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IN THE SUPREME COURT OF INDIA CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO.

OF 2020

(Under Article 32 of the Constitution of India)

IN THE MATTER OF:-

VERSUS

Union of India & Ors.

... Respondents

... Petitioner

<u>PAPER - BOOK</u> [FOR INDEX KINDLY SEE INSIDE]

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ADVOCATE FOR THE PETITIONERS : TALHA A. RAHMAN

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PROFORMA FOR FIRST LISTING

SECTION
The case pertains to (Please tick/check the correct box):
Central Act: (Title). Citizenship Amendment Act 2019
Central Rule: (Title) Ci hizen Ship Rulus 2003
Rule No(s) Rule S CU/O
State Act: (Title)
Section: NIL
State Rule: (Title) NIL
Rule No(s) 1 NIL
Impugned Interim Order: (Date)
Impugned Final Order/Decree: (Date)
High Court: (Name) VI
Names of Judges: N
Tribunal/Authority: (Name)
1. Nature of matter: Defvil Criminal
2. (a) Petitioner/appellant No.1: (b) e-mail ID: She atche. In (c) Mobile phone number: 9936084176

: 2:

3.	(a) Respondent No. 1: Him if Mila (b) e-mail ID: NIL (c) Mobile phone number: NIL
4.	(a) Main category classification:(b) Sub classification:
5.	Not to be listed before: NL
6.	 (a) Similar disposed of matter with citation, if any, & case details: (b) Similar pending matter with case details:
7.	Criminal Matters:
	(a) Whether accused/convict has surrendered: Yes No. (b) FIR No. Date: No. (c) Police Station: No. (d) Sentence Awarded: No. (e) Period of sentence undergone including period of detention/custody undergone: No.
8.	Land Acquisition Matters:
	(a) Date of Section 4 notification: (b) Date of Section 6 notification: (c) Date of Section 17 notification: (d) Date of Section 17 notification: (e) Date of Section 17 notification:
9.	Tax Matters: State the tax effect: NIL
	Special Category (first petitioner/appellant only): N/
	Senior Citizen>65 years SC/ST Woman/child Disabled
	Legal aid case In custody
11.	Vehicle Number (in case of Motor Accident Claim matters): $\mathcal{N}\mathcal{M}$
Date	AOR for petitioner(s)/appellant(s) (Name) TALHA ARDUL KAHMNN Registration No. CC-2467

<u>SYMOPSIS</u>

The Petitioner has filed the instant writ petition under Article 32 of the Constitution of India seeking enforcement of fundamental rights under Article 14 and 21 which is available to every person in India and which is under grave threat due to the Citizenship Amendment Act, 2019, notifications G.S.R (E) 685/ 2015 and G.S.R(E) 686/2015 dated 07.09.2015 namely the Passport (Entry to India) Amendment Rules, 2015 and the Foreigners (Amendment) Order, 2015 which are blatantly discriminatory and arbitrary and therefore violative of the Constitution of India, more specifically the Right to Equality, Life and Liberty and against the principles of secularism enshrined in the Constitution. The Petitioner also assails the notification S.O.2753(E) dated 31 July, 2019 issued by the Ministry of Home Affairs for collection of information relating to persons usually residing within the jurisdiction of the Local Registrar, and the corresponding Instruction Manual for Updation of National Population Register as being without basis, unknown to law and prays for a writ of prohibition or orders in the nature of a writ of prohibition from giving effect to and/or implementing the same. The Petitioner also assails S.3(1) of the Citizenship Act, 1955 which brings about an arbitrary classification regarding the eligibility criteria for grant of citizenship and that which along with the CAA,2019 and the NPR-NRC could denude an entire community of it's citizenship rights and render them stateless.

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The Amendment and the Notifications are based on the false premise of providing identity to people of pre-Independent undivided India who were victims of the partition and is discriminatory solely on the ground of religion in as much as the benefits of the Amendment and consequent eligibility for citizenship is available only to:-

- (a) Non-Muslims, i.e., people who are Hindus, Jains, Buddhists, Parsis, Christians and Sikhs;
- (b) From any of the three neighbouring countries who have a state religion and that which is Islam, i.e., Pakistan, Bangladesh and Afghanistan;
- (c) must have entered India on or before 31 December, 2014;
- (d) must not be living in certain parts of India.

The eligibility criteria is *prima facie* arbitrary, irrational and has no nexus to the purported stated objective, i.e., granting citizenship to those affected by Partition and instead is designed only to target Islam and followers of Islam and the very decision of conferring citizenship on the basis of religious identity (of self or of the place of origin) in itself is a fraud on the foundational principles of secularism guaranteed by the Constitution of India.

The Amendment along with the 2015 notifications seek to create a distinct and separate class of citizenship available only for non-Muslims, after being exempt from the applicability of the Passports Act and the

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Foreigners Order, as a result of which a non-Muslim, allegedly, from the three countries would be exempt from being treated as an illegal migrant (i.e., without proper documentation for entry into India) and can then seek citizenship under the Amendment by means of a fast-track naturalization period of 5 years.

This classification on the basis of religion, country of origin or kind of persecution or date of entry or place of residence in India, is an unreasonable classification and hence discriminatory as well as strikes at the very essence of right to life, dignity and liberty as well as practice one's religion that is guaranteed under the Constitution as the citizenship has been linked to the religious identity. Minority communities from varjous other countries apart from those specified, such as from Myanmar and Srilanka (which has a state religion of Buddhism) have fled their countries to India and other countries due to ethnic and sectarian persecution and not just religious persecution.

The concept of secularism not only means that every person has the right to practice their religion but also that a nation shall abstain itself from religious affairs and maintain distance from a religion and neither accept, profess, promote, aggrandize nor reject, demote, castigate or curb a religion and at all times maintain separation of religion from public affairs and governance. Secularism is not only guaranteed by the Constitution in it's Preamble but in fact, was the cornerstone for the grant

of citizenship as encapsulated in Article 5 of the Constitution as was the intent of the founding fathers of the Constitution. The Amendment and Notification, strikes at the very root and idea of secularism and therefore ought to be struck down as grossly unconstitutional.

The Petitioner is further aggrieved by the arbitrary criteria prescribed under S.3(1) of the Citizenship Act, 1955 in relation to the children born during different periods in as much as no conditions are prescribed for people born between 26.01.1950 and 30.06.1987 whereas a person born between 01.07.1987 and 02.12.2004 would be eligible for citizenship only if either of the parent was an Indian citizen and a person born on or after 03.12.2004 would be eligible for citizenship only if one of the parents is an Indian citizen and the other not an illegal migrant. A child born after 03.12.2004 could, under the provisions of the CAA, 2019 read with the 2015 Notifications claim Indian citizenship as long as such child is not a Muslim.

The Petitioner has also assailed the alleged exercise of creation of a National Population Register (NPR) as the same is being conducted without any legal sanctity. S.14A of the Citizenship Act, which was brought in only in the year 2014 provides the govt. with the discretion to create a mandatory citizens register and issue national identity cards. The rules for creation of such a register was, however, framed in 2003, prior to the government having such a power. The creation of NPR does not

find any basis in any statute nor is the Government so vested with the power and / authority under any statute. In fact, NPR finds a stray mention in the 2003 Citizenship Rules which provides for creation of the National Register of Citizens (NRC) stating that the NRC shall be based on the verified NPR. However, neither the Citizenship Rules nor the Citizenship Act, provide for any guideline for creation of the NPR and more importantly for collection of data and how such data shall be stored, assimilated and utilised and the purpose that it would serve.

It is pertinent to highlight that a population census is already periodically conducted by the government and that the NPR has no correlation to either the census (for collecting anonymised data about population) nor Aadhaar which again is a database of residents of India for purported delivery of social welfare schemes. In such circumstance, no purpose or objective is served by the NPR, which is sought to be implemented fraudulently, by way of excessive delegation.

Article 11 of the Constitution only permits the government to lay down rules for acquisition or revocation of citizenship and under Article 10, there is a presumption of continuation of citizenship unless a constitutionally valid law alters the citizenship status of such persons. However, nothing in Article 10 or Article 11, vests with the government, the power to require a person assumed to be a citizen of India to have to prove his citizenship and to such extent, the exercise under NPR – NRC

in so far as it relates to collection of data / proof regarding citizenship is void.

LIST OF DATES

23.11.1946 Foreigner Act, 1946 was enacted in order to confer certain power to Central Government in respect of dealing with foreigners in India. A foreigner was defined as someone who is not a citizen of India;

The Constitution of India came into force and Articles 5 1950 to 11 dealt with issues pertaining to citizenship

The Citizenship Act, 1955 was enacted which enumerates the manner in which one could be a citizen of India. and a person could be a citizen of India upon satisfying any of the following:-

- (a) By Birth;
- (b) By Descent;
- (c) By Registration;
- (d) By naturalisation;
- (e) By incorporation of territory.

Religion was not a criteria.

10.12.2003

The "Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003" was promulgated. The Rule 3 and 4 of the Citizenship Rules, 2003 provides for the maintenance and preparation of National Register of Citizens throughout the country. The National Register is to be divided into sub-parts with the lowest record being the Local Register, which will be prepared on the basis of a Population Register.

December, 2004

The Citizenship Act was amended and introduced the term "Illegal migrant" for the first time. By way of the amendment, illegal migrant was defined as below:-

- 2(1)(b) illegal migrant means a foreigner who has entered into India-
- (i) Without a valid passport or travel documents and such other documents or authority as may be prescribed by or under any law in that behalf; or
- (ii) With a valid passport or other travel documents and such other document or authority as may be prescribed by or under any law in that behalf but remains therein beyond the permitted period of time;

S.3(1) was also amended to prescribe arbitrary conditions for grant of citizenship by birth requiring a child to establish the legal status of it's parents.

S.14A was also inserted into the Citizenship Act, 1955 vesting the Central Government with the power to register every citizen and issue national identity cards.

07.09.2015

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The Passport (Entry to India) Amendment Rules, 2015 and the Foreigners (Amendment) Order, 2015 respectively, provisions of Passport (Entry into India) Rules, 1950 and Foreigners Order, 1948 were amended to allow entry to persons belonging to minority communities in Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians who were compelled to seek shelter in India due to religious persecution or fear of religious persecution, who entered into India on or before the 31st December, 2014 without valid documents.

18.07.2016

An amendment was effected in the Passport (Entry into India) Rules, 1950 and Foreigners Order, 1948 by

substituting the word "Bangladesh", for words "Afghanistan, Bangladesh".

The Home Ministry provided a separate and accelerated process for non-Muslim legal migrants from the three countries to get citizenship, which is also based solely on religion.

The office of the Register of General Citizens and Registration issued a notification pursuant to Rule 3(4) of Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules 2003, wherein the Central Government decided to prepare and update the Population Register between 1st April to 30th September 2020.

04.12.2019 The Citizenship Amendment Bill, was tabled in the Parliament.

12.12.2019 The President gave his assent to the Citizenship Amendment Act, 2019 amending S.2(1)(b) as below:-

"Provided that persons belonging to minority communities, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan, who

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have been exempted by the Central Government by or under clause (c)of subsection (2) of section 3 of the Passport (Entry into India) Act, 1920 or from the application of the provisions of the Foreigners Act, 1946 or any order made thereunder, shall not be treated as illegal migrants for the purposes of that Act:"

A new section S.6B was added as below:-

- '6B. (1) The Central Government or an authority specified by it in this behalf may, subject to such conditions, restrictions and manner as may be prescribed, on an application made in this behalf, grant a certificate of registration or certificate of naturalisation to a person referred to in the proviso to clause (b) of sub-section (1) of section 2.
- (2) Subject to fulfilment of the conditions specified in section 5 or the qualifications for naturalisation under the provisions of the Third Schedule, a person granted the certificate of registration or certificate of naturalisation under sub-section (1) shall be deemed to be a citizen of India from the date of his entry into India.
- (3) On and from the date of commencement of the Citizenship (Amendment) Act, 2019, any proceeding pending against a person under this section in respect of illegal migration or Citizenship shall stand abated on conferment of Citizenship to him:

Provided that such person shall not be disqualified for making application for Citizenship under this section on the ground that the proceeding is pending against him and the Central Government or authority specified by it in this behalf shall not reject his application on that ground if he is otherwise found qualified for grant of Citizenship under this section:

(4) Nothing in this section shall apply to tribal area of Assam, Meghalaya, Mizoram or Tripura as included in the Sixth Schedule to the Constitution of India and the area covered under "The Inner Line" notified under the Bengal Eastern Frontier Regulation, 1873.

Provided further that the person who makes the application for Citizenship under this section shall not be deprived of his rights and privileges to which he was entitled on the date of receipt of his application on the ground of making such application.

December, The Instruction Manual for National Population Register

2019 was published.

By way of notification S.O.172(E), the Union of India appointed 10.01.2020 as the date on which the CAA, 2019 comes into effect.

January, 2020 As the Amendments and Notifications are *prima facie* arbitrary, illegal and violative of the Constitution, the Petitioner has moved this Hon'ble Court under Article 32, being a matter of public importance.

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IN THE SUPREME COURT OF INDIA CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. OF 2020

(Under Article 32 of the Constitution of India)

IN THE MATTER OF:

PETITIONER

VERSUS

- UNION OF INDIA, THROUGH SECRETARY, MINISTRY OF HOME AFFAIRS
 NORTH BLOCK NEW DELHI – 110 001
- 2. UNION OF INDIA, THROUGH SECRETARY MINISTRY OF LAW & JUSTICE, SHASTRI BHAWAN NEW DELHI- 110 001
- 3. OFFICE OF THE REGISTRAR GENERAL & CENSUS COMMISSIONER NDCC-II BLDG, JAI SINGH ROAD, NEW DELHI -110001

... RESPONDENTS

WRIT PETITION UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA

TO,

THE HON'BLE THE CHIEF JUSTICE OF INDIA

AND HIS COMPANION JUSTICES OF

THE SUPREME COURT OF INDIA

THE HUMBLE PETITION OF THE PETITIONERS ABOVE NAMED

MOST RESPECTFULLY SHOWETH:

1. That the Petitioner is

The instant writ petition is being filed under Article 32 of the Constitution of India seeking a writ of mandamus or an order or writ in the nature of mandamus declaring the Citizenship Amendment Act, 2019 as well as G.S.R (E) 685/ 2015 and G.S.R(E) 686/2015 dated 07.09.2015 namely the Passport (Entry to India) Amendment Rules, 2015 and the Foreigners (Amendment) Order, 2015 as void and unconstitutional, being violative of Article 14 and 21 of the Constitution of India. The Petitioner also assails the notification S.O.2753(E) dated 31 July, 2019 issued by the Ministry of Home Affairs for collection of information relating to persons usually residing within the jurisdiction of the Local Registrar and the corresponding Instruction Manual for Updation of National Population Register as being without basis, unknown to law and

prays for a writ of prohibition or orders in the nature of a writ of prohibition from giving effect to and/or implementing the same.

1A. That it is to be stated, the Petitioner has not approached the concerned Authority/Respondents. No representation has been sent to the Respondents. Further, this Writ Petition is not PIL. It has been filed for infraction of the Fundamental rights of the Petitioner.

- 2. That Petitioner is aggrieved by the Citizenship (Amendment) Act, 2019, Passport (Entry to India) Amendment Rules, 2015 and the Foreigners (Amendment) Order, 2015 as the same are arbitrary, and discriminatory in as much the benefits and exemptions are granted to a category of people only on the basis of religion without there being any rational for creating such religious and geographical distinction.
- 3. That the Petitioner is also aggrieved by the undertaking of the exercise of creating a National Population Register, distinct from and under the garb of a census, without any basis in law by way of delegated legislation, exceeding the powers conferred by the statute.

BRIEF FACTS

The facts giving rise to filing the present writ petition are as under:-

4. On 23.11.1946, Foreigner Act, 1946 was enacted in order to confer certain power to Central Government in respect of dealing with foreigners in India. Section 2 (a) of the Foreigner Act, 1946 defines a foreigner as follows:

A copy of the Foreigners Act, 1946 is annexed herewith and marked as **Annexure P-1 (pg. 46-54)** Pursuant to the powers granted therein, the Foreigners Order, 1948 was passed by the government a copy of which is annexed herewith and marked as **Annexure P-2 (pg.** 55-73).

- 5. The Constitution of India came into force in 1950 and Articles 5 to 11 dealt with citizenship and have been extracted hereinbelow for convenience:-
 - 5. Citizenship at the commencement of the Constitution.—At the commencement of this Constitution every person who has his domicile in the territory of India and—

(a) who was born in the territory of India; or

- (b) either of whose parents was born in the territory of India; or
- (c) who has been ordinarily resident in the territory of India for not less than five years immediately preceding such commencement,

shall be a citizen of India.

6. Rights of citizenship of certain persons who have migrated to India from Pakistan.—Notwithstanding anything in Article 5, a person who has migrated to the territory of India from the territory now included in Pakistan shall be deemed to be a citizen of India at the commencement of this Constitution if—

(a) he or either of his parents or any of his grand-parents was born in India as defined in the Government of India Act, 1935 (as originally enacted); and

(b) (i) in the case where such person has so migrated before the nineteenth day of July, 1948, he has been

ordinarily resident in the territory of India since the date of his migration, or

(ii) in the case where such person has so migrated on or after the nineteenth day of July, 1948, he has been registered as a citizen of India by an officer appointed in that behalf by the Government of the Dominion of India on an application made by him therefor to such officer before the commencement of this Constitution in the form and manner prescribed by that Government:

Provided that no person shall be so registered unless he has been resident in the territory of India for at least six months immediately preceding the date of his application.

7. Rights of citizenship of certain migrants to Pakistan.—Notwithstanding anything in Articles 5 and 6, a person who has after the first day of March, 1947, migrated from the territory of India to the territory now included in Pakistan shall not be deemed to be a citizen of India:

Provided that nothing in this article shall apply to a person who, after having so migrated to the territory now included in Pakistan, has returned to the territory of India under a permit for resettlement or permanent return issued by or under the authority of any law and every such person shall for the purposes of clause (b) of Article 6 be deemed to have migrated to the territory of India after the nineteenth day of July, 1948.

8. Rights of citizenship of certain persons of Indian outside India.—Notwithstanding origin residing anything in Article 5, any person who or either of whose parents or any of whose grand-parents was born in India as defined in the Government of India Act, 1935 (as originally enacted), and who is ordinarily residing in any country outside India as so defined shall be deemed to be a citizen of India if he has been registered as a citizen of India by the diplomatic or consular representative of India in the country where he is for the time being residing on an application made by him therefor to such diplomatic or consular representative, whether before or after the commencement of this Constitution, in the form and manner prescribed by the Government of the Dominion of India or the Government of India.

- 9. Persons voluntarily acquiring citizenship of a foreign State not to be citizens.—No person shall be a citizen of India by virtue of Article 5, or be deemed to be a citizen of India by virtue of Article 6 or Article 8, if he has voluntarily acquired the citizenship of any foreign State.
- 10. Continuance of the rights of citizenship.—Every person who is or is deemed to be a citizen of India under any of the foregoing provisions of this Part shall, subject to the provisions of any law that may be made by Parliament, continue to be such citizen.
- 11. Parliament to regulate the right of citizenship by law.—Nothing in the foregoing provisions of this Part shall derogate from the power of Parliament to make any provision with respect to the acquisition and termination of citizenship and all other matters relating to citizenship.
- 6. In exercise of the powers conferred under Article 11 of the Constitution of India, the Parliament enacted the Citizenship Act of 1955 which set out the manner in which one could be a citizen of India. It is pertinent to note that the Citizenship Act,1955 as enacted never made any distinction on the basis of religion and a person could be a citizen of India upon satisfying any of the following:-
 - (f) By Birth;
 - (g) By Descent;
 - (h) By Registration;
 - (i) By naturalisation;
 - (j) By incorporation of territory.

At no point, was religion a criteria or basis for either the grant or cancellation or deprivation of citizenship of an individual.

- 7. On 10.12.2003, by exercise of in the exercise of power conferred under Section 18 of the Citizenship Act, 1955 Government promulgated the "Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003". The Rule 3 and 4 of the Citizenship Rules, 2003 provides for the maintenance and preparation of National Register of Citizens throughout the country. The National Register is to be divided into sub-parts with the lowest record being the Local Register, which will be prepared on the basis of a Population Register. The Population Register is to be prepared as per the Orders of the Government. A copy of the "Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003" is annexed herewith and marked as **Annexure P-3**
- In 2004, the Citizenship Act was amended and introduced the term
 "Illegal migrant" for the first time. By way of the amendment, illegal
 migrant was defined as below:-
 - 2(1)(b) illegal migrant means a foreigner who has entered into India-
 - (i) Without a valid passport or travel documents and such other documents or authority as may be prescribed by or under any law in that behalf; or

(ii) With a valid passport or other travel documents and such other document or authority as may be prescribed by or under any law in that behalf but remains therein beyond the permitted period of time;

By way of the same amendment, S.3(1) was also amended by prescribing additional conditions for grant of citizenship to children depending on the legal status of their parents.

S.14A was also inserted into the Citizenship Act, 1955 vesting the Central Government with the power to register every citizen and issue national identity cards. A true copy of the Citizenship Act, 1955 as amended from time to time is annexed herewith and marked as **Annexure P-4** (pg....93 - 105...).

9. By way of notifications dated 07.09.2015 bearing number GSR 685(E) and GSR 686(E) namely, Passport (Entry to India)

Amendment Rules, 2015 and the Foreigners (Amendment) Order, 2015 respectively, provisions of Passport (Entry into India) Rules, 1950 and Foreigners Order, 1948 were amended to allow entry to persons belonging to minority communities in Bangladesh and Pakistan; namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians who were compelled to seek shelter in India due to religious persecution or fear of religious persecution, who entered into India on or before the 31st December, 2014 without valid documents. A true copy of the Notification and Order bearing

number GSR 685(E) and GSR 686 (E) dated 07.09.2015 is annexed herewith, and marked as **Annexure P-5** (pg. 106-108).

- amendment was effected in the Passport (Entry into India) Rules, 1950 and Foreigners Order, 1948 by substituting the word "Bangladesh", for words "Afghanistan, Bangladesh". A true copy of the Notification and Order bearing number GSR 702 (E) and 703 (E) dated 18.07.2016 issued by the Ministry of Home Affairs is annexed herewith and marked as Annexure P-6
- 11. BY virtue of the aforesaid 2015 and 2016 notifications (hereinafter collectively referred to as "2015 notifications"), the government exempted non-Muslim illegal migrants from Pakistan, Bangladesh and Afghanistan from the operation of the Foreigners Act and the consequences thereunder, making them immune to any adverse state action on account of their illegal entry and stay. The 2015 notifications provided exemption to illegal migrants belonging to Hindu, Sikh, Buddhist, Jain, Parsi and Christian "minority communities" from the three countries, which "were compelled to seek shelter in India due to religious persecution or fear of religious persecution,"

- - Registration issued a notification pursuant to Rule 3(4) of Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules 2003, wherein the Central Government decided to prepare and update the Population Register between 1st April to 30th September 2020. A copy of the notification bearing number S.O. 2753 (E) dated 31.07.2019 issued by the Ministry of Home Affairs is annexed herewith and marked as **Annexure P-10** (pg. 123-124).

On 12.12.2019, The President gave its assent to the Citizenship (Amendment) Act, 2019 No.47 of 2019 ("CAA"), wherein it amended the Section 2(1)(b) and amended clause is as follows:

"Provided that persons belonging to minority communities, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan, who have been exempted by the Central Government by or under clause (c)of sub-section (2) of section 3 of the Passport (Entry into India) Act, 1920 or from the application of the provisions of the Foreigners Act, 1946 or any order made thereunder, shall not be treated as illegal migrants for the purposes of that Act:"

- (6B. (1) The Central Government or an authority specified by it in this behalf may, subject to such conditions, restrictions and manner as may be prescribed, on an application made in this behalf, grant a certificate of registration or certificate of naturalisation to a person referred to in the proviso to clause (b) of sub-section (1) of section 2.
- (2) Subject to fulfilment of the conditions specified in section 5 or the qualifications for naturalisation under the provisions of the Third Schedule, a person granted the certificate of registration or certificate of naturalisation under sub-section (1) shall be deemed to be a citizen of India from the date of his entry into India.
- (3) On and from the date of commencement of the Citizenship (Amendment) Act, 2019, any proceeding pending against a person under this section in respect of illegal migration or Citizenship shall stand abated on conferment of Citizenship to him:

Provided that such person shall not be disqualified for making application for Citizenship under this section on the ground that the proceeding is pending against him and the Central Government or authority specified by it in this behalf shall not reject his application on that ground if he is otherwise found qualified for grant of Citizenship under this section:

- (4) Nothing in this section shall apply to tribal area of Assam, Meghalaya, Mizoram or Tripura as included in the Sixth Schedule to the Constitution of India and the area covered under "The Inner Line" notified under the Bengal Eastern Frontier Regulation, 1873.
- Provided further that the person who makes the application for Citizenship under this section shall not be deprived of his rights and privileges to which he was entitled on the date of receipt of his application on the ground of making such application.

A true copy of the Citizenship Amendment Bill as introduced in the Lok Sabha on 04.12.2019 along with the Statement of Object & Reasons is annexed herewith and marked as **Annexure P-11** (pg. 1215-131). A true copy of the Citizenship (Amendment) Act, 2019 along with notification S.O.172(E) dated 10.01.2020 are annexed herewith and marked as **Annexure P-12** (pg. 132-134).

