuance of National Identity Cards."

**10. Insertion of section 10A, Ordinance VIII of 2000.—** In the said Ordinance, after section 10, the following new section 10A shall be inserted, namely:-

**"10A. National Identity Cards with disability logo. -** (1) The Authority shall issue or renew National Identity Card with disability logo to a citizen who has attained the age of eighteen years, is registered under section 9 and is a person with prescribed disability with the period of validity, upon payment of fee and in the form and manner, as may be prescribed.

(2) The Authority may, in the prescribed manner, ascertain the disability and in case of visible disability may issue or renew National Identity Card with disability logo on the basis of on the spot examination by a designated Registration Officer."

**11. Amendment of section 14, Ordinance VIII of 2000.-** In the said Ordinance, in section 14, for the expression "10, 11, 12 and 13", the expression "10, 10A, 11, 12 and 13" shall be substituted, namely:-

**12. Amendment in section 17, Ordinance VIII of 2000.-** In the said Ordinance, in section 17, for sub-section (1), the following shall be substituted, namely:-

"(1) In case of the death of a holder of a card or certificate issued under this Ordinance, a next of kin or guardian of the deceased shall, within sixty days of death, surrender the card or certificate to the District Registrar or any other person or authority as may be prescribed."

**13. Insertion of section 17A in Ordinance VI11 of 2000.-** In the said Ordinance, after section 17, the following new section 17A, shall be inserted, namely:-

**"17A. Registration of deaths.-** (I) The Authority shall, in the prescribed manner, register death of a citizen in coordination with the local governments.

(2) The Authority shall develop an integrated death registration database management system in coordination with the local governments and shall take measures for universal death registration of the citizens.

(3) A local government shall assist the Authority for death registration of the citizens through the integrated death registration database management system and the Authority may issue directions to the local governments which shall be binding on tile local governments.

(4) For a citizen who dies outside Pakistan, an embassy or a high commission of Pakistan shall be deemed as a local government for the death registration.

(5) A next of kin or guardian of a citizen who dies may make an application for death registration in such form and to such person or forum as may be prescribed.

(6) The Authority shall, in the prescribed manner, cancel the National Identity Card of the dead citizen."

**14. Amendment of sections 19, Ordinance VIII of 2000.-** In the said Ordinance, in sections 19, for the words "local authority" wherever occurring, the words "local government" shall be substituted.

**15. Insertion of section 22A in Ordinance VIII of 2000.-** In the said Ordinance, after section 22, the following new section 22A shall be inserted, namely:-

**"22A. Sharing of information by and with Bureau of Statistics.-** (1) The Pakistan Bureau of Statistics established under the General Statistics (Reorganization) Act, 2011 (XIV of 2011) shall, on the request of the Authority, share information about population, individuals and households in a census block with the Authority.

(2) The Authority shall, on the request of the Pakistan Bureau of Statistics, share information about family tree and registered citizens with the Pakistan Bureau of Statistics.

(3) The Authority shall use the information provided by the Pakistan Bureau of Statistics for registration of unregistered citizens especially women, transgender persons, persons with disabilities and persons belonging to religious minorities."

**16. Substitution of section 23, Ordinance VIII of 2000.-** In the said Ordinance, for section 23, the following shall be substituted:

**"23. Power to call for proof of information.-** (1) Subject to sub-section (2), the Authority may require a person who has given any information to furnish documentary or other evidence of the truth of the information where it is within the power of the person to furnish the required evidence.

(2) The Authority may not require proof of any person's visible disability except for an undertaking as may be prescribed."

**17. Amendment of sections 24, Ordinance VIII of 2000.-** In the said Ordinance, in sections 24, for the words "local authority" wherever occurring, the words "local government" shall be substituted.

**18. Substitution of section 31, Ordinance VIII of 2000.-** In the said Ordinance, for section 31, the following shall be substituted, namely:-

**"31. Cognizance of offences. -** (1) No court shall take cognizance of any offence under this Ordinance except upon complaint in writing made by the Authority or any officer authorised by it.

(2) The Authority or the authorised officer shall not file the complaint under this section unless a show-cause notice is issued to the accused specifying the offence and the Authority or the authorised officer is satisfied about commission of offence."

**19. Substitution of section 38, Ordinance VIII of 2000.-** In the said Ordinance, for section 38, the following shall be substituted, namely:-

**"38. Annual report.-** (1) The Authority shall, within ninety days of the end of every financial year, prepare an annual report of its activities for the preceding financial year and submit it to the Federal Government and each Provincial Government.

