



TRANSPARENCY INTERNATIONAL - PAKISTAN

1st April 2022

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The Chairman,
NADRA,
Kashmir Highway, 10 Markaz G-10,
Islamabad.

Subject: Wrong color of National Flag printed on NADRA Smart Cards

Dear Sir,

Transparency International Pakistan refers to your letter No. NADRA/CS/01 dated 16th March 2022 and received by TI Pakistan on 31st March, on the subject above.

NADRA has highlighted that *“flag printed on Smart card is one of the security features called OVI (Optically Variable Ink) in green/transparent colour with an OVI Ink used, which is a colour shifting technology, depending on the viewing angle”*.

It is to point out that even for the security purpose, NADRA cannot change the color of Pakistani flag. In its current shape, colour of Pakistani flag printed on the front of SCNICs is red. The color of Pakistani flag printed on the back (ingrained image) do not have white colour which is part of Pakistani flag.

In this regard, Justice Ali Baqar Najafi of Lahore High Court has given the following verdict in WP 59314/2017 dated 29.6.2021 according to which printing of flags in different colors, other than its original scheme, and on distorted shaped portraits to be considered defilement. **(Annex-A)**

“9. According to the National Flag Protocols prescribed officially, it must not touch the ground, shoes or feet or anything unclean and must not be flown in the darkness and must not be marked with anything (including words, numerals or images) and when raised or lowered it must be saluted by all in uniform and the others must stand in attention. It must not fly or be displayed upside down or with a crescent and star facing left. It must not be displayed where it is likely to get dirty. It must not be set on fire or trampled upon. It must not be buried or lowered into a grave. In the Pakistan Penal Code, 1860 section 123-B defines the defilement of the national flag an offence punishable with 3 years’ imprisonment. Obviously, the printing of flags in different colours, on distorted shaped portraits, in ugly cartoons, its disgraceful imprint on cloths undermining the national dignity may be considered defilement.”

This is also to point out that the Pakistan Penal Code, 1860, in section 123-B (quoted below) defines the defilement of the national flag as an offence punishable with three-year imprisonment.

Pakistan Penal Code, 1860, Section 123 B is quoted below.



123B Defiling or unauthorisedly removing the National Flag of Pakistan from Government building, etc.:

Whoever deliberately defiles the National Flag of Pakistan, or unauthorisedly removes it from any building, premises, vehicle or other property of Government, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

It is once again requested to the Chairman NADRA to examine this complaint and if it is found to be correct, immediately take action to reprint CNIC Smart Cards with Pakistan flag in officially specified Green & White color, according to specification. NADRA may also ensure that CNIC Smart Cards are replaced and issued to all CNIC Smart Card holders, without any cost.

NADRA must hold all officials accountable for this grave mistake of printing Pakistan Flag in wrong color.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption, and achieve against Zero tolerance against corruption.

Regards,

Syed Adil Gilani,
Managing Director

Copy forwarded for action under their mandate to,

1. PSPM, PM House, Islamabad
2. Secretary, Ministry of Interior, Islamabad
3. Registrar, Supreme Court of Pakistan

Lahore High Court

Miss Shakeela Rana Advocate v. Govt. of Pakistan etc. W.P. No. 59314/2017

Mr. Justice Ali Baqar Najafi <https://sys.lhc.gov.pk/appjudgments/2021LHC3849.pdf>

Facts:

In this writ the petitioner has sought the prohibition of printing the National Flags in multiple colours except the original green and white colour. Printing of different portraits, cartoons on the National Flag and printing of flag on trousers etc. have been asserted as against the dignity of the National Flag.

Issue: Analysis:

What are the official protocols to protect the dignity of the National Flag of Pakistan?

Our Parcham (flag) stands for freedom, liberty and equality for those who owe allegiance to it. It protects the legitimate rights of every citizen and upholds the integrity of the State of Pakistan. It is a mark that helps in maintaining peace throughout the world. It represents a State which has no special privileges or special rights for any particular community or interest but a State where citizens will have equal rights and equal opportunities and their share in privileges will be proportionate to their corresponding responsibilities.

As to the specification, the Pakistani Flag is a dark green, rectangular flag in the proportion of 3 x 2 with a white vertical bar, showing white crescent in the center and a five-pointed heraldic star. The size of the white portion is 1/4th size of the flag. Since the mast, the remainder is 3/4th being dark green. The dimensions of the five-pointed white heraldic star are determined by drawing a circle with radius equal to 1/10th of the width of the flag.

According to the National Flag Protocols prescribed officially, it must not touch the ground, shoes or feet or anything unclean and must not be flown in the darkness and must not be marked with anything (including words, numerals or images) and when raised or lowered it must be saluted by all in uniform and the others must stand in attention. It must not fly or be displayed upside down or with a crescent and star facing left. It must not be displayed where it is likely to get dirty. It must not be set on fire or trampled upon. It must not be buried or lowered into a grave. In the Pakistan Penal Code, 1860 section 123-B defines the defilement of the national flag an offence punishable with 3 years' imprisonment. Obviously, the printing of flags in different colours, on distorted shaped portraits, in ugly cartoons, its disgraceful imprint on cloths undermining the national dignity may be considered defilement.