- 15. The effect of these amendments is that people belonging to the aforementioned 6 religions from the neighbouring three countries of Pakistan, Afghanistan and Bangladesh who entered India on or before 31 December, 2014 would not be deemed to be an illegal migrant under the Citizenship Act and upon fulfilment of certain conditions would be eligible to be registered as citizens of India. However, the applicability has been arbitrability been excluded for the tribal areas of Assam, Meghalaya, Tripura, Mizoram. Additionally, by virtue of the notifications of 2015, the categories of people included under the CAA would not face any action for being in India without valid documents.
- 16. By way of the 2004 amendment and with the introduction of the term illegal migrant, an additional criteria was put on the "citizenship by birth" requirement, i.e., if even one parent of a child was an illegal migrant, then such a child would be ineligible to be a citizen. The CAA arbitrarily removes this disqualification of citizenship by exempting Hindus, Sikhs, Christians, Jains, Parsis, Buddhists from the three countries of Afghanistan, Pakistan or Bangladesh from the meaning of illegal migrants thus allowing them to be registered as citizens of India. The CAA also reduces the minimum period of residence for these "migrants" to 5 years from the statutory 11 years.

- 17. It is pertinent to highlight that, since the term "illegal migrants" and the subset of people for whose benefit CAA has been enacted are also exempted under the 2015 notifications to the Passport Rules and Foreigners Order, any person as long as he is from one of these six religions can claim to have entered India without proper documents (thereby not having to prove the country of origin), be exempt from any penal consequence and then be also eligible as a citizen. However, such an exemption is not applicable or available for persons belonging to any other religion and / or from a different country and to such extent is discriminatory, arbitrary and without any rational basis. If such a person has entered the country without proper documents, such a person would be liable for penal action and be an illegal migrant and not be eligible for citizenship.
- 18. That it is apparent that CAA is violative of Article 14 and Article 21, in that it uses religion as a dominant or the only criteria. That as a consequence of CAA, the non-Muslim residents who illegally migrated from Afghanistan, Pakistan and Bangladesh will be able to apply for citizenship through registration and naturalization. Similarly placed Muslim residents, irrespective how persecuted they are, will continue to be barred. This includes, for instance Muslim communities from Afghanistan, Pakistan and Bangladesh have suffered and continue to suffer from religious persecution.

Persecution against the Ahmadiyas is both socially pervasive and state-backed in Pakistan. Shia Muslim communities, particularly the Hazara, have been subjected to severe persecution in Afghanistan because of their religious beliefs.

- 19. That under the CAA a child born in India after 2003 to Hindu "illegal migrants" would qualify as a citizen by birth. If the child is born to even one Muslim "illegal migrant", she would not. This is violation of the rights of child under the UN Convention of the Rights of Child 1969 as well as Juvenile Justice Act which promises equal rights and equal protection of all children. A child, the age of consent has no religion because in law a child lacks capability to elect choices that have serious consequences, and the religion of the child may be more of matter of presumption.
- 20. That CAA also places illegally migrated from other countries like Sri Lanka, Nepal, China and Myanmar at a disadvantage, and despite being persecuted no protection is available to them. As a consequence of CAA, a buddhist who illegally migrated from Pakistan owing to religious persecution would qualify for citizenship, a Buddhist who fled China for the same reason would not This is clear violation of Article 14.
- 21. That under the CAA the differential treatment of Indian residents must meet the requirement of equality before law and equal

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protection, of laws under Article 14 and 21 of the Constitution. Significantly, this Hon'ble Court has held that protection of Article 14 is also available to foreign citizens as well. It is settled law that differential treatment of Indian residents and also foreigners must meet the requirement of equality before law and equal protection of laws under Articles 14 and 21 of the Constitution;

- 22. That the CAA as well as the executive orders leading up to it are unconstitutional because they fail the constitutional standard of rationality are all illegal and manifestly arbitrary. The CAA also suffers from the vice of excessive delegation as important function and control to be exercised by the legislature in respect of the prescription of qualification for citizenship has been delegated.
- 23. Additionally, a reading of the Citizenship Rules with S.14A of the Citizenship Act,1955 along with the statements of the Home Minister, it appears that the government has the power and the prerogative to undertake an exercise for the determination of citizenship of each and every person residing in India. On or about 20 pecember, 2019 the Office of the Registrar General & Census Commissioner India released the instruction manual for updation of National Population Register, 2020 ("NPR") which the Petitioner believes is for the preparation of the Population Register as contemplated under the Citizenship (Registration of Citizens and

Issue of National Identity Cards) Rules, 2003. As stated hereinabove and as provided under the rules, the Population Register would serve as the basis for the creation of a National Register of Citizens as stated in the said Rules. A true copy of the Instruction Manual for updation of National Population Register, 2020 is annexed herewith and marked as **Annexure P-14** (pg. 136-175...)

- 24. It is submitted that the NPR itself is illegal as the principal act does not confer the government with any power to undertake any such Act and that the principal Act conferred the power on the government/only to create a National Register of Indian Citizens by way of an amendment in 2004 whereas the exercise is being undertaken in exercise of the rules issued in 2003, i.e., when the government did not have such powers. The NPR exercise is therefore illegal, unknown to law and without any basis. That it is submitted that in Section 14-A the power to prescribe procedure is only for NRIC and not for NPR. Therefore, unless there is a statutory mandate for NPR, the same is illegal and without jurisdiction and must stop immediately.
 - 25. That the Registrar General, India and Census Commissioner of India are engaged in the creation of the NPR and issuance of Multipurpose National Identity Cards to citizens of India. The Registrar

General is appointed under Section 3(1) of the Registration of Births and Deaths Act, 1969, and who is empowered by Section 14-A of the Citizenship Act, 1955 to compulsorily register citizen should the Central Government so decide. It is submitted that the power under S.14-A under the Citizenship Act, 1955 is exercisable after the government so decides (by use of the phrase "may compulsorily register"), and thus, contemplates application of mind based on cogent and intelligible material. It is stated that in the present case, the Government of India's minister have publicly claimed that pan India NRIC would be started and that NPR is only the first step towards the same. However, the jurisdictional conditions for the exercise of power under S.14-A have not been made because there is no formal decision today to prepare NRIC. It is stated that until a formal decision to prepare and proceed with NRIC has been taken (after considering intelligible material) under Section 14A(1) of the Citizenship Act, 1955, the exercise of NPR cannot be commenced. The fact that some exercise has been done in the past is no ground to perpetuate an illegality. Further, Section 14A(5) requires procedure to be prescribed for NRIC, but till today no procedure has been prescribed. It is stated that as proclaimed since NPR is part of NRIC processs, the same cannot be commenced unless all jurisdictional conditions of S.14A are satisfied. It is submitted that even though Section 14-A of the Citizenship Act, 1955 refers to National Register of Indian Citizen (NRIC), it has metamorphosed into National Population Register (NPR). In fact, the creation of NPR is the first step towards preparation of the NRIC, and admittedly NPR is not NRIC. The NPR, therefore, even though being undertaken under Section 14-A of the Citizenship Act, 1955, does not fulfill the conditions of Section 14-A of the Citizenship Act and consequently there is no statutory sanction for throwing away a category of people. It is stated that Section 14-A of the Citizenship Act, Rule 3(5) and Rule 4 of the Citizenship Rules 2003 have to be viewed as a code, and before proceedings with Rule 4, conditions of Section 14-A must be satisfied. It is stated that Rule 4(3), begins by using the phrase "For the purposes of preparation and inclusion in the Local Register of Indian Citizens", and therefore the decision to prepare a register of citizens is a precondition for operation of Rule 4 of the Citizenship Rules that (unlawfully) enable NPR. It is stated that "for the purposes" would mean for "the lawful and duly authorized purpose of".

26. There is an absence of regulation as to how the process of NPR will be regulated and administered and will it be done by government officials or private contractors because giving the contract of collecting personal information to a private body is a threat to the

national security of India and its people. Further, the protection under the Citizenship Act, 1955 and Citizenship Rules, 2003 has been provided for NRC where it is specified that only government officers would perform the task, but no such clause exists for NPR and is left at the discretion of Registrar General, India.

- 27. That identification project that involves the collection of the biometric and demographic information of 1.3 billion people, creating the largest biometric identity project in the world, must be scrutinized carefully to assess its compliance with human rights.
- 28. That, it is submitted that the Citizenship Act, 1955 is meant for laying conditions for eligibility for and acquisition of citizenship and not for creation of a "register" and as such the process of NPR is itself incongruous with the Scheme of the 1955 Act.
- 29. That, there is no law for the data protection of NPR and all acts affecting rights and liberties of an individual have to be necessarily backed by law because if not then it gives uncharted power to the government over the people and it is violation of fundamental rights of the citizens of India.
- 30. Article 14 states that every law, including its purpose, must not be whimsical or capricious, but based on a factually tenable principle and rationale. The CAA seeks isolate and exclude Muslim migrants from the three countries, in order to offer citizenship specifically to

the Hindu migrants. It also aims to do so in an extraordinary fashion by altering the parameters of citizenship retrospectively. It is stated that there is no determining principle simply because the government intends to enact a purely religious classification, which is clear violation of the principle of secularism, a part of basic structure under the Constitution of India;

- 31. That secularism has consistently been declared to be a facet of the constitution's basic structure that the parliament cannot abrogate even through its constitutional amendment powers
- 32. While the 2015 Notifications read with the CAA indicates that the purpose behind the CAA is to accommodate minorities facing religious persecution, the Act specifically excludes from its ambit many communities that actually face religious persecution such as the Rohingyas in Myanmar and Ulghurs in China.
- 33. The Statement of Objects and Reasons of the CA Bill introduced in the Parliament on 04.12.2019 mention that the criterion is undivided, pre-Partition India. Then Afghanistan ought not to have been a part of the list. If the criterion is neighbouring nations, then there are a host of countries surrounding India that have witnessed violence upon minorities. The Rohingya Muslims of Myanmar have been subjected to ethnic cleaning and genocide. In addition to the three countries mentioned in the CAA, Sri Lanka has an official state

religion where cases of systemic persecution exists. However, Sri Lanka has not been included and the ulterior objective of the CAA appears to be to demonise the religion of Islam as that of one of violence by portraying only Islamic nations as ones which effect persecution and secondly to deny followers of Islam, even if faced with ethnic, religious and cultural persecution, a safe abode which the Government has deemed necessary only to provide to six non-Muslim communities.

- It is further impermissible that the migrants in India be accorded differential treatment on the basis of the kind of persecution they have fled. The Act excludes other minority communities from the three countries and other countries that have found refuge in India, not just fleeing religious persecution but other forms of persecution such an ethnic or linguistic persecution.
- 35. The CAA and the 2015 notifications are manifestly arbitrary for they have no rationale or intelligible differentia. India, as a secular nation, cannot play favourites in terms of protecting some religious communities.
- That the Petitioner has not moved any representation concerning the reliefs sought in this petition for the reason that the relief of declaring a statute as illegal cannot be granted by any authority in India except the Constitutional Courts established by law.

- 37. That the Petitioner has not filed any other Petition before any High Court or this Hon'ble Court seeking the same or similar relief.
- 38. That the cause of action arose when the CAA was notified by the Respondents on 12.12.2019. The Petitioner is alleging violation of Preamble, Articles 13, 14, 19 and 21 of the Constitution of India and the Basic Structure Doctrine, which are enshrined as fundamental right or have been read so by this Hon'ble Court. The public injury caused because of the impugned order is manifold and it affects integrity of India and attempts to divide India on the basis of religion.
- 39. That the CAA and the 2015 notifications are illegal and against the Constitution, and if allowed to proceed it prejudicially affects the general public as it allows religion based identification of citizens and residents of India. Further, it provides an express entry door to India for residents of other countries largely on the basis of their religion. The CAA can affect the integrity and political stability of India, which itself is a serious injury to the public at large.
- 40. The Petitioner further reserves their rights to amend this petition I as and when required to produce additional documents, if required.
- 41. The present writ petition is filed bonafide and in the interest of justice and it is prayed that the same may be allowed by this Hon'ble Court.

42. That the Petitioner has no other alternative and equally efficacious remedy; and the instant Writ Petition has been filed, inter alia, on the following grounds:

<u>GROUNDS</u>

THE CAA, the 2015 Notifications and S.3(1) of the Citizenship Act, 1955 are violative of Article 14 and 21 being arbitrary, lack intelligible differentia and without any rationale or reasonable nexus.

- That CAA and the 2015 notifications are manifestly arbitrary in as much as it discriminates without an intelligible differentia or reasonable nexus on the basis of:

 (a) religion; (b) country of origin; (c) date of entry into India; (d) place of residence in India; and (e) kind of persecution being fled from.
 - B. That CAA, the 2015 notifications and S.3(1) of the Act are manifestly arbitrary for want of rationale.
 - C. That, there exists no reasonable classification or intelligible differentia for exempting the 6 communities from the 3 neighbouring countries as there are other communities which face persecution, Afghanistan was not part of pre-

partition India and the three nations are not the only neighbouring nations with a state religion;

D. There exists no reasonable nexus or intelligible differentia for creating the categories for grant of citizenship under S.3(1) of the Act.

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- E. That religious based classification is an impermissible classification and is violative of Article 14 and goes against the secular feature of the Constitution;
- F. The CAA and the 2015 notifications is blatantly, explicitly discriminatory against Muslims solely on the basis of an intrinsic religious identity and therefore cannot be said to be a reasonable classification as held in the decision of Navtej Singh Johar v. Union of India (2018) 10 SCC
- G. Because the CAA differentiates between illegal migrants on the basis of religion thereby exempting six religious communities from being illegal migrants and thus eligible for citizenship whereas similarly placed migrants from other religious communities such as Muslims and Jews will not be able to apply for citizenship by registration or naturalisation.

H. BECAUSE, it is settled law that differential treatment of Indian residents and also foreigners must meet the requirement of equality before law and equal protection of laws under Articles 14 and 21 of the Constitution;

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BECAUSE, Article 14 is applicable to all residents, irrespective of their citizenship and guarantees everyone equality before law and equal protection of laws. Equal protection demands that any differential treatment be reasonable and justified. The courts have held that the classification made by a law should be rational and the differentiation must correspond with its proclaimed purpose. If the purpose of the Amendment Act is toaccommodate minority communities suffering religious persecution, the distinction on the basis of religion and country of origin is irrational and unjustified. If the objective is to accommodate those suffering the ripples of partition, then there is no reason to include Afghanistan which hasn't been a part of British India since at least 1919 or to exclude Myanmar which was a part of British India till at least 1935 and gained independence around the same time as India.

- J. , BECAUSE, the CAA in itself does not provide any object or reason for identifying only the 6 communities from the 3 countries and therefore, serving no purpose or reasonable nexus ought to be struck down;
- K. BECAUSE, even if the objective is as stated in the Bill introduced in the Parliament on 04.12.2019, there is no means of identifying the purpose for the migration and therefore being arbitrary, must be struck down;
- L. Because, by virtue of the 2015 notification, a non-Muslim Illegal migrant can claim to have migrated from one of the three nations without papers enabling him to claim the benefit of CAA and claim citizenship.
- M. Because, as a consequence of CAA, the non-Muslim residents who illegally migrated from Afghanistan, Pakistan and Bangladesh will be able to apply for citizenship through registration and naturalization. Similarly placed Muslim migrants or atheists, irrespective how persecuted they are, will continue to be barred.
- N. BECAUSE, by virtue of CAA a child born in India after 2003 to Hindu "illegal migrants" would qualify as a citizen by birth. If the child is born to even one Muslim "illegal

migrant", she would not. This is violation of the rights of child under the UN Convention of the Rights of Child 1989 as well as Juvenile Justice Act which promises equal rights and equal protection of all children. A child, frankly, till the age of consent has no religion because in law a child lacks capability to elect choices that have serious consequences.

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- O. Section 3(1) provides for different treatment to children as per their date of birth and renders certain category of children stateless on the basis of classification on date of birth, which is manifestly arbitrary. Further treatment of the excluded children as stateless is also violative of United Nations Convention on the Rights of the Child, 1989.
- P. BECAUSE, CAA also places illegally migrated from other countries like Sri Lanka, Nepal, China and Myanmar at a disadvantage, and despite being persecuted no protection is available to them.
- BECAUSE, as a consequence of CAA, a buddhist who illegally migrated from 'Pakistan owing to religious persecution would qualify for citizenship, a Buddhist who fled China for the same reason would not .This is clear violation of Article 14.

- R. BECAUSE, under the CAA as well as the 2003 Amendment, the differential treatment of Indian residents must meet the requirement of equality before law and equal protection of laws under Article 14 and 21 of the Constitution.
- S. BECAUSE, this Hon'ble Court has held that protection of Article 14 is also available to foreign citizens as well.
- T. BECAUSE, the complete absence of any factual basis behind the amendment's categorisation of migrants renders it without any determining principle.
- U. BECAUSE, categorisation is done for its own sake, only to separate non-Muslim from Muslim illegal migrants, and not in pursuance of a principle.
- V. BECAUSE, denying a person citizenship on the basis of religion, is against human dignity and therefore violative of Article 21.
- W. BECAUSE, the CAA seeks to isolate and exclude Muslim migrants from the three countries, in order to offer citizenship specifically to the Hindu migrants. It also aims to do so in an extraordinary fashion by altering the parameters of citizenship retrospectively. It is stated that

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there is no determining principle simply because the government intends to enact a purely religious classification, which is clear violation of the principle of secularism, a part of basic structure under the Constitution of India;

- X. BECAUSE CAA and the 2015 notifications are violative of Article 21 in as much as it as it violates the right to live with dignity of individuals who are not covered under the special dispensation solely on the basis of their membership to a particular religion.
- Y. BECAUSE the CAA and the 2015 notifications are violative of Article 7 of the Universal Declaration of Human Rights and Article 26 of the ICCPR which among others prohibit discrimination on the basis of racial, religious or ethnic grounds;
- Z. BECAUSE Article 51 of the Constitution mandates fostering respect for international law and treaty obligations;
- AA. BECAUSE, the CAA 2019 gives preferential treatment to illegal migrants (illegal foreigners) over legal migrants (legal foreigners). Under the Citizenship Act 1955, one of the requirements for citizenship by naturalisation is that the

applicant must have resided in India during the last 12 months and for 11 of the previous 14 years. The CAA relaxes this 11 year requirement to five years for the said persons under special treatment, placing them at a higher pedestal than even legal migrants.

BB. BECAUSE, the CAA is a colourable legislation as it amends the principal Citizenship Act, 1955 to make illegal migrants who are Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan not to be treated as illegal migrants under the Act by adding exception to the definition of "Illegal migrant" S.2(1) (b) and thus making them eligible for Indian citizenship through naturalisation category under Section 6 read with the Third Schedule to the said Act.

THE CAA and 2015 Notifications are unconstitutional in as much as they are violative of secular feature and therefore the basic structure of the Constitution

CC. BECAUSE, secularism has consistently been declared to be a facet of the constitution's basic structure that the parliament cannot abrogate even through its constitutional amendment powers

- DD. BECAUSE, the Preamble to the Constitution of India declares India to be a secular state;
- EE. BECAUSE, it is abundantly clear from the Constitutional

 Assembly Debates that India was meant to be a secular state and that the people cannot be discriminated on the basis of religion;
- FF. BECAUSE, the CAA is fraud on the Constitution and is a classic example of colourable legislation with the sole object of disenfranchising a section of the population solely on the basis of religion;
- GG. The Citizenship (Amendment) Act, 2019 is a fraud on the Constitution because it violates several sacrosanct facets of the Constitution including equality, secularism and the like;
- HH. BECAUSE, The Citizenship (Amendment) Act, 2019 further provides that all citizenship related legal proceedings including those concerning expulsion or detention under the Foreigners Act, 1946 would abate in respect of "Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Bangladesh or Pakistan" who is granted citizenship and is therefore discriminatory;

- II. BECAUSE, the abatement of legal proceedings in respect of only a few communities is selective application of penal law on the basis of religion and would result in Muslims being subjected to proceedings for expulsion or detention under the Foreigners Act, 1946;
- BECAUSE the direct and inevitable consequence of the CAA and 2015 notifications is discrimination against Muslims who would have to bear the penal consequences of being an illegal migrant upon undertaking of the NPR-NRC exercise.
- KK. BECAUSE, the CAA directly impinges on the right to freedom of religion of an individual in as much as a member of one of the 6 communities may not be able to convert to Islam or practice his / her religion of choice for fear of not being accorded citizenship under CAA;
- LL. BECAUSE, it would have been a distinct matter if the Government of India had welcomed all refugees;
- MM. BECAUSE, children of illegal immigrants are not given legal recognition even if they are born in India, which is violative of India's obligation under the UN Convention on the Rights of Child;

NN. BECAUSE the CAA exempts certain areas in the North-East from this provision such as Tripura and Manipur, and would also not affected the Inner Line Permit system which restricts free movement of Indian nationals in Arunachal Pradesh, Mizoram and Nagaland. Therefore, illegal immigrants in such areas would not be benefitted from the Citizenship Amendment Act and the same is arbitrary and fanciful and has no connection with the object (if any) sought to be achieved;

The CAA and NPR suffer from the vice of excessive delegation and are against the rule of law

- OO. BECAUSE, it is submitted that the Citizenship Act, 1955 is meant for laying conditions for eligibility for and acquisition of citizenship and not for creation of a "register" and as such the process of NPR /NRC is itself incongruous with the Scheme of the 1955 Act
- PP. BECAUSE, there is no procedure specified by the government as to how the information will be collected for NPR because a person having a domicile in one state might have migrated to another state in search of living and if such migration is hindered with then it will be a gross

violation of Article 19. This disproportionality affects I migrant workers and does not preserve public interest;

- QQ. BECAUSE, in respect of NPR, no guidelines prescribed on the manner of collection of information and the same is left to a field manual, the residents are left to the mercy of the person preparing the field manual;
- RR. BECAUSE, in NPR and NRC, the possibility of usage/dissemination of the said information for 'profiling' and other purposes not provided by law is eliminated and penalized;
- SS. BECAUSE, the power under S.14-A under the Citizenship
 Act, 1955 is exercisable after the government so decides
 (by use of the phrase "may compulsorily register"), and
 thus, contemplates application of mind based on cogent
 and intelligible material
- TT. BECAUSE, Section 14-A of the Citizenship Act, 1955 is ultravires the Constitution, in that the collection of personal data under the NPR in terms of Section 14-A of the Citizenship Act, 1955 is violative of Article 14 and Article 21 to the Constitution of India and it suffers from the vice of excessive delegation in that it does not prescribe to what

extent private information of citizens shall be required and leaves it to the discretion of executive;

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- UU. BECAUSE, the right to privacy is affected by collection of personal information to be collected under NPR/NRC, it is submitted that the same can only be regulated or abridged by a statute and not by rules;
- VV. BECAUSE, Section 14A of 'the Citizenship Act, 1955 and Citizenship Amendment Act, 2019 and the executive orders leading up to CAA suffers from the vice of excessive delegation and manifest arbitrariness;
- WW. BECAUSE, the CAA also violates the right to freedom of religion, in that, it affects any person's free choice to follow religion of his or her choice, without any fear, inducement br promise/threat of consequences;
- XX. BECAUSE, if the government was indeed keen to recognize the rights of so-called persecuted migrants, the same could be achieved by granting a refugee status;
- YY., BECAUSE, the granting of citizenship on the basis of religion alters the demographic of the population conferring the illegal migrants with the right equal to that

of a citizen and forever influence the social and moral fabric of the nation, solely on the basis of religion;

- DECAUSE the CAA, NPR and the 2015 notifications are nothing but an exercise of colourable legislation under the garb of "recognizing persecuting minorities" as India does not even formally recognize the refugees fleeing from persecution nor has a refugee law and is now conferring them citizenship status as long as they are non-Muslims, even if they are illegal migrants.
- AAA. BECAUSE, under the Constitution of India read with the original Citizenship Act, there is a presumption of citizenship on satisfying the conditions and the onus can never be on the individual to prove the citizenship.
- BBB. BECAUSE, nothing in Article 10 or Article 11, vests with the government, the power to require a person to prove the citizenship;
- CCC. BECAUSE, the onus if at all any, has to be on the government to provide reasons for revocation of citizenship status;

- DDD. BECAUSE, the onus is shifted to an individual only upon being declared a Foreigner, in which case the said individual has to prove that he/she is not a Foreigner.
- is "Foreigner" and therefore required to prove citizenship under NPR-NRC, then until such time, the natural and assumption is that the government, voted by the population, is also an illegitimate government voted in by foreigners and must therefore be suspended thereby rendering the democracy nugatory;
- FFF. BECAUSE, there is no purpose served by the NRIC as the population data collection has already been carried out by Aadhaar as well as Census;
- GGG. BECAUSE, the purported objective of targeting social welfare schemes under NPR is already being served by Aadhaar and therefore is a redundant exercise;
- HHH. BECAUSE, the NPR data, in addition to being without legal basis, also seeks data points in excess of that which is prescribed under the Citizenship Rules and therefore is unconstitutional;

BECAUSE, NPR exercise has been carried out in the past in 2010 as well as 2015, and no information on the outcome of these exercises have been provided till date;

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- BECAUSE, the CAA and NPR-NRC if implemented would result in utter chaos with foreign nations already stating that they would not accept anyone identified as an illegal migrant by India, rendering such Individuals, stateless and without any rights that come bundled with citizenship and at worst case, be treated as criminals, foreigners;
- AKK. BECAUSE, Rule 4(6)(a) of the Citizenship Rules, enables any person to file objections against the inclusion of any person in the Local register of citizens thus allowing the entire exercise to be manipulated by any individual and / or vested interests;
- BECAUSE, an illegal migrant from the said 6 communities

 would be eligible for citizenship on the basis of relaxed

 residency requirements whilst a legal Muslim migrant

 would still have to satisfy the 11 year residency
 requirement.
- MMM. BECAUSE, CAA if implemented is not financially viable as there is a serious dearth of jobs amidst failing indicators of

health and economy and by formalizing people who would otherwise be refugees (for whom international aid can be availed) as citizens, India would be taking on additional burden in it's role as a welfare state.