(2) The annual report under sub-section (1) shall include:

(a) analysis on performance of its functions, exercise of its powers and the carrying out of its purpose and its objects during the financial year and the anticipated plans and developments for the following year;

(b) an appraisal of the state of development, establishment and maintenance of registration and database systems in the country, status of data security and all related matters identifying the problems, prospects and other necessary areas and matters for consideration and action of the Federal Government, a Provincial Government and a local government;

- (c) details about aliens' registration and assistance to the Election Commission in preparation of electoral rolls and addressing gender gaps including;
  - (i) district-wise gender disaggregated data of the National Identity Cards issued during the financial year;
  - (ii) district-wise data of the National Identity Cards issued during the financial year;
  - (iii) district-wise data of cancellation of the National Identity Cards during the financial year;
  - (iv) district-wise applications for issuance of the National Identity Cards that remain pending at the end of the financial year due to doubts about the citizenship status of the applicants;
  - (v) district-wise proactive measures taken for registration especially for women, persons with disabilities, transgender persons and religious minorities; and
  - (vi) challenges and issues faced in the registration process and the efforts made in mitigating them;
- (d) statements of income and expenditures against various heads in comparison to last two years including explanations about good performance or shortfalls, if any.

(3) The Authority shall, within thirty days from the date of communication of the annual report to the Federal Government, publish the annual report on its website."



**20. Insertion of section 38A in Ordinance VIII of 2000.-** In the said Ordinance, after section 38, the following new section 38A shall be inserted, namely;-

**"38A. Performance audit and transparency.** (I) The Federal Government shall, at least once in two years cause to be conducted, the performance audit of the Authority to assess and evaluate the performance of the Authority in accomplishing the objectives of this Ordinance including:

- (a) level of compliance with the Ordinance, rules and regulations;
- (b) status of registration especially of women, persons with disabilities, transgenders and religious minorities;
- (c) quality and security of data including National Identity Cards and electoral rolls;
- (d) assessment of procedures, protocols and documentary requirements with a view to facilitate consumers of the public service being provided by the Authority;
- (e) difference, if any, in policies, procedures and protocols of field offices of the Authority in different areas or in implementation of such policies, procedures and protocols;
- (f) fair adjudication of cases when the Authority has the reason to doubt citizenship status of the applicants;
- (g) value for money spent by the Authority for specific tasks and objectives;
- (h) business development and delivery against projects awarded to the Authority;
- (i) management and technological improvements by the Authority in the light of identified problems and international best practice;
- (j) transparency in human resource management and procurements by the Authority; and

(k) implementation of citizens right to information under the relevant law including level of proactive disclosures.

(2) The methodology for the performance audit shall ensure, among others, independent analysis of data, systems, procedures, achievements and feedback received from various stakeholders across regions.

(3) The Authority shall cooperate with the person or persons conducting performance audit under this section and make all the record available to the person or persons for a meaningful performance audit of the affairs of the Authority.

(4) The Federal Government shall evaluate the performance audit report mentioned in sub-section (1) and shall, within ninety days from the receipt of the report, lay the report in both Houses of the Parliament.

(5) A House of the Parliament may, by resolution, issue any direction to the Authority as may be necessary for accomplishing the objectives of this Ordinance and the Authority shall implement the direction.

(6) If the Federal Government does not agree to the resolution of a House under sub-section (5) or where both the Houses have passed resolutions under this section which contradict each other, the Federal Government may place the matter before the Parliament in joint sitting and decision of the Parliament in joint sitting shall be final.

(7) The Authority shall publish and regularly update on its website:

(a) financial information of the Authority including revenue receipts, expenditures and audit reports;

(b) annual status of registration including of women, transgender persons, persons with disabilities and religious minorities;

(c) procedure to arrange a mobile registration vehicle;

- (d) monthly schedules of mobile registration vehicles in districts including timing and areas to be visited; and
- (e) performance audit report shared with it by the Federal Government."

### **STATEMENT OF OBJECTS AND REASONS**

Dynamics of national identification have fast changed during the past decade. Now, National Identity Card has become essential for exercise of civic and economic/ property rights by the citizens. It is important to bring changes in the NADRA Ordinance in order to conform it to the changed scenario and dynamics of the society. It should be NADRA's responsibility to register every citizen and obligation of citizen is derived through need and necessity. There exists huge gender gap in registration and issuance of the National Identity Cards. Special provisions are required to fill this gap. The law should require NADRA to take special initiatives to facilitate and ensure easy and cost-effective registration of disadvantaged groups like persons with disabilities, transgender persons, prisoners and religious minorities. Child birth registration and registration of deaths are the other key areas which require specific legal provisions for improving systems of NADRA. An amendment makes it obligatory on the Pakistan Bureau of Statistics to share population, individuals and households' information with NADRA making it easier for NADRA to identify unregistered citizens especially women, transgender, persons with disabilities and religious minorities. The Authority should not require proof of any person's visible disability except for an undertaking on the prescribed form. Modern system of monitoring and evaluation of NADRA's work and performance is required to ensure that NADRA keeps pace with time. Mandatory requirement of transparency in the affairs of NADRA is also required to make the institution accountable to citizens. A systemic Parliamentary oversight is missing in the law which should be incorporated to make Parliament well informed about the performance of one of our most important institutions.

2. This bill is aimed to achieve the above-said objective.

**SENATOR FAWZIA ARSHAD  
MEMBER IN CHARGE**