PRAYER

For the facts and reasons aforestated, this Hon'ble Court may graciously be pleased to:

- a. Issue a writ of mandamus or an order in the nature of a writ of mandamus declaring that the Citizenship Amendment Act, 2019 (Act No.47 of 2019) is unconstitutional and *void ab initio*; Or *Alternatively*, to read up the Citizenship Amendment Act, 2019 (Act No.47 of 2019) as being applicable to all persons irrespective of their religion.
- b. Issue a writ of mandamus or an order in the nature of a writ of mandamus declaring that Section 14-A of the Citizenship Act, 1955 is ultra vires the Constitution, unconstitutional and void ab initio, and consequently to set aside the exercise of creation of National Register of Citizens;
- issue an appropriate Writ or direction strike down the amended provisions of Section 3 (1) (a) so far it introduces the condition that child is born before 1st day of July, 1987 and section 3 (1) (b) & (c) of the Citizenship Act,1955 as unconstitutional, illegal and void; and/or
- d. issue a writ, order or directions a in the nature of *certiorari* quashing (a) Notification Order No. GSR 685 (E) dated 07.09.2015; (b) Notification/ Order G.S.R. 686(E) dated

08.09.2015; (c) Notification/ Order G.S.R. 702(E) dated 18.07.2016; (d) Notification/ Order G.S.R. 703(E) dated 18.07.2016; (e) Notification/ Order GSR 1186 (E) dated 23.12.2016; (f) Notification/ Order GSR 5377(E) dated 23.10.2018; (g) Notification / Order S.O.2753(E) dated 31.07.2019; (h) Notification / Order S.O.172(E) dated 10.01.2020;

- e. issue a writ of mandamus or an order in the nature of writ of mandamus declaring that S.14A of the Citizenship Act, 1955 does not empower the government to question the citizenship of any individual resident in India;
- f. issue a writ in the nature of *prohibition*, prohibiting the Respondents from giving effect to the Notification / Order S.O.2753 (E) dated 31.07.2019 and prohibit the Respondents from proceeding with preparation of National Population Register and National Register of Indian Citizens;
- g. Such other orders as may be necessary may also be passed;

AND FOR THIS ACT OF KINDNESS THE PETITIONER SHALL EVER REMAIN DUTY BOUND AND PRAY:

Drawn By

FILED BY:

LZAFEER AHMAD

TALHA ABDUL RAHMAN

MOHD SHAZ KHAN

ADVOCATE FOR PETITIONER

Drawn on : .01.2020

Filed on: .01.2020

New Delhi

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IN THE SUPREME COURT OF INDIA CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO.

OF 2020

IN THE MATTER OF:-

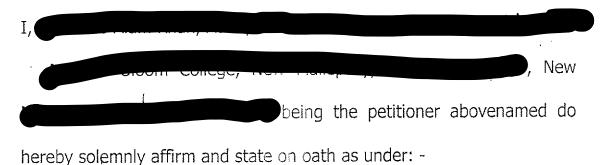
... Petitioner

VERSUS

Union of India & Ors.

... Respondents

AFFIDAVIT



- That I am the Petitioner in the accompanying Writ Petition, and I am well conversant with the facts of the case. It is stated that the Petitioner will have no personal gain, or has any private motive or oblique reason for filing the present Public Interest Litigation before this Hon'ble Court.
- 2. That I have read and understood the contents of the Synopsis and List of dates (Pages B), Writ Petition (Pages 1 to and para 1), I.A's and the contents of the same are true and correct to my knowledge and based on the records of the case.
- 3. I further state that all the Annexures to this Writ Petition are true copies of their respective originals.

DEPONENT

VERIFICATION

Verified at New Delhi on this the day of , 20 23 that the contents of paragraph 1 to of the above affidavit are true and correct to the best of my knowledge and belief and no part thereof is false and nothing material has been concealed therefrom.

DEPONENT

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APPENDIX

IMPORTANT PROVISIONS OF THE CONSTITUTION OF INDIA

Article 5.: Citizenship at the commencement of the Constitution

At the commencement of this Constitution every person who has his domicile in the territory of India and

- (a) who was born in the territory of India; or
- (b) either of whose parents was born in the territory of India; or
- (c) who has been ordinarily resident in the territory of India for not less than five years preceding such commencement, shall be a citizen of India

Article 6. Rights of citizenship of certain persons who have migrated to India from Pakistan

Notwithstanding anything in Article 5, a person who has migrated to the territory of India from the territory now included in Pakistan shall be deemed to be a citizen of India at the commencement of this Constitution if

(a) he or either of his parents or any of his grand parents was born in India as defined in the Government of India Act, 1935 (as originally enacted); and

(b)

- (i) in the case where such person has so migrated before the nineteenth day of July, 1948, he has been ordinarily resident in the territory of India since the date of his migration, or
- (ii) in the case where such person has so migrated on or after the nineteenth day of July, 1948, he has been registered as a citizen of India by an officer appointed in that behalf by the Government of the Dominion of India on an application made by him therefor to such officer before the commencement of this Constitution in the form and manner prescribed by that Government: Provided that no person shall be so registered unless he has been resident in the territory of India or at least six months immediately preceding the date of his application

Article 8. Rights of citizenship of certain persons of India origin residing outside India

Notwithstanding anything in Article 5, any person who or either of whose parents or any of whose grand parents was born in India as defined in the Government of India Act, 1935 (as originally enacted), and who is ordinarily residing in any country outside India as so defined shall be deemed to be a citizen of India if he has been registered as a citizen of India by the diplomatic or consular representative of India in the country where he is for the time being residing on an

application made by him therefor to such diplomatic or consular representative, whether before or after the commencement of this Constitution, in the form and manner prescribed by the Government of the Dominion of India or the Government of India

Article 10. Continuance of the rights of citizenship

Every person who is or is deemed to be a citizen of India under any of the foregoing provisions of this Part shall, subject to the provisions of any law that may be made by Parliament, continue to be such citizen

Article 14. Equality before law

The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth

Article 15. Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth

- (1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them
- (2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to
- (a) access to shops, public restaurants, hotels and palaces of public entertainment; or
- (b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public
- (3) Nothing in this article shall prevent the State from making any special provision for women and children
- (4) Nothing in this article or in clause (2) of Article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

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Annexure-Pli 46

THE FOREIGNERS ACT, 1946

ACT NO. 31 OF 1946* [23rd November, 1946.]

An Act to confer upon the Central Government certain powers in respect of foreigners.

WHEREAS it is expedient to provide for the exercise by the Central Government of certain powers in respect of the entry of foreigners into [India], their presence therein and their departure therefrom;

1. Short title and extent.

- 1. Short title and extent. (1) This Act may be called the Foreigners Act, 1946.
- (2) It extends to the whole of ¹[India] ²* * *.

2. Definitions.

2. Definitions. In this Act-

³[(a) "foreigner" means a person who is not a citizen of India;]

(b) "prescribed" means prescribed by orders made under this Act:

"specified" means specified by direction of a prescribed authority.

3. Power to make orders.

3. Power to make orders.(1) The Central Government may by 5 order make provision, either generally or with respect to all foreigners or with respect to any particular foreigner or any prescribed class or description of foreigner, for prohibiting, regulating or restricting the entry of foreigners into [India] or their departure therefrom or their presence or continued presence therein.

Goa, Daman and Diu with modifications by Reg. 12 of 1962, s. 3 and Sch. Pondicherry with modifications vide Notification No. G.S.R. 1557, dated 24-11-1962, Gazette of India, Part II, Sec. 3 (i), p. 1886. and brought into force in Dadra and Nagar Haveli by Reg. 6 of 1963, s. 2 and Sch. 1. Lakshadweep, Minicoy and Amindivi Island vide Reg. 8 of 1965, s. 3 and Sch. (w.e.f. 1-10-1967), the State of Sikim vide Notification No. G.S.R. 41 (E), date 27-1-1976 (w.e.f. 1-2-1976).

^{*} This Act has been extended to-

¹Subs. by Act 38 of 1947, s. ², for "British India"

² The words "except the State of Hyderabad", ins. by the A.O. 1950), omitted by Act 3 of 1951, s. 3 and Sch.

³ Subs. by Act 11 of 1957. s. 2. for the former clause (w.e.f. 19-1-1957).

⁴ Cl. (aa), ins. by the A.O. 1950, omitted by Act 3 of 1951, s. 3 and Sch. ⁵ For Foreigners Order, 1948, see Gazette of India, 1948, Pt. I, p. 198.

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- (2) In particular and without prejudice to the generality of the foregoing power, orders made under this section may provide that the foreigner-
- (a) shall not enter [India] or shall enter [India] only at such times and by such route and at such port or place and subject to the observance of such conditions on arrival as may be prescribed;
- (b) shall not depart from ¹[India], or shall depart only at such times and by such route and from such port or place and subject to the observance of such conditions on departure as may be prescribed;
- (c) shall not remain in [India] or in any prescribed area therein;
- ²(cc) shall, If he has been required by order under this section not to remain in India, meet from any resources at his disposal the cost of his removal from India and of his maintenance therein pending such removal;]
- (d) shall remove himself to, and remain in, such area in ¹[India] as may be prescribed;
- (e) shall comply with such conditions as may be prescribed or specified-
 - (i) requiring him to reside in a particular place;
 - (ii) imposing any restrictions on his movements;
 - (iii) requiring him to furnish such proof of his identity and to report such particulars to such authority in such manner and at such time and place as may be prescribed or specified;
 - (tv) requiring him to allow his photograph and finger impressions to be taken and to furnish specimens of his handwriting and signature to such authority and at such time and place as may be prescribed or specified
 - (v) requiring him to submit himself to such medical examination by such authority and at such time and place as may be prescribed or specified;

² Ins. by s. 4, ibid.

- (vi) prohibiting him from association with persons of a prescribed or specified description;
- (vii) prohibiting him from engaging in activities of a prescribed or specified description;
- (viii) prohibiting him from using or possessing prescribed or specified articles;

¹ Subs. by Act 38 of 1947, s, 2, for "British India".

- (ix) otherwise regulating his conduct in any such particular as may be prescribed or specified;
- (f) shall enter into a bond with or without sureties for the due observance of, or as an alternative to the enforcement of, any or all prescribed or specified restrictions or conditions
- ¹[(g)] shall be arrested and detained or confined;]

and may make provision [2] for any matter which is to be or may be prescribed and] for such incidental and supplementary matters as may, in the opinion of the Central Government, be expedient or necessary for giving effect to this Act.

- ²[(3) Any authority prescribed in this behalf may with respect to any particular foreigner make orders under clause (e) ²[or clause (f)] of sub-section (2).]
- ⁴[3A. Power to exempt citizens of Common-wealth countries and other persons from application of Act in certain cases. (1) The Central Government may, by order, declare that all or any of the provisions of this Act or of any order made thereunder shall not apply, or shall apply only in such circumstances or with such exceptions or modifications or subject to such conditions as may be specified in the order, to or in relation to-
- (a) the citizen's of any such Commonwealth country as may be so specified; or
- (b) any other individual foreigner or class or description of foreigner.
- (2) A copy of every order made tinder this section shall be placed on the table of both Houses of Parliament as soon as may be after it is made.]

4. Persons on parole.

- 4. Persons on parole. ⁵[(1)] Any foreigner (hereinafter referred to as an internee) in respect of whom there is in force any order made under clause (g) of sub-section (2) of section 3, directing that he be detained or confined, shall be detained or confined in such place and manner and subject to such conditions as to maintenance, discipline and the punishment of offences and breaches of discipline as the Central Government may from time to time by order determine.]
- (2) Any foreigner (hereinafter referred to as a person on parole) in respect of whom there is in force an order under clause (e) of sub-section (2) of section 3 requiring him to reside at a place set apart for the residence under supervision of a number of foreigners, shall while residing therein be subject to such conditions as to maintenance,

¹ Ins. by Act 42 of 1962, s. 3. The former brackets, letter and words" (g) shall be, arrested and detained or confined;" were omitted by Act 11 of 1957, s. 3 (w.e.f. 19-1-1957).

² Ins. by Act 38 of 1947, sl. 4.
³ Subs. by Act 11/of 1957, s. 3, for ", clause (f) or clause (g)" (w.e.f. 19-1-1957).

⁴ Ins. by s. 4, ibid. (w.e.f. 19-1-1957).

⁵ Ins. by Act 42 of 1962, s. 3. The former sub-section (1) was omitted by Act 11 of 1957, s. 5 (w.e.f. 19-1-1957).

discipline and the punishment of offences and breaches of discipline as the Central Government may from time to time by order determine.

- ¹(3) No person shall-
- (a) knowingly assist an internee or a person on parole to escape from custody or the place set apart for his residence, or knowingly harbour an escaped internee or person on parole, or
- (b) give an escaped internee or person on parole any assistance with intent thereby to prevent, hinder or interfere with the apprehension of the internee or the person on parole.
- (4) The Central Government may, by order, provide for regulating access to, and the conduct of persons in, places in India where internees or persons on parole are detained or restricted, as the case may be, and for prohibiting or regulating the despatch or conveyance from outside such places to or for internees or persons on parole therein of such articles as may be prescribed.]
- 5. Change of name.

 5. Change of name. (1) No foreigner who was in ²[India] on the date on which this Act came into force shall, while in ²[India] after that date, assume or use or purport to assume or use for any purpose any name other than that by which he was ordinarily known immediately before the said date.
- (2) Where, after the date on which this Act came into force, any foreigner carries on or purports to carry on (whether alone or in association with any other person) any trade or business under any name or style, other than that under which that trade or business was being carried on immediately before the said date, he shall, for the purposes of sub-section (1), be deemed to be using a name other than that by which he was ordinarily known immediately before the said date.
- (3) In relation to any foreigner who, not having been in ²[India] on the date on which this Act came into force, thereafter enters ²[India], sub-sections (1) and (2) shall have effect as if for any reference in those sub-sections to the date on which this Act came into force there were substituted a reference to the date on which he first enters, ² [India] thereafter.
- (4) For the purposes of this section-
- (a) the expression "name" includes a surname, and

- (b) a name shall be deemed to be changed if the spelling thereof is altered.
- (5) Nothing in this section shall apply to the assumption or use-

 $^{^1}$ Subs. by Act 42 of 1962, s. 3, for sub-sections (3) and (4). 2 Subs. by Act 98 of 1947, s. 2, for "British India".

- (a) of any name in pursuance of a ¹* * * licence or permission granted by the Central Government; or
- (b) by any married woman, of her husband's name.

6. Obligations of masters of vessels, etc.

6. Obligations of masters of vessels, etc. (1) The master of any vessel landing or embarking at a port in ²[India] passengers coming to or going from that port by sea and the pilot of any aircraft landing or embarking at any place in ²[India]

¹ The word "Royal omitted by Act 1 l of 1957, s. 6 (w.e.f. 19-1-1957).

² Subs. by Act 38 of 1947, s. 2, for "British India".

passengers coming to or going from that place by air, shall furnish to such person and in such manner as may be prescribed a return giving the prescribed particulars with respect to any passengers or members of the crew, who are foreigners.

- (2) Any District Magistrate and any Commissioner of Police or, where there is no Commissioner of Police, any Superintendent of Police may, for any purpose connected with the enforcement of this Act or any order made thereunder, require the master of any such vessel or the pilot of any such aircraft to furnish such information as may be prescribed in respect of passengers or members of the crew on such vessel or aircraft, as the case may be.
- (3) Any passenger on such vessel or such aircraft and any member of the crew of such vessel or aircraft shall furnish to the master of the vessel or the pilot of the aircraft, as the case may be, any information required by him for the purpose of furnishing the return referred to in sub-section (1) or for furnishing the information required under subsection (2).
- ¹[(4)] If any foreigner enters India in contravention of any provision of this Act or any order made thereunder, the prescribed authority may, within two months from the date of such entry, I direct the master of the vessel or the pilot of the aircraft on which such entry was effected or the owner or the agent of the owner of such vessel or aircraft, to provide, to the satisfaction of the said authority and otherwise than at the expense of Government, accommodation on a vessel or aircraft for the purpose of removing the said foreigner from India.
- (5) The master of any vessel or the pilot of any aircraft which is about to carry passengers from a port or place in India to any destination outside India, or the owner or the agent of the owner of any such vessel or aircraft shall, if so directed by the Central Government and on tender of payment therefor at the current rates, provide on the vessel or aircraft accommodation to such port or place outside India, being a port or place at which the vessel or aircraft is due to call, as the Central Government may specify, for any foreigner ordered under section 3 not to remain in India and for his dependents, if any, travelling with him.]
- ¹[(6)] For the purposes of this section-

(a) "master of a vessel" and "pilot of any aircraft shall include any person authorised by such master or pilot, as the case may be, to discharge on his behalf any of the duties imposed on him by this section

(b) passenger "means any person not being a bona-fide member of the crew, travelling or seeking to travel on a vessel or aircraft.

7. Obligation of hotel keepers and others to furnish particulars.

7. Obligation of hotel keepers and others to furnish particulars. (1) It shall be the duty of the keeper of any premises whether furnished or unfurnished where lodging or sleeping accommodation is provided for reward, to submit to such person and in such manner such information in respect of foreigners accommodated in such premises, as may be prescribed.

Explanation.- The information referred to in this sub-section may relate to all or any of the foreigners accommodated at such premises and may be required to be submitted periodically or at any specific time or occasion.

- (2) Every person accommodated in any such premises shall furnish to the keeper thereof a statement containing such particulars as may be required by the keeper for the purpose of furnishing the information referred to in sub-section (1).
- (3) The keeper of every such premises shall maintain a record of the information furnished by him under sub-section (1) and of the information obtained by him under sub-section (2) and such record shall be maintained in such manner and preserved for such period as may be prescribed, and shall at all times be open to inspection by any police officer or by a person authorised in this behalf by the District Magistrate.
- ¹(4) If in any area prescribed in this behalf the prescribed authority by notice published in such manner as may in the opinion of the authority be best adapted for informing the persons concerned so directs, it shall be the duty of every person occupying or having under his control any residential premises to submit to such person and in such manner such information in respect of foreigners accommodated in such premises as may be specified; and the provisions of sub-section (2) shall apply to every person accommodated in any such premises.]
- ² [7A. Power to control places frequented by foreigners. (1) The prescribed authority may, subject to such conditions as may be prescribed, direct the owner or person having control of any premises used as a restaurant or as a place of public resort or entertainment or as a club and frequented by foreigners-
- (a) to close such premises either entirely or during specified periods, or

Sub-sections (4) and (5) ins. and the original sub-section (4) renumbered as (6) by Act 38 of 1947, s. 5.

¹ Ins. by Act 38 of 1947, s. 6.

² Ins. by S. 7, ibid.



(b) to use or permit the use of such premises only under such conditions as may be specified, or

(c) to refuse admission to such premises either to all foreigners or to any specified foreigner or class of foreigner.

(2) A person to whom any direction has been given under sub-section (1) shall not, while such direction remains in force, use or permit to be used any other premises for any of the aforesaid purposes, except with the previous permission in writing of the prescribed authority and in accordance with any conditions which that authority may think fit to impose.

(3) Any person to whom any direction has been given under sub-section (1) and who is aggrieved thereby may, within thirty days from the date of such direction, appeal to the Central Government; and the decision of the Central Government in the matter shall be final.]

8. Determination of nationality.

8. Determination of nationality. (1) When a foreigner is recognised as a national by the law of more than one foreign country or where for any reason it is uncertain what nationality if any is to be, ascribed to a foreigner, that foreigner may be treated as the national of the country with which he appears to the prescribed authority to be most closely connected for the time being in interest or sympathy or if he is of uncertain nationality, of the country with which he was last so connected:

Provided that where a foreigner acquired a nationality by birth, he shall, except where the Central Government so directs either generally or in a particular case, be deemed to retain that nationality unless he proves to the satisfaction of the said authority that he has subsequently acquired by naturalization or otherwise some other nationality and still recognized as entitled to protection by the Government of the country whose nationality he has so acquired.

(2) A decision as to nationality given under sub-section (1) shall, be final and shall not be called in question in any Court :

Provided that the Central Government, either of its own motion or on an application by the foreigner concerned, may revise any such decision.

9. Burden of proof.

9. Burden of proof. If in any case not falling under section 8 any question arises with reference to this Act or any order made or direction given, thereunder, whether any person is or is not a foreigner or is not a foreigner of a particular class- or description the onus of proving that such person is not a foreigner or is not a foreigner of such particular class or description, as the case may be, shall, not withstanding anything contained in the Indian Evidence Act, 1872, lie upon such person.

10. Power to exempt from application of Act.

10. Power to exempt from application of Act. [Power to exempt from application of Act.] Rep. by the Foreigners Laws (Amendment) Act. 1957 (11 of 1957), s. 7 (w.e.f. 19-1-1957).

11. Power to give effect orders, directions etc.

- 11. Power to give effect orders, directions etc. (1) Any authority empowered by or under or in pursuance of the provisions of this Act to give any direction or to exercise any other power, may, in addition to any other action expressly provided for in this Act, take, or cause to be taken such steps and use, or cause to be used, such force as may, in its opinion, be reasonably necessary for securing compliance with such direction or for preventing or rectifying any breach thereof, or for the effective exercise of such power, as the case may be.
- (2) Any police officer may take such steps and use such force as may, in his opinion, be reasonably necessary for securing compliance with any order made or direction given under or in pursuance of the provisions of this Act or for preventing or rectifying any breach of such order or direction.
- (3) The power conferred by this section shall be deemed to confer upon any person acting in exercise thereof a right of access to any land or other property whatsoever.

12. Power to delegate authority.

12. Power to delegate authority. Any authority upon which any power to make or give any direction, consent or permission or to do any other act is conferred by this Act or by any order made thereunder may, unless express provision is made to the contrary, in writing authorise, conditionally or otherwise, any authority subordinate to it to exercise such power on its behalf, and thereupon the said subordinate authority shall, subject to such conditions as may be contained in the authorisation, be deemed to be the authority upon which such power is conferred by or under this Act.

13. Attempts to etc., contravene the provisions of this Act, etc.

- 13. Attempts to etc., contravene the provisions of this Act, etc. (1) Any person who attempts to contravene, or abets or attempts to abet, or does any act preparatory to, a contravention of, the provisions of this Act or of any order made or direction given thereunder, or fails to comply with any direction given in pursuance of any such order, shall be deemed to have contravened the provisions of this Act.
- (2) Any person who, knowing or having reasonable cause to believe that any other person has contravened the provisions of this Act or of any order made or direction given thereunder, gives that other person any assistance with intent thereby to prevent, hinder or otherwise interfere with his arrest, trial or punishment for the said contravention shall be deemed to have abetted that contravention.
- (3) The master of any vessel or the pilot of any aircraft, as the case may be, by means of which any foreigner enters or leaves ¹[India] in contravention of any order made under, or direction given in pursuance of, section 3 shall, unless he proves that he exercised all due diligence to prevent the said contravention, be deemed to have contravened this Act.

14. Penalties.

14. Penalties. If any person contravenes the provisions of this Act or of any order made thereunder, or any direction given in pursuance of this Act or such order, he shall be punished with imprisonment for a term which may extend to five years and shall also be liable to fine and if such person has entered into a bond in pursuance of clause (f) of subsection (2) of section 3, his bond shall be forfeited, and any person bound thereby shall pay the penalty thereof, or show cause to the satisfaction of the convicting Court why such penalty should not be paid.

15. Protection to persons acting under this Act.

15. Protection to persons acting under this Act. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

16. Application of other laws not barred.

16. Application of other laws not barred. The provisions of this Act shall be in addition to, and not in derogation of, the provisions of the Registration of Foreigners Act 1939, (16 of 1939.) the Indian Passport Act, 1920, (34 of 1920.) and of any other enactment for the time being in force.

17. Repeals.

17. Repeals. [Repeals.] Rep. by the Repealing and Amending Act, 195 (35 of 1950), s. 2 and Sch. I.

¹ Subs. by Act 38 of 1947, s. 2, for "British India".

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FOREIGNERS ORDER, 1948 ORDER UNDER THE FOREIGERS ACT, 1946

MINISTRY OF HOME AFFAIRS NOTIFICATION

New Delhi, the 10th February, 1948

No. 9/9/46-Political (EW). - In exercise of the powers conferred by section 3 of the Foreigners Act, 1946 (XXXI of 1946), and in supersession of the Foreigners Order, 1939 and of all notifications amending the same, the Central Government is pleased to make the following order:

- Short title, commencement and extent.
 - (1) This Order may be called the Foreigners Order, 1948.
 - (2) It shall come into force at once.
 - (3) It extends to the whole of India.
- 2. Definitions. -

In this Order: -

(1) "Registration Officer" means a Registration Officer as defined in the Registration of Foreigners Rules, 1939, or such other officer as may be authorised by

him to perform the functions of a Registration Officer under this Order;

- (2) **"Civil authority"** means such authority as may be appointed by the Central Government in this behalf for such area as it thinks fit;
- (3) ("Port" includes an airport.
- 3. Power to grant or refuse permission to enter India. -
 - (1) No foreigner shall enter India: -
 - (a) otherwise than at such port or other place of entry on border of India as a Registration Officer having jurisdiction at that port or place may appoint in this behalf, either for foreigners generally or for any specified class or description of foreigners; or
 - (b) without the leave of the civil authority having jurisdiction at such port or place.
 - (2) Leave to enter shall be refused if the civil authority satisfied that: -
 - (a) the foreigner is not in possession of a valid passport or visa for India or has not been

exempted from the possession of a passport or visa;

- he is a person of unsound mind or mentally defective person;
- he is suffering from a loathsome or infectious (C) disease in consequence or which, in the opinion of the medical officer of the port or the place of entry, as the case may be, the entry of the foreigner is likely to prejudice public health;
- he has been sentenced in a foreign country for (d) an extradition offence within the meaning of the Indian Extradition Act, 1903 (XV of 1903).
- his entry is prohibited either under an order (e) issued by a competent authority or under the specific orders of the Central Government.
- The civil authority may attach such conditions as it (3) thinks fit to the grant of leave to enter and such conditions may be varied in such manner or cancelled as the Central Government deems fit.
- Notwithstanding anything contained in sub-(4) (a) paragraphs (1) to (3) or in the Passport (Entry into India) act, 1920 (XXXIV of 1920), or in the rules made thereunder, a civil authority may, in

the interests of public safety, prohibit the entry of any foreigner into India.

- (b) Whenever the civil authority issues an order under clause (a) it shall report the matter forthwith to the Central Government, which may cancel or modify the order in such manner as it thinks fit.
- (5) Where leave to enter is refused to a foreigner, he may be detained at some place approved by the Civil authority and may, if he has come by sea, be placed temporarily on shore for the purpose, and whilst he is so detained a foreigner shall be deemed to be a legal custody and not to have entered India.

4. Landing of Seamen. -

- (1) No seamen or member of the crew of an aircraft, being a foreigner, shall land in India without a special permit from the Civil authority or the Superintendent of Police or any other Police Officer not below the rank of a sub-Inspector or Sergeant.
- (2) No such permit shall be granted unless the owners or agents of the vessel or aircraft have undertaken either generally in respect of all members of the crew or vessels or aircraft belonging to or managed by them or in an individual case the responsibility for the

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maintenance of seaman or member of the crew during assigned to it in the Registration of Foreigners Rules, 1939, from India.

- (3) For the purpose of this paragraph "Seaman" has the meaning assigned to it in the Registration of Foreigners Rules, 1939.
- (4) The provisions of this paragraph are in addition to, and not in derogation of, the provision of paragraph 3.

5. Power to grant permission to depart from India. -

(1) No foreigner shall leave India: -

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- (a) otherwise than at such port or other recognised place of departure on the borders of India as a Registration Officer having jurisdiction at that port or place may appoint in this behalf either for foreigners generally or for any specified class or description of foreigners; or
- (b) without the leave of the civil authority having jurisdiction at such port or place.

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- (a) the foreigner has failed to comply with the formalities of departure prescribed under the Registration of Foreigners Rules, 1939;
- (b) the foreigner's presence is required in India to answer a criminal charge;
- (c) the foreigner's departure will prejudice the relations of the Central Government with a foreign power;
- (d) the departure of the foreigner has been prohibited under an order issued by competent authority.
- (3) (a) Notwithstanding anything contained in the above sub-paragraph a civil authority may prohibit the departure of a foreigner where it is satisfied that such departure would not be conducive to the public interest;
 - (b) whenever a civil authority issues an order under clause (a), it shall report the matter forthwith to the Central Government which may cancel or modify the order in such manner as it thinks fit.

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5. (A) Power to examine persons:

The civil authority may examine any person who seeks leave to enter India or to depart there from or during his stay in India for the Purposes of the Foreigners Act, 1946, or of any order made thereunder; and it shall be the duty of every such person to furnish to the civil authority such information in such manner and at such times, as that authority may require.

Liability of master of vessel etc. to remove a foreigner:

- or pilot of the aircraft in which a foreigner has arrived or the owners or agents of that vessel or aircraft, as may be appropriate in the opinion of such civil authority, to remove a foreigner who has been refused permission to enter or who has entered India without its permission or who has been landed in contravention of Sub-para (3) and the master, pilot, owner or agent, as the case may be shall comply with such requisition unless it is received more than two months after the date of the arrival of the foreigner in India.
- (2) The master of a vessel or the pilot of an aircraft scheduled to call at any port outside India, shall, if so required by the Central Government, receive a foreigner in respect of whom an order directing that he

shall not remain in India has been made, and his dependents, if any, on board the vessel or aircraft, as the case may be, and afford him and them a passage to that port and proper accommodation and maintenance during the passage.

- (3) The master of any vessel or the pilot of any aircraft shall not, without the permission of the civil authority, land at any port in India any person travelling by that vessel or aircraft against the wishes of such person unless such person has been required by the Central Government to be brought to India.
- (4) Nothing contained in the Foreigners (Exemption)
 Order, 1957 shall preclude the operation and application of the provision of sub-paragraph (3).

7. Restriction of Sojourn in India: -

visa issued in pursuance of the passport (Entry into India) Act, 1920 (34 of 1920), shall obtain from the Registration Officer having jurisdiction either at the place at which the said, foreigner enters India or at the place at which he presents a registration report in accordance with rule 6 of the Registration of Foreigners Rules, 1939 a permit indicating the period during which he is authorised to remain in India and also indicating the place or places for stay in India, if

any, specified in the visa. In granting such permit the said Registration Officer may restrict the stay of the foreigner to any of the places specified in the visa.

- (2) Every foreigner, to whom the provision of subparagraph (1) do not apply, shall obtain a permit indicating the period during which he is authorised to remain in India from the Registration Officer to whom he presents a registration report in accordance with rule 6 of the Registration of Foreigners Rules, 1939.
- (3) Every foreigner to whom a permit is issued under subparagraph (1) or sub-paragraph (2): -
 - (i) shall not, if the permit indicates the place or places for stay in India, visit any other place unless the permit is extended by the Central Government to such other place;
 - (ii) shall, if the permit indicates the place or places for stay in India, report in person or in writing his arrival at and departure from, any such place to the Registration Officer having jurisdiction at such place, within twenty-four hours after arrival or, as the case may be, before his intended departure; and
 - (iii) shall, unless the period indicated in the permit is extended by the Central Government, depart

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from India before the expiry of the said period; and at the time of the foreigner's departure from India the permit shall be surrendered by him to the Registration Officer having jurisdiction at the place from where he departs.

8. Prohibited Places:

- (1) No foreigner shall, without the permission of the civil authority having jurisdiction at such place, visit, or reside in, any prohibited place as defined in the Indian Official Secrets Act, 1923 (XIX of 1923).
- Order, residing in any prohibited place and is not permitted to continue to reside there, he shall, within such time as may be specified by the civil authority, remove himself from such place.
- (3) The civil authority may impose on any householder or other person in such prohibited place the obligation to report to the police or to any naval military, or air force authority the presence of any foreigner in his household or in any premises occupied by him or under his control and the departure of any such foreigner and such other particulars with respect to such foreigner as may be prescribed by such authority.

9. Protected Area:

- (1) The Central Government or, with its prior sanction, a civil authority may by order declare any area to be a protected area for the purpose of this Order.
- (2) On such declaration, the civil authority may, as to any protected area by Order.
 - (a) prohibit any foreigner or any class of foreigners from entering or remaining in the area;
 - (b) impose on any foreigner or class of foreigners entering or being in the area such conditions or restrictions as it may think fit as to:
 - (i) reporting to the police or any naval, military or air force authority;
 - (ii) surveying or making sketches or photographs;
 - (iii) the use of possession of any machine, apparatus, or other article of any description;
 - (iv) the acquisition of land or any interest in land within the area;

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- (v) any other matter or thing as to which it may deem it necessary in the interests of public safety to impose conditions or restrictions;
- (c) impose on any householder or other person the obligation to report to the police or any naval, military, or air-force authority, the presence of any foreigner in his household or in any premises occupied by him or under his control, and the departure of any such foreigner and such other particulars with respect to any such foreigner as may be prescribed by the Order:

Provided that the civil authority may, subject to any general or specific direction of the Central Government grant to an individual foreigner a special permit exempting him from any or all of the conditions or restrictions imposed under this sub-paragraph.

10. Restrictions on Employment:

(1) No foreigner shall, without the permission in writing of the civil authority, either enter any premises, relating to, or accept employment in or in connection with:

- (i) any undertaking for the supply to Government or to the public of light, petroleum, power or water; or
- (ii) any undertaking which may be specified by the Central Government in this behalf.
- (1A) No foreigner employed without the permission in writing of the Civil Authority before the commencement of the Foreigners (Amendment) Order, 1964 in any undertaking referred to in clause (i) of sub-paragraph (1), shall remain employed in such undertaking, without the permission in writing of the Civil Authority, after the expiry of a period of three months from the commencement of the Foreigners (Second Amendment) Order, 1964.
- (1B) No foreigner employed in any undertaking specified in clause (ii) of sub-paragraph (1) before the undertaking was so specified shall remain employed in such undertaking without the permission in writing of the Civil Authority, after the expiry of a period of one month from the date of commencement of the foreigner (Second Amendment) Order, 1964 or the date on which the undertaking was so specified whichever is later.

Provided that no Pakistani national shall remain employed in any such undertaking as is referred to in

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clause (ii) of sub-paragraph (1) which has been or may be specified after the 1st September, 1965, unless he has obtained permission in writing from the Civil Authority within twenty-four hours from the date of commencement of the Foreigners (Second Amendment) Order 1965, or from the date on which the undertaking is so specified, whichever, is later.

(2) The management of any undertaking referred to in sub-paragraph (1) shall furnish to the civil authority such information regarding foreigner in that undertaking and make available for inspection such records and registers as may be called for by that authority.

11. Power to impose restrictions on movements etc.-

The Civil authority may, by order in writing, direct that any foreigner shall comply with such conditions as may be specified in the order in respect of: -

- (1) his place of residence;
- (2) his movements;
- (3) his association with any person or class or persons specified in the order; and

(4) his possession of such articles as may be specified in the order;

11A. Restrictions on certain activities. -

Notwithstanding anything contained in the Foreigners (Exemption) Order, 1957, on foreigner shall produce, or attempt to produce or cause to be produced, any picture or film, including a documentary or feature film for television or the screen, intended for public exhibition except with the permission in writing of, and subject to such conditions as may be specified in this behalf by the Central Government.

11B. Restrictions on mountaineering expeditions: -

Notwithstanding anything contained in the Foreigners (Exemption) Order, 1957, no foreigner or group of foreigners shall climb, or attempt to climb, any mountain peak in India without obtaining the prior permission in writing of the Central Government on an application made in that behalf of through the Indian Mountaineering Foundation, a registered society having its registered office in the Union territory of Delhi, and without specification of route to be followed, accompaniment by liaison officer, use or photographic and wireless communication equipment, as may be laid down in this behalf by the Central Government.

12. Power to remove foreigners from cantonments: -

The military officer, for the time being in command of the forces in cantonment may, by order in writing direct any foreigner to remove himself from the cantonment within such time as may be specified in the order.

13. Power to close clubs and restaurants: -

- A civil authority may direct that any premises in its jurisdiction which in its opinion are used for the sale of refreshments to be consumed on the premises, or as a place of public resort or entertainment, or as a club, and which are or have recently been frequented by foreigners, shall be either closed altogether or kept closed during such hours or for such purposes as may be required by it if in its opinion either;
 - (a) the foreigners so frequenting the premises are of criminal or disloyal associations or otherwise undesirable: or.
 - (b) The premises are conducted in a disorderly or improper manner, or in a manner prejudicial to the public good; and if any premises are kept open in contravention of any such direction the occupier or person having control of the premises shall be deemed to have acted in contravention of this Order.

- (2) Where any premises have been closed under this paragraph the occupier or person having control of the premises shall not occupy or control any other premises which are used for the sale of refreshment or as a place of public of public resort or entertainment, or as a club without the consent of the civil authority of the area in which the premises are situated.
- Any police officer, if authorised by the Civil authority may, for the purpose of enforcing the provisions of this paragraph, enter, if necessary by force, and search of occupy any premises in respect of which an order under this paragraph has been made by the civil authority.
- (4) Any action taken by a civil authority under subparagraphs (1) to (3) above shall be reported forthwith to the Central Government which may cancel or modify such order in such manner as, it deems fit.

14. Expenses of deportation: -

Where an order is made in the case of any foreigner directing, that he shall not remain in India or where a foreigner is refused permission to enter India or has entered India without permission, the Central Government may, if it thinks fit, apply any money or property of the foreigner in payment of the whole or any part of the expenses of or

incidental to the voyage from India and the maintenance until departure of the foreigner and his dependents, if any.

AMENDMENT NOTIFICATIONS

No. 6/29/48-F.I.	dated 4-8-48	
No. 9/1/51-F.II.	dated 9-4-51	
No. 4/17-II/51-F.I.	dated 28-5-53	S.R.O. 1039
No. 9/3/54-F.II.	dated 14-8-54	
No. 4/2/65-F.I.	dated 21-6-58	
No. 4/2/58-(II)-F.I.	dated 16-9-58	G.S.R. 836
No. 6/167/59-F.I.	dated 4-12-59	
No. 1/8/60-I.F.III	dated 18-7-60	
No. 1/53/63-F.III	dated 24-1-64	
No. 6/50/64-F.I.	dated 30-7-64	
No. 6/173/64-F.I.	dated 16-2-65	G;S.R. 283
No. 6/89/64-II-F.I.	dated 15-6-65	G.S.R. 868

No. 6/55/65-F.I. dated 29-9-65 /

No. 25022/20/71-F.I. dated 30-3-1971

No. 11013/1/78-F.I. dated 9-6-1979 G.S.R. 109

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REGD. NO. D. L.-33004/99



असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)
प्राधिकार से प्रकाशित
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गृह यंत्रालय

अधिसूचना

नई दिल्ली, 10 दिसम्बर, 2003

सा.का.नि. 937(अ)— केंद्रीय सरकार, नागरिकता अधिनियम, 1955 की (1955 का 57) धारा 18 की उपधारा (1) और (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नितिखित नियम बनाती है, अर्थात् :-

- 1. सक्षिप्त नाम और प्रारंभ -
 - (1) इन नियमों का संक्षिप्त नाम नागरिकता (नागरिकों का रजिस्ट्रीकरण और राष्ट्रीय पहचान-पत्रों का जारी किया जाना) नियंम, 2003 है ।
 - (2) ये राजपत्र में प्रकाशन की तारीख से प्रवृत्त हाँगे ।
- परिमानाएं इन नियमों में, जब तक संदर्भ से अन्यया अपेक्षित न हो,
 - (क) "अधिनियम" से नागरिकता अधिनियम, 1955 (1955 का 57) अभिप्रेत है ;
 - (ख) "जन्म और मृत्यु के मुख्य रजिस्ट्रार" से जन्म और मृत्यु रजिस्ट्रीकरेंण अधिनियम, 1988 (1969 ফা
 - 18) के अधीन नियुक्त जन्म और मृत्यु का मुख्य रजिस्ट्रार अभिप्रेत है ;
 - (ग) ''नागरिक'' से, भारत के संविधान और अधिनियम के उपबंधों के निबंधनानुसार भारत का नागरिक अभिप्रेत हैं ;
 - (घ) "नागरिक रिजस्ट्रीकरण निदेशक" से जनगणना अधिनियम, 1948 (1948 का 37) के अधीन केंद्रीय सरकार द्वारा नियुक्त किसी राज्य में या संघ राज्यक्षेत्र में ऐसा जनगणना निदेशक अमिप्रेत हैं, जो, यथास्थिति, उस राज्य या संघ राज्यक्षेत्र में नागरिक रिजस्त्रीकरण निदेशक के रूप में मी कृत्य करेगा ;
 - (ड) "भारतीय नागरिकों के जिला रजिस्टर" से जिले में सामान्य रूप से निवास करने वाले भारतीय नागरिकों के ब्योरों वाला रजिस्टर अभिप्रेत है :
 - (च) "नागरिक रिजस्ट्रीकरण के जिला रिजस्ट्रार" से प्रत्येक राजस्व जिले का किसी भी नाम से जात ऐसा जिला मजिस्ट्रेट अभिप्रेत हैं, जो नागरिक रिजस्ट्रीकरण के जिला रिजस्ट्रार के रूप में कार्य करेगा ;

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- (छ) ''भारतीय नागरिकों के स्थानीय रिज़स्टर'' से किली ग्राम या ग्रामीण क्षेत्र या नगर या दार्ड या किसी नगर के वार्ड के भीतर सीमांकित क्षेत्र (नागरिक रिजस्ट्रीकरण महा रिजस्ट्रार द्वारा सीमांकित) या शहरी क्षेत्र में सामान्य रूप से निवास करने वाले भारतीय नागरिकों के ब्योरों वाला रिजस्टर अभिप्रेत हैं ;
- (ज) "नागरिक रिजस्ट्रीकरण के स्थानीय रिजस्ट्रार" से निम्नतम मौगोलिक अधिकारिता अर्थात् किसी ग्राम या ग्रामीण क्षेत्र या नगर या वार्ड या किसी नगर के वार्ड के भीतर सीमांकित क्षेत्र (नागरिक रिजस्ट्रीकरण महा रिजस्ट्रार द्वारा सीमांकित) या शहरी क्षेत्र में राज्य सरकार द्वारा नियुक्त ऐसा कोई स्थानीय अधिकारी या राजस्य अधिकारी अभिप्रेत है जो भारतीय नागरिकों का स्थानीय रिजस्टर तैयार करने के प्रयोजन के लिए स्थानीय रिजस्ट्रार के रूप में कृत्य करेगा ;
- (झ) "राष्ट्रीय पहचान-पत्र" से नियम 13 के अधीन जारी किया गया पहचान-पत्र अभिप्रेत है;
- (ञ) "राष्ट्रीय पहचान संख्यांक" से भारतीय नागरिक रिजस्ट्रीकरण महा रिजस्ट्रार द्वारा प्रत्येक भारतीय नागरिक को आवंटित किया गया विशिष्ट पहचान संख्यांक अभिप्रेत है ;
- (c) ''भारतीय नागरिकों के राष्ट्रीय रजिस्टर'' से भारत में और भारत के बाहर रहने वाले भारतीय नागरिकों के व्यौरों वाला रजिस्टर अभिप्रेत है ;
- (ट) ''जनसंख्या रिजस्टर'' से किसी ग्राम या ग्रामीण क्षेत्र या नगर या वार्ड या किसी नगर के वार्ड के भीतर सीमांकित क्षेत्र (नागरिक) रिजस्ट्रीकरण महा रिजस्ट्रार द्वारा सीमांकित) गा शहरी क्षेत्र में सामान्य रूप रे निवास करने वाले व्यक्तियों के ब्यौरों वाला रिजस्टर अभिप्रेत हैं ;
- (ड) "नागरिक रिजस्ट्रीकरण के महारिजस्ट्रार" से जन्म और मृत्यु रिजस्ट्रीकरण अधिनियम. 1969 (1969 का 18) के अधीन नियुक्त भारत का महारिजस्ट्रार आंभेप्रेत है, जो नागरिक रिजरट्रीकरण के महानिदेशक. भारत के ला में कृत्य करेगा ;
- (इ) "भारतीय नागरिकों के राज्य रिजस्टर" से राज्य में सामान्य रूप से निवास करने वाले मारतीय गणरिकों के ब्यौरों वाला रिजस्टर अभिप्रेत है ;
- (ण) "नागरिक रिजस्ट्रीकरण के उपिजला या तालुक रिजस्टर" से, यथास्थिति, प्रत्येक उपिजले या तालुक का एस। कार्यकारी मजिस्ट्रेट, चाहे किसी भी नाम से जात हो, अभिप्रेत है, जो नागरिक रिजस्ट्रीकरण के उपिजटा या तालुक रिजस्ट्रार के रूप में कार्य करेगा ;
- (त) ("अपरीय नागरिकों के उपजिला रजिस्टर" से उपजिले के किसी तालुक या वह किसी भी नाम से जान हो जान रहा क्या से निवास करने वाले भारतीय नागरिकों के ब्यौरों वाला रजिस्टर अभिप्रेत है ;
- भारतीय मागरिकों का राष्ट्रीय रिजस्टर --
 - (1) नागरिक रंजिस्ट्रीकरण का महारंजिस्ट्रार भारतीय नागरिकों का राष्ट्रीय रंजिस्टर स्थापित करेगा और उस्ने रखेगा ।
 - (2) भारतीय नागरिकों के राष्ट्रीय रजिस्टर को भारतीय नागरिकों के राज्य रजिस्टर, भारतीय नागरिकों के जिला रजिस्टर, भारतीय नागरिकों के उपजिला रजिस्टर और भारतीय नागरिकों के स्थानीय रजिस्टर वाले उपभागों में विभाजित किया जाएगा और उसमें ऐसे ब्यौरे अंतर्विष्ट होंगे जिन्हें केंद्रीय सरकार, नागरिक रजिस्ट्रीकरण के महारजिस्ट्रार के परामर्श से आदेश द्वारा विनिर्दिष्ट करे ।
 - (3) भारतीय नागरिकों के राष्ट्रीय रिजस्टर में प्रत्येक नागरिक की बाबत निम्नलिखित विशिष्टियां अंतर्विष्ट होंगी, अर्थात् :-
 - (i) नाम ;
 - (ii) पिता का नाम ;
 - (iii) माता का नाम ;

- (iv) लिंग ;
- (v) जन्म की तारीख ;
- (vi) जन्म का स्थान ;
- (vii) निवास स्थान का पता (वर्तमान और स्थायी) ;
- (viii) वैवाहिक प्रास्थिति यदि कमी दिवाहित रहा हो तो पति/पत्नी का नाम ;
- (ix) दृश्यमान पहचान चिन्ह ;
- (x) नागरिक के रजिस्ट्रीकरण की तारीख ;
- (xi) रिज़स्ट्रीकरण का क्रम संख्यांक ; और
- (xii) राष्ट्रीय पहणान संख्यांक ;
- (4) केंद्रीय सरकार इस संबंध में जारी किए गए आदेश द्वारा ऐसी तारीख विनिश्चित कर संकेगी, जिस तक ऐसे सभी व्यक्तियों के संबंध में, जो स्थानीय रिजस्ट्रार की अधिकारिता के मीतर सामान्य रूप से निवास कर रहे हैं, जानकारी एकत्रित करके जनसंख्या रिजस्टर तैयार किया जाएगा ।
- (5) भारतीय नागरिकों के स्थानीय रिजस्टर में जनसंख्या रिजस्टर से किए गए सम्यक् सत्यापन के पश्चात, व्यक्तियों के ब्यौरे अंतर्विष्ट होंगे ।
- भारतीय नागरिकों के राष्ट्रीय रिजस्टर का तैयार किया जाना -
 - (1) केंद्रीय सरकार भारतीय नागरिकों के राष्ट्रीय रिजस्टर के प्रयोजन के लिए किसी स्थानीय क्षेत्र में निवास करने वाले प्रत्येक कुटुम्ब और व्यष्टि से संबंधित विनिर्दिष्ट विशिष्टियों के संग्रहण के लिए, जिसके अंतर्गत नागरिकता संबंधी प्रास्थिति भी है, देशभर में घर-घर गणना कराएगी।
 - (2) नागरिक रिजस्ट्रीकरण का महारिजस्ट्रार गणना की अवधि और समयकाल को राजपत्र में अधिसूचित करेगा ।
 - (3) भारतीय नागरिकों के स्थानीय रिजस्टर को तैयार करने और उसमें सम्मिलित किए जाने के प्रयोजनों के िनए जनसंख्या रिजस्टर में प्रत्येक कुटुम्ब और व्यक्टि के बारे में संगृहीत विशिष्टियों को स्थानीय रिजस्ट्रार द्वारा सत्यापित और संवीक्षित किया जाएगा, जिसकी सहायता नागरिक रिजस्ट्रीकरण के महारिजस्ट्रार द्वारा विनिर्दिश्ट किए गए एक या अधिक व्यक्तियों द्वारा की जा सकेगी।
 - (4) सत्यापन प्रक्रिया के दौरान, ऐसे व्यष्टिकों की विशिष्टियां, जिनकी नागरिकता संदेहप्रद है, स्थानीय रिजस्ट्रार द्वारा और जांच के लिए जनसंख्या रिजस्ट्रार में समुचित टिप्पणी के साथ दर्ज की जाएंगी और संदेहप्रद नागरिकता की दशा में उस व्यष्टि या कुटुम्ब को सत्यापन प्रक्रिया पूरी होने के ठीक पश्चात् विनिर्दिष्ट प्रोफार्मा में सूचित किया जाएगा।
 - (5) (क) उपनियम (4) में विनिर्दिष्ट प्रत्येक व्यक्ति या कुटुम्ब को, मारतीय नागरिकों के राष्ट्रीय रिजस्टर में उनकी विशिष्टियां सम्मिलित करने या सम्मिलित न करने के बारे में अंतिम विनिश्चय लिए जाने से पूर्व नागरिकता रिजस्ट्रीकरण के उपजिला या तालुक रिजस्ट्रार द्वारा सुनवाई का अवसर दिया जाएगा । (ख) उपजिला या तालुक रिजस्ट्रार प्रविष्टि किए जाने के 90 दिन की अवधि के भीतर या ऐसे युक्तियुक्त विरतारित समय के भीतर अपने निष्कर्षों को अंतिम रूप देगा, जिसके लिए वह कारणों को लेखबद्ध करेगा ।
 - (6) (क) भारतीय नागरिकों के स्थानीय रिजस्टर का प्रारुप उपिजला या तालुक रिजस्ट्रार द्वारा किन्ही आक्षेपों को आमंत्रित करने के लिए या किसी नाम को सम्मितित करने के लिए या एकत्रित की गई और भारतीय नागरिकों के राष्ट्रीय रिजस्टर में अंतिम रूप से दर्ज किए जाने के लिए प्रस्तावित कुटुम्ब या व्यष्टि की विशिष्टियों में संशोधन करने के लिए प्रकाशित किया जाएगा ।

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- (ख) भारतीय नागरिकों के स्थानीय रिजस्टर में किसी विशिष्ट प्रविष्टि के संबंध में या किसी नाम को सिमिलित किए जाने या संशोधनों को, यदि कोई हो, करने के लिए कोई आक्षेप, भारतीय नागरिकों के स्थानीय रिजस्टर के प्रारुप के प्रकाशन की तारीख से तीस दिन की अविध के मीतर आक्षेप की प्रकृति और उसके लिए कारण बताते हुए ऐसे रूप में किया जाएगा जो नागरिक रिजस्ट्रीकरण के महारिजस्ट्रार द्वारा विनिर्दिष्ट किया जाएगा ।
- (ग) उपनियम (5) के खंड (क) में अंतर्विष्ट उपबंधों के अधीन रहते हुए उपजिला या तालुक रिजस्ट्रार ऐसे आक्षेपों पर विचार करेगा और नबे दिन की अवधि के भीतर उनका संक्षिप्त रूप से निपटान करेगा और तत्पश्चात, इस प्रकार नैग्न्य किए गए भारतीय नागरिकों के स्थानीय रिजस्टर को नागरिक रिजस्ट्रीकरण के जिला रिजस्ट्रार को प्रस्तुत करेगा, जो भारतीय नागरिकों के स्थानीय रिजस्टर में की प्रविच्छियों को भारतीय नागरिकों के स्थानीय रिजस्टर में की
- (7) (क) उपनियम (5) या उपनियम (6) के अधीन उपजिला या तालुक रजिस्ट्रार के आदेश से व्यथित कोई व्यक्ति उस आदेश की तारीख़ से तीस दिन के भीतर नागरिक रजिस्ट्रीकरण के जिला रजिस्ट्रार को अपील कर सकेगा।
 - (ख) नागरिक रजिस्ट्रीकरण का जिला रजिस्ट्रार इस प्रकार व्यथित व्यक्ति को सुनवाई का अवसर दिए जाने के पश्चात् अपील की तारीख से नब्बे दिन की अवधि के भीतर अंतिम विनिश्चय करेगा ।
 - (ग) अपील अनुज्ञात किए जाने की दशा में विशिष्टियां भारतीय नागरिकों के राष्ट्रीय रिजस्टर में दर्ज की जाएंगी ।
- 5. नागरिक रिजस्ट्रीकरण के महारिजस्ट्रार की सहायता के लिए केंद्रीय सरकार, राज्य सरकारों और स्थानीय निकायों के पदधारी केंद्रीय सरकार राज्य सरकार, स्थानीय निकायों या उनके उपक्रमों का प्रत्येक पदधारी, प्रत्येक कुटुम्ब और प्रत्येक व्यक्ति के संबंध में आधार आंकड़े तैयार करने और इन नियमों के उपबंधों के कार्यान्वयन के लिए नागरिक रिजस्ट्रीकरण के महारिजस्ट्रार या इस निमित्त उसके द्वारा प्राधिकृत किसी शक्ति की सहायदा करेगा।
- . भारतीय नागरिव के राष्ट्रीय एजिस्टर का आरंभ किया जाना (1) नागरिक रिजस्ट्रीकरण का महारिजस्ट्रीर आदेश द्वारा वह तारीख अधिसूचित करेगा जिसको भारतीय नागरिकों का राष्ट्रीय रिजस्टर देश भर में अरंभ किया जाएगा ।
 - (2) उपनियम (1) के अधीन किए गए आदेश में भारतीय नागरिकों के राष्ट्रीय रिजस्टर की स्थापना के लिए न गरिक रिजस्ट्रीकरण के महारिजस्ट्रार द्वारा विनिर्दिष्ट अवधि को आरंभ करने के लिए उपबंध किया
 - (3) प्रत्येक व्यष्टिक को उपनियम (2) के अधीन विनिर्दिष्ट की गई आरंग की अवधि के दौरान नागरिक रिकस्ट्रीकरण के स्थानीय रिजस्ट्रार के पास स्वयं को रिजस्ट्रीकृत कराना होगा ।

7. फुट्मा के मुखिया और व्यक्टिक का सुधनादाता के सप में कार्य करना -

- (1) भारत के प्रत्येक नागरिक के लिए यह अनिवार्य होगा कि वह नियम (4) के अधीन भारतीय नागरिकों के राष्ट्रीय रिजस्टर को तैयार करने के लिए उत्तरदायी पदधारियों की सहायता करे और आरंभ किए जाने की अविध के दौरान भारतीय नागरिकों के स्थानीय रिजस्टर में स्वयं को रिजस्ट्रीकृत कराएं।
- (2) प्रत्येक कुटुम्ब के मुखिया का यह उत्तरदायित्व होगा कि वह जनसंख्या रिजस्टर तैयार करने के लिए किनिर्दिग्द अवधि के दौरान उस कुटुम्ब के, जिसका वह मुखिया है, सदस्यों के नाम और संख्या के रही ब्यौरे और नियम 3 के उपनियम (3) में विनिर्दिष्ट अन्य विशिष्टियां दे ।
- (3) प्रत्येक नागरिक का यह उत्तरदायित्व होगा कि वह भारतीय नागरिकों के स्थानीय रिजस्ट्रार के पास एक बार रिजस्टरों और उस प्राधिकारी को सही व्यष्टिक विशिष्टियां उपलब्ध कराएं ।
- (4) ऐसे अव्यक्त, जिसने 18 वर्ष की आयु प्राप्त नहीं की है या जो निःशक्त है, जैसे आश्रितों की दशा में इस निवृम के अधीन विशिष्टियां रिपोर्ट करने का जतस्वायित्व कुदुन्ब के मुखिया का होगा:

परंतु जहां तक अनाथालयों, वृद्ध आश्रमों, पागलखानों जैसी संस्थाओं के निवासियों का संबंध है, उनके संबंध में अपेक्षित ब्यौरे उपलब्ध कराने का उत्तरदायित्व संस्था के प्रमुख का होगा ।

- 8. जानकारी अभिपाप्त करने की नागरिक रजिस्ट्रीकरण के जिला रजिस्ट्रार, उपजिला या तालुक रजिस्ट्रार या रथानीय रजिस्ट्रार की शक्ति नागरिक रजिस्ट्राकरण के जिला रजिस्ट्रार, उपजिला या तालुक रजिस्ट्रार या स्थानीय रजिस्ट्रार आदेश द्वारा किसी व्यक्ति से किसी व्यक्ति की नागरिकता प्रास्थिति के अवधारण के संबंध में उसकी जानकारी के भीतर कोई सूचना देने की अपेक्षा कर सकेगा, जानकारी देने के लिए अपेक्षित व्यक्ति उस अध्यपेक्षा का अनुपालन करने के लिए बाध्य होगा।
- भारतीय नागरिकों के राष्ट्रीय रिजस्टर में प्रविष्टियां करने के बारे में प्रक्रिया नागरिक रिजस्ट्रीकरण का महारिजस्ट्रार आदेश द्वारा, भारतीय नागरिकों के राष्ट्रीय रिजस्टर को तैयार करने और उस रिजस्टर में दर्ज किए जाने के लिए प्रस्तावित कुटुन्ब और व्यक्टिक विशिष्टियों के संबंध में दावों और आक्षेपों का निपटारा करने में अनुपालन की जाने वाली प्रक्रिया विनिर्दिष्ट कर सकेगा !
- 10. भारतीय नागरिकों के सृष्ट्रीय रजिस्टर से नान और विशिष्टियों का हटाया जाना -
 - (1) भारतीय नागरिकों के राष्ट्रीय रिजस्टर से किसी नागरिक के नाम और विशिष्टियों को नागरिक रिजस्ट्रीकरण के महारिजस्ट्रार या इस निमित्त उसके द्वारा प्राधिकृत किए अधिकारी द्वारा निम्नलिखित किसी के होने पर आदेश द्वारा हटाया जा सकेगा, —
 - (i) व्यक्ति की मृत्यु; या
 - (ii) व्यक्ति के अधिनियम की धारा 8 के अधीन भारतीय नागरिक न रहने पर ; या
 - l (iii) अधिनियम की धारा 9 के अधीन भारतीय नागरिकता के प्रतिसहरण पर ;
 - (iv) व्यस्टि या कुटुम्ब द्वारा दी गई विशिष्टियों का बाद में गलत पाया जाना जिससे बाद में व्यक्ति की नागरिकता प्रास्थिति प्रभावित होती हैं ।
 - (2) संबंधित भारतीय नागरिक का यह कर्तव्य होगा कि वह उपनियम (1) के खंड (ii) के अधीन अपनी भारतीय नागरिकता की समाप्ति के बारे में तीस दिन की अविध के भीतर नागरिक रिजस्ट्रीकरण के जिला रिजस्ट्रार की स्थित करें।
 - (3) उपनियम (1) के अधीन किसी आदेश की दक्षा में, संबंधित व्यक्ति को या उसकी मृत्यु की दत्ता में उसके निकटतम संबंधी को भारतीय नागरिकों के राष्ट्रीय रजिस्टर से किसी प्रविष्टि को हटाए जाने के बारे में सुचना दी जाएगी:
 - परंतु प्राधिकृत अधिकारी के आदेश से व्यथित कोई व्यक्ति, ऐसे आदेश के तीस दिन की अवधि के भीतर, उस आदेश के विरुद्ध प्राधिकारी को अपील कर सकेंगा ।
 - (4) उपनियम (3) के अधीन अपील का निपटारा, अपीलाधीं को सुने जाने का अवसर देने और अपने दावें के समर्थन में कोई दस्तावेजी या मौखिक साक्ष्य प्रस्तुत करने के पश्चात् किया जाएगा ।
- 11. मारतीय नागरिकों के राष्ट्रीय रिजरटर का रखा जाना और उसे अद्यतन करना ~ (1) नागरिक रिजरट्रीकरण का महारिजस्ट्रार, भारतीय नागरिकों का राष्ट्रीय रिजस्टर इलैक्ट्रानिक या किसी अन्य ऐसे रूप में रखवाएगा, जो जन्म और मृत्यु रिजस्ट्रीकरण अधिनियम, 1969 (1969 का 18) और अधिनियम के अधीन विनिर्दिष्ट विभिन्न रिजस्टरों से उद्धरणों के आधार पर लगातार अद्यतन होता रहेगा ।

- (2) प्रत्येक कुटुम्ब के मुखिया का यह सुनिश्चित करने का उत्तरदायित्व होगा कि कुटुम्ब में होने वाले के जन्म और मृत्यु की किसी घटना को भारतीय नागरिकों के स्थानीय रिजस्टर में सम्यक् रूप में प्रविष्ट कर दिया गया है या उससे हटा दिया गया है।
- (3) जन्म और मृत्यु का मुख्य रिजस्टर और जन्म और मृत्यु के रिजस्ट्रीकरण में लगे हुए सभी अन्य पदधारी, उज़ीनयम (1) की अपेक्षानुसार भारतीय नागरिकों के राष्ट्रीय रिजस्टर को अद्यतन करने में नागरिक रिजस्ट्रीकरण के महारिजस्ट्राए की सहायता करेंगे ।
- ार. भारतीय नागरिकों के राष्ट्रीय रिजरटर में प्रविष्टियों का उपांतरण उपजिला या तालुक रिजस्ट्रार, संबंधित व्यक्ति द्वारा आवेदन किए जाने पर और सन्यक् तत्यापन के परचात् भारतीय नागरिकों के राष्ट्रीय रिजस्टर में निम्नलिखित विशिष्टियों की बाबत किसी प्रविष्टि का उपांतरण किया जाना प्राधिकृत कर सकेगा, अर्थात :-
 - (क) नाम का परिवर्तन ; या
 - (ख) सुसंगत विधियों के अधीन दत्तकग्रहण द्वारा उसकी प्रास्थिति बदल जाने की दशा में आवेदक के माता-पिता का नाम ; या
 - (ग) निवास-स्थान का परिवर्तन ; या
 - (घ) वैवाहिक-स्थिति का परिवर्तन ; या
 - (ड) लिंग परिवर्तन ।
- 13. राष्ट्रीय पहचान-पत्रों का जारी किया जाना -

नागरिक रजिस्ट्रीकरण का महारजिस्ट्रार या उसके द्वारा इस निमित्त प्राधिकृत कोई अधिकारी, ऐसे प्रत्येक नागरिक को, जिसकी प्रविष्टियां नियम 3 के उपनियम (3) के अधीन भारतीय नागरिकों के राष्ट्रीय रिजस्टर में प्रविष्टि कर दी गई हैं, राष्ट्रीय पहचान पत्र जारी करेगा ।

- 14. राष्ट्रीय पहचान-पर्त्रों का सरकारी संपत्ति होना और उनको उधित रूप से रखने का नागरिकों का उत्तरदायित्व --
 - (1) राष्ट्रीय पहचान-पत्र केंद्रीय सरकार की संपत्ति होंगी ।
 - (2) कोई भी व्यक्ति, राष्ट्रीय पहचान-पत्र को, जानबुझकर नष्ट नहीं करेगा, उनमें परिवर्तन नहीं करेगा, उनका अंतरण नहीं करेगा या विधिपूर्ण प्रयोजनों के सिवाय उनका किसी रूप में प्रयोग नहीं करेगा।
 - (3) नियम 10 के उपनियम (1) के अधीन यथाविनिर्दिष्ट किसी घटना के घटित होने पर, राष्ट्रीय पहचान-पत्र, यथास्थिति, संबंधित व्यक्ति या उसके निकटतम संबंधी द्वारा नागरिक रिजस्ट्रीकरण के महारिजस्ट्रार या उसकी ओर से कार्य कर रहे किसी अन्य प्राधिकृत अधिकारी को सुपुर्द किया जाएगा।
 - (4) राष्ट्रिय पहचान-पत्र के खो जाने की दशा में, यथास्थिति, नागरिक या उसके निकटतम संबंधी का यह कर्तग्य होगा कि वह निकटतम पुलिस स्टेशन और संबंधित प्राधिकारी को तुरंत मामले की रिपोर्ट करें।
- 15. राष्ट्रीय रजिरद्रीकरण प्राधिकारी और अधिकारियों का पदाभिधान -
 - (1) इन नियमों के प्रारंभ की तारीख से ही, भारत का महारिजस्ट्रार, नागरिक रिजस्ट्रीकरण महारिजस्ट्रार के रूप में पदामिहित होगा जो इन नियमों के प्रयोजनों के लिए उस रूप में भी कृत्य करेगा।

(2) केंद्रीय सरकार,

- - (क) नागरिक रजिस्ट्रीकरण के एक या अधिक अगर या संयुक्त या उप महारजिस्ट्रार और उतने अन्य अधिकारियों और कर्मचारिषंद को, जितने अपेक्षित हों ; और
 - (ख्र) राज्यों और संघ राज्यक्षेत्रों में से प्रत्येक के लिए नागरिक रिजस्ट्रीकरण का एक निदेशक और एक या अधिक संयुक्त निदेशक, उपनिदेशक, सहायक निदेशक को, अपक्षित सहयोगी कर्मभारिवृद के साथ, इन नियमों के अधीन कृत्यों और उत्तरदायित्वों का निर्वहन करने में नागरिक रजिस्ट्रीकरण के महारजिस्ट्रार की सहायता करने के लिए. -

पदाभिहित कर सकेगी ।

- (3), राज्य सरकार राष्ट्रीय रजिस्ट्रीकरण का एक राज्य समन्ययक अधिसूचित करेगी, जो राज्य सरकार में सचिव या समतृत्य की पंक्ति से मीचे का नहीं होगा।
- नागरिक रजिस्ट्रीकरण के जिला, उपजिला या सालुक और स्थानीय रजिस्ट्रामें पर नागरिक रजिस्ट्रीकरण 16. के महारिलस्ट्रार का पर्ववेक्षण और नियंत्रण -
 - (1) राज्य, सरकारें प्रत्येक निम्नतम भौगोलिक अधिकारिता, अर्थात् किसी ग्राम या ग्रामीण केत्र या नगर या वार्ड या किसी नगर के वार्ड के भीतर सीमांकित क्षेत्र (नागरिक रंजिस्ट्रीकरण महा रंजिस्ट्रार द्वारा सीमांकित) या शहरी क्षेत्र क लिए नागरिक रजिल्ह्योकरण का स्थानाय रजिस्द्रार के रूप में कोई अधिकारी या व्यक्ति को पदाभिहित करेगा, जो भारतीय नागरिकों का स्थानीय रजिस्टर तैयार करने के प्रयोजन के लिए स्थानीय रजिल्ट्रार के रूप में कृत्य करेगा ।
 - (2) नागारक राजस्ट्राकरण का प्रत्येक स्थानीय रिजस्टार नागरिक रिजस्ट्रीकरण के उपजिला या तालुक रिष्ट्रिस्ट्रार क संपूर्ण अधीक्षण के अधीन कार्य करेगा ।
 - (३) नागरिक रजिस्ट्रीकरण का प्रत्येक उपजिला या तालुक रजिस्ट्रार, नागरिक रजिस्ट्रीकरण के जिला रजिस्ट्रार के संपूर्ण अधीक्षण के अधीन कार्य करेगा ।
 - (4) इन नियमों के उपबंधों को लागू करने और कार्यान्यित करने के प्रयोजनों के लिए नागरिक रजिरट्रीकरण का जिला रजिस्ट्रार, उपजिला या तालुक रजिस्ट्रार और स्थानीय रजिस्ट्रार, नागरिक रजिस्ट्रीकरण के महारजिस्ट्रार के अधीक्षण और नियंत्रण के अधीन रहेंगे ।
 - (5) नागरिक रजिल्ट्रीकरण महारजिस्ट्रार या उसके द्वारा प्राधिकृत कोई अधिकारी जांव के लिए किसी भी समय कोई भी अभिलेख मंगा सकेगा और भारतीय नागरिकों के जनसंख्या रजिस्टर या स्थानीय रिजस्टर में किसी व्यस्टि या कुंदुंब की विशिष्टियों को सम्मिलित करने या उससे अपवर्जन करने के संबंध में नागरिक रिजस्ट्रीकरण जिला रिजस्ट्रार उप जिला या तालुक रिजस्ट्रार और स्थानीय रिकरद्वार को निदेश जारी कर सकेगा।
 - कतिपय मामलों में शास्तिक परिणाम -

नियम 5, 7, 8, 10, 11 और 14 के उपबंधों में से किसी का अतिक्रमण ऐसे जुर्मीने से, जो एक हजार रुगए तक का हो राकेगा, दंडनीय होगा ।

व्यस्टिकों की विशिष्टियां के संग्रहण, सत्यापन, राष्ट्रीय पत्रचान-पन्नों के जारी किए जाने, आदि के लिए 18.

नागरिक रिजस्ट्रीकरण के महाराजस्ट्रार समय-समय घर केंद्रीय सरकार के परामर्श से, राज्य सहकारों को ऐसे दिशानिर्देश जारी कर (सकेगा जो इन नियमों के कार्यान्वयन के लिए आवश्यक समझे जाएं 1

[फा. सं. 26011/2/2003-आईसी. I]

प्रवीण श्रीवास्तव, संयुक्त सचिव

टिप्पण : मूल नियम संख्यांक का.नि.आ. 1574 तारीख 7-7-1956 द्वारा भारत के एलपत्र में प्रकाशित किए गए ये और तंत्पश्चात् निम्नलिखित ंख्यां ह द्वारा संशोधित किए गए :

- 2/13/57-आईसी तारीख 16-5-38
- 2. 10/3/58-आईसी तारीख 19-11-58
- 3. 2/11/58 आईसी तारीख 31-1-59₄
- 4. 2/1/60-आईसी तारीख 16-9-60
- 1/1/62-आईसी तारीख 29-12-62
- 6. 1/1/64 [!]आईसी तारीख 3-3-65
- 7. 24/161/(ji)/64-आईसी तारीख 5-5-65
- 8. 2/1/66-आईसी तारीख 29-5-67
- 9. 2/7/68 आईसी तारीख 12-11-68
- 10, 2/1/69-आईसी वारीख 14-5-69
- 11. 2/7/69-आईसी तारीख 19-12-69
- 12. 24/75/69-आईसी तारीख 28-8-70
- 13. 26011/1/71-आईसी तारी**ख** 9-8-71
- 14, 26011/12(i)/71-आईसी **तारीख** 15-2-72
- 15. सा.का.नि. 383(अ) तस्री**ख 5-6-**81
- 16. सा.का.नि. 25(अ) तारीख 15-1-86
- 17, मा.का.नि. 567(अ) तारीख 1-4-86
- 18. सा.का.नि. 18(अ) **तारीख 7-1-**87
- 19. सा.का.नि. 392(अ) वारीख 13-4-87
- 20. सा.का.नि. 141(अ) तारीख 19-3-98 और
- 21. सा.का.नि. 344(अ) तारीख 20-4-2000.

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MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 10th December, 2003

G.S.R. 937(E).— In exercise of the powers conferred by sub-sections (1) and (3) of section 18 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby makes the following rules, namely:-

- Short title and commencement. (1) These rules may be railed the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Definitions. In these rules, unless the context otherwise requires, -
 - (a) "Act" means the Citizenship Act, 1955 (57 of 1955);
 - (b) "Chief Registrar of Births and Deaths" means the Chief Registrar of Births and Deaths appointed under the Registration of Births and Deaths Act, 1969 (18 of 1969);
 - (c) "Citizen" means the Citizen of India in terms of the Constitution of India and provisions of the Act;
 - (d) "Director of Citizen Registration" means the Director of Census In a State or Union territory appointed by the Central Government under the Census Act, 1948 (37 of 1948), who shall also function as the Director of Citizen Registration in that State, or as the case may be, in the Union territory;
 - (e) *District Register of Indian Citizens* means the register containing details of Indian Citizens usually residing in the district;
 - (f) "District Registrar of Citizen Registration" means the District Magistrate of every revenue district, by whatever name known, who shall act as the District Registrar of Citizen Registration:

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- (g) "Local Register of Indian Citizens" means the register containing details of Indian Citizens usually residing in a village or rural area or town or ward or demarcated rarea (demarcated by the Registrar General of Citizen Registration) within a ward in a town or urban area;
- (h) "Local Registrar of Citizen Registration" means a local officer, or a revenue officer, appointed by the State Government at the lowest geographical jurisdiction, that is to say, of a village or rural area or town, or ward or demarcated area (demarcated by the Registrar General of Citizen Registration) within a ward in a town or urban area, who shall function as Local Registrar for the purpose of preparation of Local Register of Indian Citizens;
- (i) "National Identity Card" means the identity card issued under rule 13;
- (j) "National Identity Number" means a unique identity number allotted to every Indian Citizen by the Registrar General of Citizen Registration.

 India:
- (k) "National Register of Indian Citizens" means the register containing details of Indian Citizens living in India and outside India;
- (I) "Population Register" means the register containing details of persons usually residing in a village or rural area or town or ward or demarcated area (demarcated by the Registrar General of Citizen Registration) within a ward in a town or urban area;
- (m) "Registrar General of Citizen Registration" means the Registrar General, India, appointed under the Registration of Births and Deaths Act, 1969 (18 of 1969), who shall also function as the Registrar General of Citizen Registration, India;
- (n) "State Register of Indian Citizens" means the register containing details of Indian Citizens usually residing in the State;
- (o) "Sub-district or Taluk Registrar of Citizen Registration" means the Subdistrict Magistrate or Taluk Executive Magistrate of every sub-district or taluk, by whatever name known, as the case may be, who shall function as Sub-district or Taluk Registrar of Citizen Registration;

- (p) "Sub-district Register of Indian Citizens" means the register containing details of Indian Citizens usually residing in a taluk, or by whatever name known, of the sub-district.
- 3. National Register of Indian Citizens. (1) The Registrar General of Citizen Registration shall establish and maintain the National Register of Indian Citizens.
- (2) The National Register of Indian Citizens shall be divided into sub-parts consisting of the State Register of Indian Citizens, the District Register of Indian Citizens, the Sub-district Register of Indian Citizens and the Local Register of Indian Citizens and shall contain such details as the Central Government may, by order, in consultation with the Registrar General of Citizen Registration, specify.
- (3) The National Register of Indian Citizens shall contain the following particulars in respect of every Citizen, namely:
 - (i) Name;
 - (ii) Father's name;
 - (iii) Mother's name;
 - (iv) Sex;
 - (v) Date of birth;
 - (vi) Place of birth;
 - (vii) Residential address (present and permanent);
 - (viii) Marital status If ever married, name of the spouse;
 - (ix) Visible identification mark;
 - (x) Date of registration of Citizen;
 - (xi) Serial number of registration; and
 - (xii) National Identity Number.
- (4) The Central Government may, by an order issued in this regard, decide a date by which the Population Register shall be prepared by collecting information relating to all persons who are usually residing within the jurisdiction of Local Registrar.

- (5) The Local Register of Indian citizens shall contain details of persons after due verification made from the Population Register.
- 4. <u>Preparation of the National Register of Indian Citizens</u>. (1) The Central Government shall, for the purpose of National Register of Indian Citizens, cause to carry throughout the country a house-to-house enumeration for collection of specified particulars relaying to each family and individual, residing in a local area including the Citizenship status.
- (2) The Registrar General of Citizen Registration shall notify the period and duration of the enumeration in the Official Gazette.
- (3) For the purposes of preparation and inclusion in the Local Register of Indian Citizens, the particulars collected of every family and individual in the Population Register shall be verified and scrutinized by the Local Registrar, who may be assisted by one or more persons as specified by the Registrar General of Citizen Registration.
- (4) During the verification process, particulars of such individuals, whose Citizenship is doubtful, small be entered by the Local Registrar with appropriate remark in the Population Register for further enquiry and in case of doubtful Citizenship, the Individual or the family shall be informed in a specified proforma immediately after the verification process is over.
- (5) (a) Every person or family specified in sub-rule (4); shall be given an opportunity of being heard by the Sub-district or Taluk Registrar of Citizen Registration, before a final decision is taken to include or to exclude their particulars in the National Register of Indian Citizens.
- (b) The Sub-district or Taluk Registrar shall finalize his findings within a period of ninety days of the entry being made, or within such reasonable extended time for which he shall record the reasons in writing.

- (6) (a) The draft of the Local Register of Indian Citizens shall be published by the Sub-district or Taluk Registrar, for inviting any objections or for inclusion of any name or corrections for the family or individual particulars collected and proposed to be finally entered in the National Register of Indian Citizens.
- (b) Any objection against a particular entry or for inclusion of a name, or corrections if any, in the Local Register of Indian Citizens may be made within a period of thirty days from the date of publication of the draft of the Local Register of Indian Citizens, spelling out the nature and reasons for the objection in such form as may be specified by the Registrar General of Citizen Registration.
- (c) Subject to the provisions contained in clause (a) of sub-rule (5), the Sub-district or Taluk Registrar shall consider such objections and summarily dispose off the same within a period of ninety days, and thereafter submit the Local Register of Indian Citizens so prepared to the District Registrar of Citizen Registration who shall cause the entries in the Local Register of Indian Citizens, to be transferred to the National Register of Indian Citizens.
- (7) (a) Any person aggrieved by the order of the Sub-district or Taluk Registrar under sub-rule (5) or sub-rule (6), may prefer an appeal within thirty days from the date of such order, to the District Registrar of Citizen Registration.
- (b) The District Registrar of Citizen Registration shall take a final decision, after giving an opportunity of being heard to the person so aggrieved, within a period of ninety days from the date of appeal.
- (c) In case the appeal is allowed, the particulars shall be entered in the National Register of Indian Citizens.
- 5. Officials of the Central Government, State Governments and local bodies to assist the Registrar General of Citizen Registration. Every official of the Central Government, State Government, local bodies or their undertakings shall assist the Registrar General of Citizen Registration or any person authorized by him in this



behalf, in preparation of the database relating to each family and every person, and in implementing the provisions of these rules.

- 6 Initialization of National Register of Indian Citizens. (1) The Registrar General of Citizen Registration shall, by order, notify the date on which the National Register of Indian Citizens shall be initialized throughout the country.
- (2) The order made under sub-rule (1) may provide for the initialization period specified by the Registrar General of Citizen Registration for establishment of the National Register of Indian Citizens.
- (3) Every individual must get himself registered with the Local Registrar of Citizen Registration during the period of initialization as specified under sub-rule (2).
- 7. Head of family and individual to act as informant. (1) It shall be compulsory for every Citizen of India to assist the officials responsible for preparation of the National Register of Indian Citizens under rule 4 and get himself registered in the Local Register of Indian Citizens during the period of initialization.
- (2) It shall be the responsibility of the head of every family, during the period specified for preparation of the Population Register, to give the correct details of name and number of members and other particulars, as specified in sub-rule (3) of rule 3, of the family of which he is the head.
- (3) It shall be the responsibility of every Citizen to register once with the Local Registrar of Citizen Registration and to provide correct individual particulars to that authority.
- (4) In the case of dependents, such as minor who has not attained the age of eighteen years, or who is disabled, the responsibility of reporting the particulars under this rule shall be of the head of the family:

Provided that in so far as inmates of institutions, such as orphanages, old age homes, mental asylums are concerned, the responsibility for providing the requisite details shall lie with the head of the institution.

- 8. Power of District Registrar, Sub-district or Taluk Registrar or Local Registrar of Citizen Registration to obtain information. The District Registrar, Sub-district or Taluk Registrar or the Local Registrar of Citizen Registration may, by order, require any person to furnish any information within his knowledge in connection with the determination of Citizenship status of any person and the person required to furnish information shall be bound to comply with such requisition.
- 9. <u>Procedure as to making of entries in National Register of Indian Citizens</u>. The Registrar General of Citizen Registration may, by order, specify the procedure to be followed in preparation of the National Register of Indian Citizens and disposal of claims and objections with regard to family and individual particulars proposed to be entered in that Register.
- 19. Deletion of name and particulars from National Register of Indian Citizens. (1) The name and particulars of a Citizen may be removed from the National Register of Indian Citizens by an order of the Registrar General of Citizen Registration or any officer authorized by him in this behalf in the event of
 - (i) death of the person; or
 - (ii) the person ceasing to be an Indian Citizen under section 8 of the Act;
 - (iii) revocation of Indian Clüzenship under section 9 of the Act; or
 - (iv) the particulars provided by the individual or the family found to be incorrect subsequently, thereby affecting the Citizenship status of the person.
- (2) It shall be the duty of the Indian Citizen concerned to inform the District Registrar of Citizen Registration, within a period of thirty days, about the cessation of his Indian Citizenship under clause (ii) of sub-rule (1);
- (3) In the event of an order under sub-rule (1), the person concerned, or in the event of his death his nearest relative, shall be duly informed about the deletion of any entry from the National Register of Indian Citizens.

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Provided that any person aggrieved by the order of an authorized officer may profer an appeal against such order to the Authority within a period of thirty days of such order.

- (4) The appeal under sub-rule (3) shall be disposed off, after giving to the appellant an opportunity of being heard, and produce any documentary or oral evidence in support of his claim.
- 11. Maintenance and updating of National Register of Indian Citizens. The Registrar General of Citizen Registration shall cause to maintain the National Register of Indian Citizens in electronic or some other form which shall entail its continuous updating on the basis of extracts from various Registers specified under the Registration of Births and Deaths Act, 1969 (18 of 1969) and the Act.
- (2) It shall be the responsibility of the head of each and every family to ensure that any event of birth or death occurring in the family has been duly entered in, or deleted from, the Local Register of Indian Citizens.
- (3) The Chief Registrar of Eirths and Deaths and all other officials engaged in the registration of births and deaths shall assist the Registrar General of Citizen Registration in updating the National Register of Indian Citizens as required under sub-rule (1).
- 12. Modification of entries in National Register of Indian Citizens. The Sub-district or Taluk Registrar may, on an application made by the concerned person and after due verification, authorize the modification of any entry in respect of the following particulars in National Register of Indian Citizens, namely:-
 - (a) change of name; or
 - (b) the name of the applicant's parent in case his status has been altered by adoption under the relevant laws; or
 - (c) change of residential address; or
 - (d) change of marital status; or
 - (e) change of sex.

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- 13. <u>Issue of National Identity Cards</u>. The Registrar General of Citizen Registration, or any officer authorized by him in this behalf, shall issue the National Identity Card to every Citizen whose particulars are entered in the National Register of Indian Citizens under sub-rule (3) of rule 3.
- 14. National Identity Cards to be Government property and responsibility of Citizens to keep them property. (1) The National Identity Card shall be the property of the Central Government.
- (2) No person shall willfully destroy, after, transfer or use in any form the National Identity Card, except for the lawful purposes.
- (3) On the happening of any of the events specified under sub-rule (1) of rule 10, the National Identity Card shall be surrendered, by the Citizen concerned or his nearest relative, as the case may be, to the Registrar General of Citizen Registration or any other authorized officer acting on his behalf.
- (4) In the event of a loss of the National Identity Card, it shall be the duty of the Citizen or his nearest relative, as the case may be, to report the matter immediately to the nearest police station and the concerned Authority.
- 15. Designation of National Registration Authority and officers. (1)On and from the date of commencement of these rules, the Registrar General, India shall be designated as the Registrar General of Chizen Registration, findia who shall also function as such for the purposes of these rules.
 - (2) The Central Government may designate -
 - (a) one or more officers as Additional or Joint or Deputy Registrar General of Citizen Registration and such other officers and staff as may be required; and
 - (b) an officer as a Director, and one or more officers as Joint Director,

 Deputy Director, Assistant Director of Citizen Registration for each

 of the States and the Union territories along with requisite support



staff, to assist the Registrar General of Citizen Registration in discharging the functions and responsibilities under these rules,

- (3) The State Government shall notify a State Co-ordinator of National Registration not below the rank of a Secretary in the State Government or equivalent.
- District, Sub-district or Taluk and Local Registrars of Citizen Registration. (1) The State Governments shall designate an officer or a person as Local Registrar of Citizen Registration for each lowest geographical jurisdiction, that is to say, of a village or rural area or town, or ward or demarcated area (demarcated by the Registrar General of Citizen Registration) within a ward in a town or urban area who shall function as Local Registrar for the purpose of preparation of Local Register of Indian Citizens.
- (2) Every Local Registrar of Oltizen Registration shall function under the overall supervision of the Sub-district or Taluk Registrar of Citizen Registration.
- (3) Every Sub-district or Taluk Registrar of Citizen Registration shall function under the overall supervision of the District Registrar of Citizen Registration.
- (4) For the purposes of implementing and carrying out the provisions of these rules, the District Registrar, the Sub-district or Taluk Registrar and the Local Registrar of Citizen Registration shall be under the supervision and control of the Registrar General of Citizen Registration.
- (5) The Registrar General of Citizen Registration or any officer authorized by him at any time may call for any records for examination, and issue directions regarding inclusion or exclusion of any individual or family particulars from the Population Register or Local Register of Indian Citizens, to the District Registrar, the Sub-district or Taluk Registrar and the Local Registrar of Citizen Registration.

- 17. Penal consequences in certain cases. Any violation of provisions of rules 5, 7, 8, 10, 11 and 14 shall be punishable with fine which may extend to one thousand rupees.
- 18. <u>Guidelines for collection of particulars of individuals, verification, issue of National Identity Cards, etc.</u> The Registrar General of Citizen Registration may, in consultation with the Central Government, issue from time to time such guidelines to the State Governments as are considered necessary for implementation of these rules.

 [F. No. 26011/2/2003-IC.1]

PRAVIN SRIVASTAVA, Jr. Secy.

Note: The Principal rules were published in the Gazette of India vide number SRO 1574, dated 7-7-1956 and subsequently amended vide number:

ş,	2/13/57-IC	dated 16-5-58
2.	10/3/ 5 8-IC	dated 19-11-58
3.	2/11/58-IC	dated 31-1-59
4	2/1/60-IC	dated 16-9-60
5 .	1/1/62-IC	dated 20-12-62
6.	1/1/64-IC	dsted 3-3- ನನ
7	24/161(HV64-IC	dated 5-3-65
8.	2/1/66-1C	dated 29-5-67
ij	2/1/68-IC	dated 12-11-58
[0]	2/1/69-1C	dated 14-5-69
11	2/7/69-1C	dated 19-12-69
}	24/75/69-IC	dated 28-8-70
13	26011/1/11-IC	dated 9-8-71
14	26011/12/(i)/11-IC	dated 15-2-72
15	G\$R 383(E)	dated 3-6-8
16	GSR 25(E)	dated 15-1-86
17	GSR 567(E)	dated 1-4-36
18.	GSR IS(E)	dated 7-1-87
[1]	GSR 392(E)	dated 13-4-87, and
20	GSR 141(E)	dated 19-3-98.
21	, G.S.R. 344(E)	dated 20-4-2000.

ANNEXURE P/4

THE CITIZENSHIP ACT, 1955 ACT No. 57 OF 1955¹

[30th December, 1955.]

An Act to provide for the acquisition and determination of Indian citizenship.

BE it enacted by Parliament in the Sixth Year of the Republic of India as follows:—

- 1. Short title.—This Act may be called the Citizenship Act; 1955.
- 2. Interpretation.—(1) In this Act, unless the context otherwise requires,—
 - (a) "a Government in India" means the Central Government or a State Government.
 - ²[(b) "illegal migrant" means a foreigner who has entered into India—
 - (i) without a valid passport or other travel documents and such other document or authority as may be prescribed by or under any law in that behalf; or
 - (ii) with a valid passport or other travel documents and such other document or authority as may be prescribed by or under any law in that behalf but remains therein beyond the permitted period of time;]
- (d) "Indian consulate" means the office of any consular officer of the Government of India where a register of births is kept, or where there is no such office, such office as may be prescribed;
 - (e) "minor" means a person who has not attained the age of eighteen years;
- ³[(ee) "Overseas Citizen of India Cardholder" means a person registered as an Overseas Citizen of India Cardholder by the Central Government under section 7A;]
- (f) "person" does not include any company or association or body of individuals, whether incorporated or not;
 - (g) "prescribed" means prescribed by rules made under this Act;
 - (h) "undivided India" means India as defined in the Government of India Act, 1935, as
- originally enacted.

 (2) For the purposes of this Act, a person born aboard a registered ship or aircraft, or aboard an unregistered ship or aircraft of the government of any country, shall be deemed to have been born in the place in which the ship or aircraft was registered or, as the case may be, in that country.
- (3) Any reference in this Act to the status or description of the father of a person at the time of that person's birth shall, in relation to a person born after the death of his father, be construed as a reference to the status or description of the father at the time of the father's death; and where that death occurred before, and the birth occurs after, the commencement of this Act, the status or description which would have been applicable to the father had he died after the commencement of this Act shall be deemed to be the status or description applicable to him at the time of his death.
- (4) For the purposes of this Act, a person shall be deemed to be of full age if he is not a minor and of full capacity if he is not of unsound mind.

^{1.} This Act has been extended to the Union territory of Dadra and Nagar haveli, vide Notification No. S.O. 846, dated 17-3-1962, Gazette of India, Extraordinary, Part II, sec. 3(ii). page 517. The Union territory of Goa, Daman and Diu vide Notification No. S.O. 847, dated 17-3-1962, see *ibid.*, and to Pondicherry with modification vide Notification No. G.S.R. 1557, dated 24-11-1962, Gazette of India, Part II, section 3(i).

^{2.} Subs. by Act 6 of 2004, s. 2, for clauses (b) and (c) (w.e.f. 3-12-2004):

^{3.} Subs. by Act 1 of 2015, s. 2, for clause (ee) (w.e.f. 6-1-2015).

^{4.} Omitted by Act 32 of 2005, s. 2 (w.e.f. 28-6-2005).

ACQUISITION OF CITIZENSHIP

- ¹[3. Citizenship by birth.—(1) Except as provided in sub-section (2), every person born in India—
 - (a) on or after the 26th day of January, 1950, but before the 1st day of July, 1987;
 - (b) on or after the 1st day of July, 1987, but before the commencement of the Citizenship (Amendment) Act, 2003 (6 of 2004) and either of whose parents is a citizen of India at the time of his birth;
 - (c) on or after the commencement of the Citizenship (Amendment) Act, 2003 (6 of 2004), where—
 - (i) both of his parents are citizens of India; or
 - (ii) one of whose parents is a citizen of India and the other is not an illegal migrant at the time of his birth,

shall be a citizen of India by birth.

- (2) A person shall not be a citizen of India by virtue of this section if at the time of his birth-
- (a) either his father or mother possesses such immunity from suits and legal process as is accorded to an envoy of a foreign sovereign power accredited to the President of India and he or she, as the case may be, is not a citizen of India; or
- (b) his father or mother is an enemy alien and the birth occurs in a place then under occupation by the enemy.]
- 4. Citizenship by descent.—²[(1) A person born outside India shall be a citizen of India by descent.—
 - (a) on or after the 26th day of January, 1950, but before the 10th day of December, 1992, if his father is a citizen of India at the time of his birth; or
 - (b) on or after the 10th day of December, 1992, if either of his parents is a citizen of India at the time of his birth:

Provided that if the father of a person referred to in clause (a) was a citizen of India by descent only, that person shall not be a citizen of India by virtue of this section unless—

- (a) his birth is registered at an Indian consulate within one year of its occurrence or the commencement of this Act, whichever is later, or, with the permission of the Central Government, after the expiry of the said period; or
 - (b) his father is, at the time of his birth, in service under a Government in India:

Provided further that if either of the parents of a person referred to in clause (b) was a citizen of India by descent only, that person shall not be a citizen of India by virtue of this section, unless—

- (a) his birth is registered at an Indian consulate within one year of its occurrence or on or after the 10th day of December, 1992, whichever is later, or, with the permission of the Central Government, after the expiry of the said period; or
 - (b) either of his parents is, at the time of his birth, in service under a Government in India:

Provided also that on or after the commencement of the Citizenship (Amendment) Act, 2003(6 of 2004), a person shall not be a citizen of India by virtue of this section, unless his birth is registered at an Indian consulate in such form and in such manner, as may be prescribed,—

(i) within one year of its occurrence or the commencement of the Citizenship (Amendment) Act, 2003(6 of 2004), whichever is later; or

^{1.} Subs. by Act 6 of 2004, s. 3, for section 3 (w.e.f. 3-12-2004).

^{2.} Subs. by s. 4, *ibid.*, for sub-section (1) (w.e.f. 3-12-2004).



(ii) with the permission of the Central Government, after the expiry of the said period:

Provided also that no such birth shall be registered unless the parents of such person declare, in such form and in such manner as may be prescribed, that the minor does not hold the passport of another country.

- (1A) A minor who is a citizen of India by virtue of this section and is also a citizen of any other country shall cease to be a citizen of India if he does not renounce the citizenship or nationality of another country within six months of attaining full age.]
- (2) If the Central Government so directs, a birth shall be deemed for the purposes of this section to have been registered with its permission, notwithstanding that its permission was not obtained before the registration.
- (3) For the purposes of the proviso to sub-section (7), [any person] born outside undivided India who was, or was deemed to be, a citizen of India at the commencement of the Constitution shall be deemed to be a citizen of India by descent only.
- 5. Citizenship by registration.—²[(I) Subject to the provisions of this section and such other conditions and restrictions as may be prescribed, the Central Government may, on an application made in this behalf, register as a citizen of India any person not being an illegal migrant who is not already such citizen by virtue of the Constitution or of any other provision of this Act if he belongs to any of the following categories, namely:—
 - (a) a person of Indian origin who is ordinarily resident in India for seven years before making an application for registration;
 - (b) a person of Indian origin who is ordinarily resident in any country or place outside undivided India;
 - (c) a person who is married to a citizen of India and is ordinarily resident in India for seven years before making an application for registration;
 - (d) minor children of persons who are citizens of India;
 - (e) a person of full age and capacity whose parents are registered as citizens of India under clause (a) of this sub-section or sub-section (I) of section 6;
 - (f) a person of full age and capacity who, or either of his parents, was earlier citizen of independent India, and ³[is ordinarily resident in India for twelve months] immediately before making an application for registration;
 - (g) a person of full age and capacity who has been registered as an ⁴[Overseas Citizen of India Cardholder] for five years, and who ⁵[is ordinarily resident in India for twelve months] before making an application for registration.

Explanation 1.—For the purposes of clauses (a) and (c), an applicant shall be deemed to be ordinarily resident in India if—

- (i) he has resided in India throughout the period of twelve months immediately before making an application for registration; and
- (ii) he has resided in India during the eight years immediately preceding the said period of twelve months for a period of not less than six years.

Explanation 2.—For the purposes of this sub-section, a person shall be deemed to be of Indian origin if he, or either of his parents, was born in undivided India or in such other territory which became part of India after the 15th day of August, 1947.]

^{1.} Subs. by Act 39 of 1992, s. 2, for "any male person".

^{2.} Subs. by Act 6 of 2004, s. 5, for sub-section (I) (w.e.f. 3-12-2004).

^{3.} Subs. by Act 1 of 2015, s. 3, for "has been residing in India for one year" (w.e.f. 6-1-2015).

^{4.} Subs. by s. 3, *ibid.*, for "Overseas Citizen of India" (w.e.f. 6-1-2015).

^{5.} Subs. by s.3, *ibid.*, for "has been residing in India for one year" (w.e.f. 6-1-2015).

- ¹[(1A) The Central Government, if it is satisfied that special circumstances exist, may after recording the circumstances in writing, relax the period of twelve months, specified in clauses (f) and (g) and clause (i) of Explanation 1 of sub-section (1), up to a maximum of thirty days which may be in different breaks.]
- (2) No person being of full age shall be registered as a citizen of India under sub-section (1) until he has taken the oath of allegiance in the form specified in the Second Schedule.
- (3) No person who has renounced, or has been deprived of, his Indian citizenship or whose Indian citizenship has terminated, under this Act shall be registered as a citizen of India under sub-section (1) except by order of the Central Government.
- (4) The Central Government may, if satisfied that there are special circumstances justifying such registration, cause any minor to be registered as a citizen of India.
- (5) A person registered under this section shall be a citizen of India by registration as from the date on which he is so registered; and a person registered under the provisions of clause (b)(ii) of article 6 or article 8 of the Constitution shall be deemed to be a citizen of India by registration as from the commencement of the Constitution or the date on which he was so registered, whichever may be
- ²[(6) If the Central Government is satisfied that circumstances exist which render it necessary to grant exemption from the residential requirement under clause (c) of sub-section (I) to any person or a class of persons, it may, for reasons to be recorded in writing, grant such exemption.].
- 6. Citizenship by naturalisation.—(I) Where an application is made in the prescribed manner by any person of full age and capacity 3 [not being an illegal migrant] for the grant of a certificate of naturalisation to him, the Central Government may, if satisfied that the applicant is qualified for naturalisation under the provisions of the Third Schedule, grant to him a certificate of naturalisation:

Provided that, if in the opinion of the Central Government, the applicant is a person who has rendered distinguished service to the cause of science, philosophy, art, literature, world peace or human progress generally, it may waive all or any of the conditions specified in the Third Schedule.

- (2) The person to whom a certificate of naturalisation is granted under sub-section (1) shall, on taking the oath of allegiance in the form specified in the Second Schedule, be a citizen of India by naturalisation as from the date on which that certificate is granted.
- ⁴[6A. Special provisions as to citizenship of persons covered by the Assam Accord.—(1) For the purposes of this section-
 - (a) "Assam" means the territories included in the State of Assam immediately before the commencement of the Citizenship (Amendment) Act. 1985 (65 of 1985);
 - (b) "detected to be a foreigner" means detected to be a foreigner in accordance with the provisions of the Foreigners Act, 1946 (31 of 1946) and the Foreigners (Tribunals) Order, 1964 by a Tribunal constituted under the said Order;
 - (c) "specified territory" means the territories included in Bangladesh immediately before the commencement of the Citizenship (Amendment) Act, 1985 (65 of 1985);
 - (d) a person shall be deemed to be Indian origin, if he, or either of his parents or any of his grandparents was born in undivided India;
 - (e) a person shall be deemed to have been detected to be a foreigner on the date on which a Tribunal constituted under the Foreigners (Tribunals) Order, 1964 submits its opinion to the effect that he is a foreigner to the officer or authority concerned.

^{1.} lns. by Act 1 of 2015, s. 3 (w.e.f. 6-1-2015).

^{2.} Ins. by Act 6 of 2004, s. 5 (w.e.f. 3-12-2004).

^{3.} Subs. by s. 6, ibid., for "who is not a citizen of a country specified in the First Schedule" (w.e.f. 3-12-

^{4.} Ins. by Act 65 of 1985, s. 2 (w.e.f. 7-12-1985).

- (2) Subject to the provisions of sub-sections (6) and (7), all persons of Indian origin who came before the 1st day of January, 1966 to Assam from the specified territory (including such of those whose names were included in the electoral rolls used for the purposes of the General Election to the House of the People held in 1967) and who have been ordinarily resident in Assam since the dates of their entry into Assam shall be deemed to be citizens of India as from the 1st day of January, 1966.
 - (3) Subject to the provisions of sub-sections (6) and (7), every person of Indian origin who—
 - (a) came to Assam on or after the 1st day of January, 1966 but before the 25th day of March, 1971 from the specified territory; and
 - (b) has, since the date of his entry into Assam, been ordinarily resident in Assam; and
 - (c) has been detected to be a foreigner;

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shall register himself in accordance with the rules made by the Central Government in this behalf under section 18 with such authority (hereafter in this sub-section referred to as the registering authority) as may be specified in such rules and if his name is included in any electoral roll for any Assembly or Parliamentary constituency in force on the date of such detection, his name shall be deleted therefrom.

Explanation.—In the case of every person seeking registration under this sub-section, the opinion of the Tribunal constituted under the Foreigners (Tribunals) Order, 1964 holding such person to be a foreigner, shall be deemed to be sufficient proof of the requirement under clause (c) of this subsection and if any question arises as to whether such person complies with any other requirement under this sub-section, the registering authority shall,—

- (i) if such opinion contains a finding with respect to such other requirement, decide the question in conformity with such finding;
- (ii) if such opinion does not contain a finding with respect to such other requirement, refer the question to a Tribunal constituted under the said Order hang jurisdiction in accordance with such rules as the Central Government may make in this behalf under section 18 and decide the question in conformity with the opinion received on such reference.
- (4) A person registered under sub-section (3) shall have, as from the date on which he has been detected to be a foreigner and till the expiry of a period of ten years from that date, the same rights and obligations as a citizen of India (including the right to obtain a passport under the Passports Act, 1967 (15 of 1967) and the obligations connected therewith), but shall not entitled to have his name included in any electoral roll for any Assembly or Parliamentary constituency at any time before the expiry of the said period of ten years.
- (5) A person registered under sub-section (3) shall be deemed to be a citizen of India for all purposes as from the date of expiry of a period of ten years from the date on which he has been detected to be a foreigner.
 - (6) Without prejudice to the provisions of section 8—
 - (a) if any person referred to in sub-section (2) submits in the prescribed manner and form and to the prescribed authority within sixty days from the date of commencement of the Citizenship (Amendment) Act, 1985 (65 of 1985), a declaration that he does not wish to be a citizen of India, such person shall not be deemed to have become a citizen of India under that sub-section;
 - (b) if any person referred to in sub-section (3) submits in the prescribed manner and form and to the prescribed authority within sixty days from the date of commencement of the Citizenship (Amendment) Act, 1985(65 of 1985), or from the date on which he has been detected to be a foreigner, whichever is later, a declaration that he does not wish to be governed by the provisions of that sub-section and sub-sections (4) and (5), it shall not be necessary for such person to register himself under sub-section (3).

Explanation.—Where a person required to file a declaration under this sub-section does not have the capacity to enter into a contract, such declaration may be filed on his behalf by any person competent under the law for the time being in force to act on his behalf.

- (7) Nothing in sub-sections (2) to (6) shall apply in relation to any person—
- (a) who, immediately before the commencement of the Citizenship (Amendment) Act, 1985 (65 of 1985), is a citizen of India;
- (b) who was expelled from India before the commencement of the Citizenship (Amendment) Act, 1985, under the Foreigners Act, 1946 (31 of 1946).
- (8) Save as otherwise expressly provided in this section, the provisions of this section shall have effect notwithstanding anything contained in any other law for the time being in force.]
- 7. Citizenship by incorporation of territory.—If any territory becomes a part of India, the Central Government may, by order notified in the Official Gazette, specify the persons who shall be citizens of India by reason of their connection with that territory; and those persons shall be citizens of India as from the date to be specified in the order.

¹[OVERSEAS CITIZENSHIP

- ²[7A. Registration of Overseas Citizen of India Cardholder.—(I) The Central Government may, subject to such conditions, restrictions and manner as may be prescribed, on an application made in this behalf, register as an Overseas Citizen of India Cardholder—
 - (a) any person of full age and capacity,-
 - (i) who is a citizen of another country, but was a citizen of India at the time of, or at any time after the commencement of the Constitution; or
 - (ii) who is a citizen of another country, but was eligible to become a citizen of India at the time of the commencement of the Constitution; or
 - (iii) who is a citizen of another country, but belonged to a territory that became part of India after the 15th day of August, 1947; or
 - (iv) who is a child or a grandchild or a great grandchild of such a citizen; or
 - (b) a person, who is a minor child of a person mentioned in clause (a); or
 - (c) a person, who is a minor child, and whose both parents are citizens of India or one of the parents is a citizen of India; or
 - (d) spouse of foreign origin of a citizen of India or spouse of foreign origin of an Overseas Citizen of India Cardholder registered under section 7A and whose marriage has been registered and subsisted for a continuous period of not less than two years immediately preceding the presentation of the application under this section:

Provided that for the eligibility for registration as an Overseas Citizen of India Cardholder, such spouse shall be subjected to prior security clearance by a competent authority in India:

Provided further that no person, who or either of whose parents or grandparents or great grandparents is or had been a citizen of Pakistan, Bangladesh or such other country as the Central Government may, by notification in the Official Gazette, specify, shall be eligible for registration as an Overseas Citizen of India Cardholder under this sub-section.

(2) The Central Government may, by notification in the Official Gazette, specify the date from which the existing persons of Indian Origin Cardholders shall be deemed to be Overseas Citizens of India Cardholders.

^{1.} Ins. by Act 6 of 2004, s. 7 (w.e.f. 3-12-2004).

^{2.} Subs. by Act 1 of 2015, s. 4, for sections 7A, 7B, 7C and 7D (w.e.f. 6-1-2015).

Explanation.—For the purposes of this sub-section, "Persons of Indian Origin Cardholders" means the persons registered as such under notification number 26011/4/98 F.I., dated the 19th August, 2002, issued by the Central Government in this regard.

- (3) Notwithstanding anything contained in sub-section (1), the Central Government may, if it is satisfied that special circumstances exist, after recording the circumstances in writing, register a person as an Overseas Citizen of India Cardholder.
- 7B. Conferment of rights on Overseas Citizen of India Cardholder.—(1) Notwithstanding anything contained in any other law for the time being in force, an Overseas Citizen of India Cardholder shall be entitled to such rights, other than the rights specified under sub-section (2), as the Central Government may, by notification in the Official Gazette, specify in this behalf.
- (2) An Overseas Citizen of India Cardholder shall not be entitled to the rights conferred on a citizen of India—
 - (a) under article 16 of the Constitution with regard to equality of opportunity in matters of public employment;
 - (b) under article 58 of the Constitution for election as President;
 - (c) under article 66 of the Constitution for election as Vice-President;
 - (d) under article 124 of the Constitution for appointment as a Judge of the Supreme Court;
 - (e) under article 217 of the Constitution for appointment as a Judge of the High Court;
 - (f) under section 16 of the Representation of the People Act, 1950 (43 of 1950) in regard to registration as a votert
 - (g) under sections 3 and 4 of the Representation of the People Act, 1951 (43 of 1951) with regard to the eligibility for being a member of the House of the People or of the Council of States, as the case may be;
 - (h) under sections 5, 5A and section 6 of the Representation of the People Act, 1951 (43 of 1951) with regard to the eligibility for being a member of the Legislative Assembly or the Legislative Council, as the case may be, of a State;
 - (i) for appointment to public services and posts in connection with affairs of the Union or of any State except for appointment in such services and posts as the Central Government may, by special order in that behalf, specify.
 - (3) Every notification issued under sub-section (1) shall be laid before each House of Parliament.
- 7C. Renunciation of Overseas Citizen of India Card.—(1) If any Overseas Citizen of India Cardholder of full age and capacity makes in prescribed manner a declaration renouncing the Card registering him as an Overseas Citizen of India Cardholder, the declaration shall be registered by the Central Government, and upon such registration, that person shall cease to be an Overseas Citizen of India Cardholder.
- (2) Where a person ceases to be an Overseas Citizen of India Cardholder under sub-section (1), the spouse of foreign origin of that person, who has obtained Overseas Citizen of India Card under clause (d) of sub-section (1) of section 7A, and every minor child of that person registered as an Overseas Citizen of India Cardholder shall thereupon cease to be an Overseas Citizen of India Cardholder.
- 7D. Cancellation of registration as Overseas Citizen of India Cardholder.—The Central Government may, by order, cancel the registration granted under sub-section (1) of section 7A, if it is satisfied that—
 - (a) the registration as an Overseas Citizen of India Cardholder was obtained by means of fraud, false representation or the concealment of any material fact; or

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- (b) the Overseas Citizen of India Cardholder has shown disaffection towards the Constitution, as by law established; or
- (c) the Overseas Citizen of India Cardholder has, during any war in which India may be engaged, unlawfully traded or communicated with an enemy or been engaged in, or associated with, any business or commercial activity that was to his knowledge carried on in such manner as to assist an enemy in that war; of
- (d) the Overseas Citizen of India Cardholder has, within five years after registration under sub-section (1) of section 7A, been sentenced to imprisonment for a term of not less than two years; or
- (e) it is necessary so to do in the interests of the sovereignty and integrity of India, the security of India, friendly relations of India with any foreign country, or in the interests of the general public; or
- (f) the marriage of an Overseas Citizen of India Cardholder, who has obtained such Card under clause (d) of sub-section (I) of section 7A,—
 - (i) has been dissolved by a competent court of law or otherwise; or
 - (ii) has not been dissolved but, during the subsistence of such marriage, he has solemnised marriage with any other person.]]

TERMINATION OF CITIZENSHIP

8. Renunciation of citizenship.—(1) If any citizen of India of full age and capacity, ¹***, makes in the prescribed manner a declaration renouncing his Indian Citizenship, the declaration shall be registered by the prescribed authority; and, upon such registration, that person shall cease to be a citizen of India:

Provided that if any such declaration is made during any war in which India may be engaged, registration thereof shall be withheld until the Central Government otherwise directs.

(2) Where ²[a person] ceases to be a citizen of India under sub-section (1), every minor child of that person shall thereupon cease to be a citizen of India:

Provided that any such child may, within one year after attaining full age, make a declaration ³[in the prescribed form and manner] that he wishes to resume Indian citizenship and shall thereupon again become a citizen of India.

9. Termination of citizenship.—(1) Any citizen of India who by naturalisation, registration otherwise voluntarily acquires, or has at any time between the 26th January, 1950 and the commencement of this Act, voluntarily acquired, the citizenship of another country shall, upon such acquisition or, as the case may be, such commencement, cease to be a citizen of India:

Provided that nothing in this sub-section shall apply to a citizen of India who, during any war in which India may be engaged, voluntarily acquires the citizenship of another country, until the Central Government otherwise directs.

(2) If any question arises as to whether, when or how any ⁵[citizen of India] has acquired the citizenship of another country, it shall be determined by such authority, in such manner, and having regard to such rules of evidence, as may be prescribed in this behalf.

^{1.} The words "who is also a citizen or national of another country" omitted by Act 6 of 2004, s. 8 (w.e.f. 3-12-2004).

^{2.} Subs. by Act 39 of 1992, s. 3, for "a male person" (w.e.f. 10-12-1987).

^{3.} Ins. by Act 6 of 2004, s. 8 (w.e.f. 3-12-2014). 4. Omitted by s. 8, *ibid.* (w.e.f. 3-12-2004).

^{5.} Subs. by s. 9, *ibid.*, for "person" (w.e.f. 3-12-2004).

- 10. Deprivation of citizenship.—(1) A citizen of India who is such by naturalisation or by virtue only of clause (c) of article 5 of the Constitution or by registration otherwise than under clause (b)(ii) of article 6 of the Constitution or clause (a) of sub-section (1) of section 5 of this Act, shall cease to be a citizen of India, if he is deprived of that citizenship by an order of the Central Government under this section.
- (2) Subject to the provisions of this section, the Central Government may, by order, deprive any such citizen of Indian citizenship, if it is satisfied that—
 - (a) the registration or certificate of naturalisation was obtained by means of fraud, false representation or the concealment of any material fact; or
 - (b) that citizen has shown himself by act or speech to be disloyal or disaffected towards the Constitution of India as by law established; or
 - (c) that citizen has, during any war in which India may be engaged, unlawfully traded or communicated with an enemy or been engaged in, or associated with, any business that was to his knowledge carried on in such manner as to assist an enemy in that war; or
 - (d) that citizen has, within five years after registration or naturalisation, been sentenced in any country to imprisonment for a term of not less than two years; or
 - (e) that citizen has been ordinarily resident out of India for a continuous period of seven years, and during that period, has neither been at any time a student of any educational institution in a country outside India or in the service of a Government in India or of an international organisation of which India is a member, not registered annually in the prescribed manner at an Indian consulate his intention to retain his citizenship of India.
- (3) The Central Government shall not deprive a person of citizenship under this section unless it is satisfied that it is not conducive to the public good that person should continue to be a citizen of India.
- (4) Before making an order under this section, the Central Government shall give the person against whom the order is proposed to be made notice in writing informing him of the ground on which it is proposed to be made and, if the order is proposed to be made on any of the grounds specified in sub-section (2) other than clause (e) thereof, of his right, upon making application therefore in the prescribed manner, to have his case referred to a committee of inquiry under this section.
- (5) If the order is proposed to be made against a person on any of the grounds specified in subsection (2) other than clause (e) thereof and that person so applies in the prescribed manner, the Central Government shall, and in any other case it may, refer the case to a Committee of Inquiry consisting of a chairman (being a person who has for at least ten years held a judicial office) and two other members appointed by the Central Government in this behalf.
- (6) The Committee of Inquiry shall, on such reference, hold the inquiry in such manner as may be prescribed and submit its report to the Central Government; and the Central Government shall ordinarily be guided by such report in making an order under this section.

SUPPLEMENTAL

- 11. [Commonwealth citizenship.] Omitted by Act The Citizenship (Amendment) Act, (6 of 2004), s. 10 (w.e.f. 3-12-2004).
- 12. [Power to confer rights of Indian citizen or citizens of certain country.] Omitted by s. 10, ibid. (w.e.f. 3-12-2004).
- 13. Certificate of Citizenship in case of doubt.—The Central Government may, in such cases as it thinks fit, certify that a person with respect to whose citizenship of India a doubt exists, is a citizen of India; and a certificate issued under this section shall, unless it is proved that it was obtained by means of fraud, false representation or concealment of any material fact, be conclusive evidence that person was such a citizen on the date thereof, but without prejudice to any evidence that he was such a citizen at an earlier date.

- 14. Disposal of application under sections 5, 6 and 7A.—(1) The prescribed authority or the Central Government may, in its discretion, grant or refuse an application under ¹[sections 5, 6 and 7A] and shall not be required to assign any reasons for such grant or refusal.
- (2) Subject to the provisions of section 15 the decision of the prescribed authority or the Central Government on any such application as aforesaid shall be final and shall not be called in question in any court.
- ²[14A. Issue of national identity cards.—(1) The Central Government may compulsorily register every citizen of India and issue national identity card to him.
- (2) The Central Government may maintain a National Register of Indian Citizens and for that purpose establish a National Registration Authority.
- (3) On and from the date of commencement of the Citizenship (Amendment) Act, 2003 (6 of 2004), the Registrar General, India, appointed under sub-section (1) of section 3 of the Registration of Births and Deaths Act, 1969 (18 of 1969) shall act as the National Registration Authority and he shall function as the Registrar General of Citizen Registration.
- (4) The Central Government may appoint such other officers and staff as may be required to assist the Registrar General of Citizen Registration in discharging his functions and responsibilities.
- (5) The procedure to be followed in compulsory registration of the citizens of India shall be such as may be prescribed.]
- 15. Revision.—(1) Any person aggrieved by an order made under this Act by the prescribed authority or any officer or other authority (other than the Central Government) may, within a period of thirty days from the date of the order, make an application to the Central Government for a revision of that order:

Provided that the Central Government may entertain the application after the expiry of the said period of thirty days, if it is satisfied that the applicant was prevented by sufficient cause from making the application in time.

- (2) On receipt of any such application under sub-section (1), the Central Government shall, after considering the application of the aggrieved person and any report thereon which the officer or authority making the order may submit, make such order in relation to the application as it deems fit, and the decision of the Central Government shall be final.
- ³[15A. Review.—(1) Any person aggrieved by an order made by the Central Government, may, within thirty days from the date of such order, make an application for review of such order:

Provided that the Central Government may entertain an application after the expiry of the said period of thirty days, if it is satisfied that the applicant was prevented by sufficient cause from making the application in time:

Provided further that an application for a review of an order passed in terms of the provisions of section 14A shall be disposed of in the manner provided for in the procedure as may be laid down under clause (ia) of sub-section (2) of section 18.

- (2) On receipt of an application under sub-section (1), the Central Government shall, make such order as it deems fit, and the decision of the Central Government on such review shall be final.]
- 16. Delegation of powers.—The Central Government may, by order, direct that any power which is conferred on it by any of the provisions of this Act other than those of section 10 and section 18 shall, in such circumstances and under such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be so specified.

^{1.} Subs. by Act 6 of 2004, s. 11, for "sections 5 and 6" (w.e.f. 3-12-2004).

^{2.} Ins. by s. 12, ibid. (w.e.f. 3-12-2004).

^{3.} Ins. by s. 13, *ibid*. (w.e.f. 3-12-2004).

- 17. Offences.—Any person who, for the purpose of procuring anything to be done or not to be done under this Act, knowingly makes any representation which is false in a material particular shall be punishable with imprisonment for a term which may extend to '[five years], or '[with fine which may extend to fifty thousand rupees], or with both.
- 18. Power to make rules.—(I) The Central Government may, by notification in the Official Gazette make rules to carry out the purposes of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—
 - (a) the registration of anything required or authorised under this Act to be registered, and the conditions and restrictions in regard to such registration;
 - $^{3}[(aa)$ the form and manner in which a declaration under sub-section (I) of section 4 shall be made;];
 - (b) the forms to be used and the registers to be maintained under this Act;
 - (c) the administration and taking of oaths of allegiance under this Act and the time within which and the manner in which, such oaths shall be taken and recorded;
 - (d) the giving of any notice required or authorised to be given by any person under this Act;
 - (e) the cancellation of the registration of, and the cancellation and amendment of certificates of naturalisation relating to, persons deprived of citizenship under this Act, and the delivering up of such certificates for those purposes;
 - ⁴[(ee) the manner and form in which and the authority to whom declarations referred to in clauses (a) and (b) of sub-section (6) of section 6A shall be submitted and other matters connected with such declarations;]
 - ⁵[(eea) the conditions and the manner subject to which a person may be registered as an Overseas Citizen of India Cardholder under sub-section (1) of section 7A;
 - (eeb) the manner of making declaration for renunciation of Overseas Citizen of India Card under sub-section (1) of section 7C;]
 - (f) the registration at Indian consulates of the births and deaths of persons of any class or description born or dying outside India;
 - (g) the levy and collection of fees in respect of applications, registrations, declarations and certificates under this Act, in respect of the taking of an oath of allegiance, and in respect of the supply of certified or other copies of documents:
 - (h) the authority to determine the question of acquisition of citizenship of another country, the procedure to be followed by such authority and rules of evidence relating to such cases;
 - (i) the procedure to be followed by the committees of inquiry appointed under section 10 and the conferment on such committees of any of the powers, rights and privileges of civil courts;
 - 3 [(ia) the procedure to be followed in compulsory registration of the citizens of India under sub-section (5) of section 14A;]
 - (j) the manner in which applications for revision may be made and the procedure to be followed by the Central Government in dealing with such applications; and
 - (k) any other matter which is to be, or may be, prescribed under the Act.

^{1.} Subs. by Act 6 of 2004, s. 14, for "six months" (w.e.f. 3-12-2004)

^{2.} Subs. by s. 14, *ibid.*, for "with fine" (w.e.f. 3-12-2004)...

^{3.} Ins. by s. 15, *ibid*. (w.e.f. 3-12-2004).

^{4.} Ins. by Act 65 of 1985, s. 3 (w.e.f. 7-12-1985).

^{5.} Ins. by Act 1 of 2015, s. 5 (w.e.f. 6-1-2015).

(d) that during the '[fourteen years] immediately preceding the said period of twelve months, he has either resided in India or been in the service of a Government in India, or partly the one and partly the other, for periods amounting in the aggregate to not less than '[eleven years];

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(3) In making any rule under this section, the Central Government may provide that a breach thereof shall be punishable with fine which may extend to one thousand rupees.

¹[Provided that any rule made in respect of a matter specified in clause (ia) of sub-section (2) may provide that a breach thereof shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both.]

²[(4) Every rule made under this section shall be laid, as soon as may be after it is made before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of session, immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.]

19. [Repeals.] [Rep. by the Repealing and Amending Act, 1960 (58 of 1960), s. 2 and the First Schedule.]

[THE FIRST SCHEDULE.] [Omitted by Act the Citizenship (Amendment) Act, 2003 (6 of 2004), s. 16 (w.e.f. 3-12-2004).]

³[THE SECOND SCHEDULE

[See sections 5(2) and 6(2)]

OATH OF ALLEGIANCE

I, A. B. _____ do solemnly affirm (or swear) that I will bear true faith and allegiance to the Constitution of India as by law established, and that I will faithfully observe the laws of India and fulfill my duties as a citizen of India.]

THE THIRD SCHEDULE

[See section 6(I)]

QUALIFICATIONS FOR NATURALISATION

The qualifications for naturalisation of a person 4*** are—

- (a) that he is not a subject or citizen of any country where citizens of India are prevented by law or practice of that country from becoming subjects or citizens of that country by naturalisation;
 - (b) that, if he is a citizen of any country, 5***;
- (c) that he has either resided in India or been in the service of a Government in India or partly the one and partly the other, throughout the period of twelve months immediately preceding the date of the application;

⁶[Provided that if the Central Government is satisfied that special circumstances exist, it may, after recording the circumstances in writing, relax the period of twelve months up to a maximum of thirty days which may be in different breaks.]

^{1.} The proviso ins. by Act 6 of 2004, s. 15 (w.e.f. 3-12-2004).

^{2.} Subs. by Act 4 of 1986, s. 2 and the Schedule for sub-section (4) (w.e.f. 15-5-1986).

^{3.} Subs. by Act 6 of 2004, s. 17, for the Second Schedule (w.e.f. 3-12-2004).

^{4.} Subs. by s. 18, *ibid.*, for "who is not a citizen of a country specified in the First Schedule" (w.e.f. 3-12-2004).

^{5.} Subs. by s. 18, *ibid.*, for "he has renounced the citizenship of that country in accordance with the law therein in force in that behalf and has notified such renunciation to the Central Government" (w.e.f. 3-12-2004).

^{6.} The proviso ins. by Act 1 of 2015, s. 6 (w.e.f. 6-1-2015).

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- (d) that during the ¹[fourteen years] immediately preceding the said period of twelve months, he has either resided in India or been in the service of a Government in India, or partly the one and partly the other, for periods amounting in the aggregate to not less than ²[eleven years];
 - (e) that he is of good character;
- (f) that he has an adequate knowledge of a language specified in the Eighth Schedule to the Constitution; and
- (g) that in the event of a certificate of naturalisation being granted to him, he intends to reside in India, or to enter into, or continue in, service under a Government in India or under an international organisation of which India is a member or under a society, company or body of persons established in India:

Provided that the Central Government may, if in the special circumstances of any particular case it thinks fit,—

- (i) allow a continuous period of twelve months ending not more than six months before the date of the application to be reckoned, for the purposes of clause (c) above, as if it had immediately preceded that date;
- (ii) allow periods of residence or service earlier than 3 [fifteen years] before the date of the application to be reckoned in computing the aggregate mentioned in clause (d) above.

[THE FOURTH SCHEDULE.] Omitted by the Citizenship (Amendment) Act, 2005 (32 of 2005), s. 5 (w.e.f. 28-6-2005).

^{1.} Subs. by Act 6 of 2004, s. 18, for "twelve years" (w.e.f. 3-12-2004).

^{2.} Subs. by s. 18, ibid., for "nine years" (w.e.f. 3-12-2004).

^{3.} Subs. by s. 18, ibid., for "thirteen years" (w.e.f. 3-12-2004).

र्राजस्टी संब डी॰ एलंब-33004/99

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असाधारण

EXTRAORDINARY

भाग ।।—खण्ड ३—डप-खण्ड (i)

PART II—Section 3—Sub-section (i) प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, मंगलबार, सितम्बर 8, 2015/भाद्र 17, 1937

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गृह मंत्रालय

अधिसूचना

नई दिल्ली, 7 सितम्बर, 2015

सा.का.नि.885(अ). —केन्द्रीय सरकार, पासपोर्ट (भारत में प्रवेश) अधितियम, 1920 (1920 का 34) की धारा 3 द्वारा प्रवत शक्तियों का प्रयोग करते हुए, पासपोर्ट (भारत में प्रवेश) नियम, 1950 का और मंशोधन करने के लिए निम्नलिखित नियम बनाती है, अयोत न

- 1. (1) इन नियमों का संक्षिप्त नाम पासपोर्ट (भारत में प्रवेश) संशोधन नियम, 2015 है।
 - (2) ये राजपत्र में प्रकाशन की सारीख को प्रवृत्त होंगे।
- 2. पासपोर्ट (भारत में प्रवेश) नियम, 1950 के नियम 4 के उप नियम(1) के खंड (ज) के पश्चात् निम्नलिखित खंड अंत:स्यापित

"(जक्क) बंगलादेश और पाकिस्तान में अल्पसंख्यक समुदायों के व्यक्तियों अर्थात् हिंदू, सिक्ख, बौद्ध, जैन, पारसी और ईसाई जो 31 दिसंबर, 2014 को या उससे पूर्व भारत में धार्मिक उत्पीड़न या धार्मिक उत्पीड़न के भय के कारण भारत में आश्रय लेने के लिए. बाह्य थे-

- (()) बिना किसी विधिमान्य दस्तावेजों के जिसके अंतर्गत पासपोर्ट या कोई अन्य यात्रा दस्तावेज भी हैं ; या
- (ii) विधिमान्य दस्तावेजों के साथ जिसके अंतर्गत पासपोर्ट या कोई अन्य यात्रा दस्तावेज भी है और ऐसे दस्तावेजों की विधिमान्यता समाप्त हो गई है:

घरतु इस खड का उपवध राजपत्र में इस अधिमूचना के प्रकाशन की तारीं व ने प्रकाशी होगा।"

[फा.सं. 25022/50/2015-एक.।]

जी के दिवेदी, संयुक्त सचिव

टिप्पणः मूल नियम संख्यांक 4/5/49-एफ आई, तारीख 25 अप्रैल, 1950 को प्रकाशित किए गए ये और अंतिम संशोधन गा. क. लि संख्याक 132(अ), तारीख 26 फरवरी, 1992 द्वारा किया गया ।

3822 GI/2015

MINISTRY OF HOME AFFAIRS NOTIFICATION

New Delhi, the 7th September, 2015

G.S.R. 685(E).—In exercise of the powers conferred by section 3 of the Passport (Entry into India) Act, 1920 (34 of 1920), the Central Government hereby makes the following rules further to amend the Passport (Entry into India) Rules, 1950, namely:-

(1) These rules may be called the Passport (Entry into India) Amendment Rules, 2015.

(2) They shall come into force on the date of their publication in the Official Gazette.

In the Passport (Entry into India) Rules, 1950, in rule 4, in sub-rule (1), after clause (h), the following clause shall be inserted, namely:-

"(ha) persons belonging to minority communities in Bangladesh and Pakistan, namely, Hindus, Sikhs. Buddhists, Jains, Parsis and Christians who were compelled to seek shelter in India due to religious persecution or fear of religious persecution and entered into India on or before the 31st December. 2014-

- without valid documents including passport or other travel documents; or
- with valid documents including passport or other travel document and the validity of any of such documents has expired:

Provided that provision of this clause shall take effect from the date of publication of this notification in the Official Gazette.'

[F. No. 25022/50/2015-F.1]

G. K. DWIVEDI, Jt. Secy.

Note: The principal rules were published vide number 4/5/49-F.I; dated the 25th April, 1950 and last amended vide number GSR 132(E), dated the 26th February, 1992.

आदेश

नई दिल्ली, 7 सितम्बर, 2015

सा.का.नि.686(अ).—केन्द्रीय सरकार, विदेशियों विषयक अधिनियम, 1946 (1946 का 31) की धारा 3 द्वारा प्रकत शक्तियों का प्रयोग करते हुए, विदेशियो विषयक आदेश, 1948 का और संशोधन करने के लिए निम्नलिखित आदेश करती है, अर्थात् :-

- (1) इम आदेश का संक्षिप्त नाम विदेशियों विषयक (संशोधन) आदेश, 2015 है।
 - (2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।
- 2. विदेशियों विषयक आदेश, 1948 के पैरा 3 के पश्चात्. निम्नशिवित पैरा अंतःस्थापित किया जाएगा. अर्थात् :-
 - "(3क) विदेशियों के करिषय वर्ग को छूट- (1) वंगलादेश और पाकिस्तान में अल्पसंख्यक समुदायों के व्यक्तियों अर्थात् हिंदू, सिक्का,बौद्ध, जैन, पारसी और ईसाई जो 31 दिसंबर, 2014 को या उनसे पूर्व भारत में धार्मिक उत्पीडन या धार्मिक उत्पीडन के सब के कारण भारत में आश्रय लेने के लिए बाध्य थे-
 - (क) विना किसी विधिमान्य दस्तावेजों के जिसके अंतर्गत पासपोर्ट या गोर्ड अन्य सात्रा दस्तावेज भी हैं और जो गासपोर्ट (भारत में प्रवेश) सक्षितियम, 1920 (1920 का 34) की धारा 3 के अधीन बनाए गए पासपीर्ट (भारत में प्रवेश) नियम, 1950 के नियम 3 के उपबंधों से नियम 4 के अधीन खुट प्राप्त है, या
 - (ख) विधिमान्य इस्तावेजों के। साथ जिसके अंतर्गत पामपोर्ट या कोई अन्य यात्रा रस्तावेज भी है और ऐसे रस्तावेजों की विधिमान्यता समाप्त हो गई है,

विदेशियों विषयक अधिनियम, 1946 और, यथास्थिति, ऐसे दरतादेशों के विना या उन दस्तावेजों की समाप्ति के पश्चात्. भारत में उनके रहते के लंबंध में उनके अधीन किए गए आदेशों के उपयंशों के जानू होने से राजपत्र में इस आदेश के प्रकाशन की ठारीख में छूट प्रदान की जाती है।"

[फा.मं. 25022/50/2015-एक. I]

जी के दिवेदी संयक्त सचिव

टिप्पण मूल आदेश भारत के राजपत्र, में मं. 9/9/46 राजनीतिक, (इंडब्ल्यू) तारीख़ 14 फरवरी 1948 में प्रकाशित किया गया था और अंतिम संशोधन सा. का. नि. सं. 56(अ), तारीख 24 जनवरी, 2008 द्वारा किया गया ।

ORDER

I New Delhi, the 7th September, 2015

GSR.686(E).—In exercise of the powers conferred by section 3 of the Foreigners Act, 1946 (31 of 1946), the Central Government hereby makes the following order further to amend the Foreigners Order, 1948, namely:—

- 1. (1) This Order may be called the Foreigners (Amendment) Order, 2015.
 - (2) It shall come into force on the date of its publication in the Official Gazette.
- 2. In the Foreigners Order, 1948, after paragraph 3, the following paragraph shall be inserted, namely:—
 - "3A: Exemption of certain class of foreigners.- (1) Persons belonging to minority communities in Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians who were compelled to seek shelter in India due to religious persecution or fear of religious persecution and entered into India on or before the 31st December, 2014-
 - (a) without valid documents including passport or other travel documents and who have been exempted under rule 4 from the provisions of rule 3 of the Passport (Entry into India) Rules, 1950, made under section 3 of the Passport (Entry into India) Act, 1920 (34 of 1920); or
 - (b) with valid documents including passport or other travel document and the validity of any of such documents has expired,

are hereby granted exemption from the application of provisions of the Foreigners Act, 1946 and the orders made thereunder in respect of their stay in India without such documents or after the expiry of those documents, as the case may be, from the date of publication of this order in the Official Gazette."

[F. No. 25022/50/2015- F.I]

G. K. DWIVEDI, Jt. Secy.

Note: The principal Order was published in the Gazette of India vide No.9/9/46-Political (EW), dated the 14th February, 1948 and last amended vide number GSR 56(E), dated the 34th January, 2008.

EGD. NO. D. L. 33004/99 109



अमाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i) PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

ਜਂ. 495] No. 495] नई दिल्ली, सोमवार, जुलाई 18, 2016/आषाढ़ 27, 1938

NEW DELHI, MONDAY, JULY 18, 2016/ASADHA 27, 1938

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 18 जुलाई, 2016

सा.का.नि. 702(अ).—केन्द्रीय सरकार, पासपोर्ट (भारत में प्रवेश) अधिनिध्यम, 1920 (1920 का 34) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पासपोर्ट (भारत में प्रवेश) नियम, 1950 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:—

- 1. (1) इन तियमों का संक्षिप्त नाम पासपोर्ट (भारत में प्रदेश) संशोधन नियम, 2016 है
 - (2) ये राजपत्र में इनके प्रकाशन की तारीख से प्रवृत्त होंगे।
- 2. पासपोर्ट (भारत में प्रवेश) तियम, 1950 के नियम 4 के उपनियम (1) के खंड (जक) में "बंगलादेश" शब्द के स्थान र, "अफगानिस्तान, बंगलादेश" शब्द रखे जाएंगे।

[फा. सं. 25022/50/2015-एफ.1]

जी. के. द्विवेदी, संयुक्त सचिव

टिप्पण: मूल नियम संख्यांक 4/5/49-एफ.1, तारीख 25 अप्रैल, 1950 को प्रकाशित किए गए थे और अंतिम प्रकाशन सा.का.नि. 685(अ), तारीख 7 सितंबर, 2015 द्वारा किया गया।

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 18th July. 2016

G.S.R. 702(E).—In exercise of the powers conferred by section 3 of the Passport (Entry into India) Act, 1920 (34 of 1920), the Central Government hereby makes the following rules further to amend the Passport (Entry into India) Rules, 1950, namely:—

(1)

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- 1. (1) These rules may be called the Passport (Entry into India) Amendment Rules, 2016.
 - (2) They shall come into force on the date of their publication in the Official Gazette.
- 2. In the Passport (Entry into India) Rules, 1950, in clause (ha) of sub-rule (1) of rule 4, for the word "Bangladesh", the words "Afghanistan, Bangladesh" shall be substituted.

[F. No. 25022/50/2015-F.I]

G. K. DWIVEDI, Jt. Secy.

Note: The principal rules were published vide number 4/5/49-F.I, dated the 25th April, 1950 and last amended vide notification number G.S.R. 685(E), dated the 7th September, 2015.

आदेश

नई दिल्ली, 18 जुलाई, 2016

सा.का.नि. 703(अ).—केन्द्रीय सरकार, विदेशियों विषयक अधिनियम, 1946 (1946 का 31) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, विदेशियों विषयक आदेश, 1948 का और संशोधन करने के लिए निम्नलिखित आदेश करती है, अर्थात्:—

- ्र 1. (1) इन नियमों का संक्षिप्त नाम विदेशियों विषयक (संशोधन) आदेश, 2016 है।
 - (2) ये राजपत्र में इनके प्रकाशन की तारीख से प्रवृत्त होंगे।
- 2. विदेशियों विषयक आदेश, 1948 के पैरा 3क में "बंगलादेश" शब्द के स्थान पर, "अफगानिस्तान, बंगलादेश" शब्द रखे जाएंगे।

[फा. सं. 25022/50/2015-एफ.1]

जी. के. द्विवेदी, संयुक्त सचिव

टिप्पण: मूल आदेश भारत के राजपत्र संख्यांक 9/9/46- राजनीतिक (ईडब्ल्यू), तारीख 14 फरवरी, 1948 को प्रकाशित किया गया था और अंतिम संशोधन सा.का.नि. 325(अ), तारीख 18 मार्च, 2016 द्वारा किया गया।

ORDER

New Delhi, the 18th July, 2016

- G.S.R. 703(E).—In exercise of the powers conferred by section 3 of the Foreigners Act, 1946 (31 of 1946), the Central Government hereby makes the following order further to amend the Foreigners Order, 948, namely:—
 - 1. (1) This Order may be called the Foreigners (Amendment) Order, 2016.
 - (2) It shall come into force on the date of its publication in the Official Gazette.
- 2. In the Foreigners Order, 1948, in paragraph 3A, for the word "Bangladesh", the words "Afghanistan, Bangladesh" shall be substituted.

[F. No. 25022/50/2015-F. I]

G. K. DWIVEDI, Jt. Secy.

Note: The principal Order was published in the Gazette of India vide No. 9/9/46-Political (EW), dated the 14th February, 1948 and last amended vide number G.S.R. 325(E), dated the 18th March, 2016.

ANNEXURE P/7

रजिस्ट्री सं० डी० एल०-33004/99

REGD. NO. D. L.-33004/99



असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i) PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

ਜਂ. 880] No. 880] }

नई दिल्ली, शुक्रवार, दिसम्बर 23, 2016/पौष 2, 1938

NEW DELHI, FRIDAY DECEMBER 23, 2016/ PAUSA 2, 1938

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 23 दिसम्बर, 2016

सा.का.नि.1168(अ).—नागरिकता अधिनियम 1955 (1955 का 57) की धारा 18 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार नागरिकता नियम, 2009 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:-

- 1. (1) इन नियमों का संक्षिप्त नाम नागरिकता (संशोधन) नियम, 2016 है।
 - (2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे।
- 2. नागरिकता नियम, 2009 (जिसे इसमें इसके पश्चात् उक्त नियम कहा गया है) में नियम 11 के उप नियम (3) में, निम्नलिखित परन्तुक अंत:स्थापित किया जाएगा, अर्थात्:-

"परन्तु यह और कि अफगानिस्तान, बांग्लादेश और पाकिस्तान के अल्पसंख्यक समुदायों (अर्थात् हिन्दु, सिक्ख, वौद्ध, जैन, पारसी और ईसाई) से संबंधित किसी व्यक्ति द्वारा प्रस्तुत आवेदन की बावत कलेक्टर की अनुपस्थिति में, कलक्टर द्वारा लिखित में प्राधिकृत कोई अधिकारी जो उप-खंड मजिस्ट्रेट की पंक्ति से कम का न हो आवेदक को राज्य निष्ठा की शपथ दिलाएगा।"

- 3. उक्त नियम के नियम 38 के उप-नियम (1) में, परन्तुक के पश्वात् निम्नलिखित परन्तुक अंत:स्थापित किया जाएगा, अर्थात्:"परन्तु यह और कि अफगानिस्तान, बांग्लादेश और पाकिस्तान के अल्पसंख्यक समुदायों (अर्थात् हिन्दू, सिक्ख, बौद्ध, जैन, पारसी
 और ईसाई) से संबंधित किसी व्यक्ति द्वारा प्रस्तुत आवेदन की बावत कलेक्टर, उप-आयुक्त अथवा जिला मजिस्ट्रेट की अनुपस्थिति में,
 आवेदन अथवा घोषणा, यथास्थिति, कलेक्टर, उपायुक्त अथवा जिला मजिस्ट्रेट द्वारा लिखित में प्राधिकृत कोई अधिकारी जो उप-खंड
 मजिस्ट्रेट की पंक्ति से कम का न हो, की उपस्थिति में हस्ताक्षरित की जाए या शपथ दिलाई जाए।"
- 4. उक्त नियमों की अनुसूची 1 में,-
- (क) प्रारुप 2 में,-

(1)

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- (i) "(*नागरिकता नियम....... जिला मजिस्ट्रेट)" शब्दों के स्थान पर "** नागरिकता नियम, 2009 के नियम 38 के अधीन प्राधिकृत अधिकारी के हस्ताक्षर और पदाभिदान" शब्द रखें;
 - (ii) "आवेदक द्वारा आवेदन के साथ संलग्न किए जाने वाले दस्तावेज" शीर्षक और उससे संबंधित प्रविष्टियों का लोप करें;
 - (ख) प्रारुप 3 में, -
- (i) "(*नागरिकता नियम...... जिला मजिस्ट्रेट)" शब्दों के स्थान पर "**नागरिकता नियम, 2009 के नियम 38 के अधीन प्राधिकृत अधिकारी के हस्ताक्षर और पदाभिदान" शब्द रखें;
 - (ii) "आवेदक द्वारा आवेदन के साथ संलग्न किए जाने वाले दस्तावेज" शीर्षक और उससे संबंधित प्रविष्टियों का लोप करें;
 - (ग) प्रारुप 4 में, -
- (i) "(* नागरिकता नियम...... जिला मजिस्ट्रेट)" शब्दों के स्थान पर "** नागरिकता नियम, 2009 के नियम 38 के अधीन प्राधिकृत अधिकारी के हस्ताक्षर और पदाभिदान" शब्द रखें;
 - (ii) "आवेदक द्वारा आवेदन के साथ संलग्न किए जाने वाले दस्तावेज" शीर्षक और उससे संबंधित प्रविष्टियों का लोप करें;
 - (ब) प्रारुप 5 में,
- (i) "(* नागरिकर्ता नियम...... जिला मजिस्ट्रेट)" शब्दों के स्थान पर "** नागरिकता नियम, 2009 के नियम 38 के अधीन प्राधिकृत अधिकारी के हस्ताक्षर और पदाभिदान" शब्द रखें;
 - (ii) "आवेदन द्वारा आवेदन के साथ संलग्न किए जाने वाले दस्तावेज" शीर्षक और उससे संबंधित प्रविष्टियों का लोप करें;
 - (इ.) प्रारुप 6 में, '
- (i) "(* नागरिकता नियम........ जिला मजिस्ट्रेट)" शब्दों के स्थान पर "**नागरिकता नियम, 2009 के नियम 38 के अधीन प्राधिकृत अधिकारी के हंस्ताक्षर और पदाभिदान" शब्द रखें;
 - (ii) "आवेदक द्वारा आवेदन के साथ संलग्न किए जाने वाले दस्तावेज" शीर्षक और उससे संबंधित प्रविष्टियों का लोप करें;
 - (च) प्रारुप 7 में, -
- (i) "(* नागरिकता नियम........ जिला मजिस्ट्रेट)" शब्दों के स्थान पर "**नागरिकता नियम, 2009 के नियम 38 के अधीन प्राधिकृत अधिकारी के हस्ताक्षर और पदाभिदान" शब्द रखे;
 - (ii) "आवेदक द्वारा आवेदन के साथ संलग्न किए जाने वाले दस्तावेज" और उससे संबंधित प्रविष्टियों का लोप करें;
 - (छ) प्रारुप 8 में, "आवेदक द्वारा आवेदन के साथ संलग्न किए जाने वाले दस्तावेज" प्रविष्टियों के अधीन, पैरा 3 का लोप करें।
- 5. उक्त नियमों की अनुसूची 4 में, क्र. सं. 1 और क्र.सं. के और उससे संबंधित प्रविष्टियों 2स्थान पर निम्नलिखित क्रम संख्याएं और प्रविष्टियाँ रखी जाएगी, अर्थात् :-

क्र.सं.	वह विषय जिसमें फीस ली जानी है	फीस की रकम	
м. п.	30,343,133,133	भारत में (रु.)	अन्यत्र (रु.)
1.	अधिनियम की धारा 5 के अधीन भारत के नागरिक के रूप में राजिस्ट्रीकरण —		
	(1) धारा 5(1) (क) और धारा 5(1) (ख) के अधीन –		
	(क) अफगानिस्तान, बांग्लादेश और पाकिस्तान में अल्पसंख्यक		
	समुदाय (अर्थात् हिन्दू, सिक्ख, वौद्ध, जैन, पारसी तथा ईसाई) से		
i	संबंध रखने वाले व्यक्तियों की वावत –		
,	(i) आवेदन के साथ	100	
	(ii) रजिस्ट्रीकरण प्रमाणपत्र प्रदान करना	100	
	(ख) उपरोक्त (क) के अधीन न आने वाले सभी अन्य व्यक्ति -		
	(i) आवेदन के साथ	500	
	(ii) रजिस्ट्रीकरण प्रमाणपत्र प्रदान करना	5,000	ı
•	(2) धारा 5(1) (ग) के अधीन –		
	(क) अफगानिस्तान, बांग्लादेश और पाकिस्तान में अल्पसंख्यक		
	समुदाय (अर्थात् हिन्दु, सिक्ख, बौद्ध, जैन, पारसी तथा ईसाई) से		

	संबंध रखने वाले व्यक्तियों की बाबत -		
	(i) आवेदन के साथ	100	
	(ii) रजिस्ट्रीकरण प्रमाणपत्र प्रदान करना	100	
	(ख) उपरोक्त (क) के अधीन न आने वाले मधी अन्य व्यक्ति –	E00	
	(i) आवेदन के साथ	500	500
	(ii) रजिस्ट्रीकरण प्रमाणपत्र प्रदान करना	10,000	15,000
	, (3) धारा 5(1) (घ) और धारा 5(4) के अधीन –		
	(क) अफगानिस्तान, बांग्लादेश और पाकिस्तान में अल्पसंख्यक		,
	समुदाय (अर्थात् हिन्दु, सिक्ख, बौद्ध, जैन, पारसी तथा ईसाई) से		
	संबंध रखने वाले व्यक्तियों की दशा में-		
	(i) आवेदन के साथ	100	a de la companya de l
	(ii) रजिस्ट्रीकरण प्रमाणपत्र प्रदान करना	100	
l	(ख) उपरोक्त (क) के अधीन न आने वाले सभी अन्य व्यक्ति -		
*	(i) आवेदन के साथ	250	500
	(ii) रजिस्ट्रीकरण प्रमाणपत्र प्रदान करना	3,000	4,000
·	(4) धारा 5(1) (ड.) और धारा 5(1) (च) के अधीन -		
•	(क) अफगानिस्तान, बांग्लादेश और पाकिस्तान में अल्पसंख्यक		
	समुदाय (अर्थात् हिन्दु, सिक्ख, बौद्ध, जैन, पारसी तथा ईसाई) से		
	संबंध रखने वाले व्यक्तियों की वाबत -	400	,
	(i) आवेदन के साथ	100	
	(ii) रजिस्ट्रीकरण प्रमाणपत्र प्रदान करना	100	
i	(ख) उपरोक्त (क) के अधीन न आने वाले सभी अन्य त्र्यक्ति –		
	(i) आवेदन के साथ	500	
	(ii) रजिस्ट्रीकरण प्रमाणपत्र प्रदान करना	5,000	
	(5) धारा 5(1) (छ) के अधीन -	,	
	(i) आवेदन के साथ	500	
	(i) रजिस्ट्रीकरण प्रमाणपत्र प्रदान करना	500	
	(॥) राजस्ट्राकर्य प्रमाणनम् प्रयागानस्य	5,000	
	विकास के समित के साम में		
2.	अधिनियम की धारा 6(1) के अधीन भारत के नागरिक के रूप में देशीयकरण –		
	(क) अफगानिस्तान, बांग्लादेश और पाकिस्तान में अल्पसंख्यक		
	समुदाय (अर्थात् हिन्दु, सिक्ख, बौद्ध, जैन, पारसी तथा ईसाई) मे		
	संबंध रखने वाले व्यक्तियों की बाबत –		
	(i) आवेदन के साथ	100	
	(i) आवदन क साथ (ii) रजिस्ट्रीकरण प्रमाणपत्र प्रदान करता	100	
	(॥) राजस्ट्राकरण प्रमाणपत्र प्रदान करना (ख) उपरोक्त (क) के अधीन न आने वाले सभी अन्य व्यक्ति –	100	
	(ख) उपराक्त (क) के अवान में जान पाल तमा जान रहा जा (i) आवेदन के साथ	1,500	
		13,500	
	(ii) रजिस्ट्रीकरण प्रमाणपत्र प्रदान करना		<u> </u> 66/2014-आई स

मुकेश मित्तल, संयुक्त सचिव

MINISTRY OF HOME AFFAIRS NOTIFICATION

New Delhi, the 23rd December, 2016

G.S.R.1168(E).— In exercise of the powers conferred by section 18 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby makes the following rules further to amend the Citizenship Rules, 2009, namely:—

- 1. (1) These rules may be called the Citizenship (Amendment) Rules, 2016.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- 2. In the Citizenship Rules, 2009 (hereinafter referred to as the said Rules), in rule 11, in sub-rule (3), the following proviso shall be inserted, namely:—

"Provided that in respect of an application submitted by any person belonging to minority community in Afghanistan, Bangladesh and Pakistan (namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians), in the absence of the Collector, an officer not below the rank of the Sub-Divisional Magistrate authorised in writing by the Collector, may administer to the applicant the oath of allegiance.".

3. In rules 38 of the said Rules, in sub-rule (1), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that in respect of an application submitted by any person belonging to minority community in Afghanistan, Bangladesh and Pakistan (namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians), in the absence of the Collector, Deputy Commissioner or the District Magistrate, the application or declaration may be signed in the presence of, or the oath administered by, an officer not below the rank of the Sub-Divisional Magistrate authorised in writing by the Collector, or Deputy Commissioner or the District Magistrate, as the case may be."

- 4. In Schedule I to the said Rules,—
 - (a) in Form II,—
 - (i) in the sentence under asterisk (*) marks, the words and brackets "before whom the registration, declaration or oath of allegiance is made or taken (i.e. the Collector, Deputy Commissioner, District Magistrate)" shall be omitted;
 - (ii) under the entries relating to Documents to be attached with the application by the applicant, paragraph 4 shall be omitted;
 - (b) in Form III,—
 - (i) in the sentence under asterisk (*) marks, the words and brackets "before whom the registration, declaration or oath of allegiance is made or taken (i.e. the Collector, Deputy Commissioner, District Magistrate)" shall be omitted;
 - (ii) under the entries relating to Documents to be attached with the application by the applicant, paragraph 5 shall be omitted;
 - (c) in Form IV,—
 - (i) in the sentence under asterisk (*) marks, the words and brackets "before whom the registration, declaration or oath of allegiance is made or taken (i.e. the Collector, Deputy Commissioner, District Magistrate)" shall be omitted:
 - (ii) under the entries relating to Documents to be attached with the application by the applicant, paragraph 4 shall be omitted;
 - (d) in Form V, —

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- (i) in the sentence under asterisk (*) marks, the words and brackets "before whom the registration, declaration or oath of allegiance is made or taken (i.e. the Collector, Deputy Commissioner, District Magistrate)" shall be omitted.
- (ii) under the entries relating to Documents to be attached with the application by the applicant, paragraph 4 shall be omitted;
- (e) in Form VI, -

- (i) in the sentence under asterisk (*) marks, the words and brackets "before whom the registration, declaration or, oath of allegiance is made or taken (i.e. the Collector, Deputy Commissioner, District Magistrate)" shall be omitted;
- (ii) under the entries relating to Documents to be attached with the application by the applicant, paragraph 4 shall be omitted;
- (f) in Form VII, —
- (i) in the sentence under asterisk (*) marks, the words and brackets "before whom the registration, declaration or oath of allegiance is made or taken (i.e. the Collector, Deputy Commissioner, District Magistrate)" shall be omitted;
- (ii) under the entries relating to Documents to be attached with the application by the applicant, paragraph 3 shall be omitted;
- (g) in Form VIII, under the entries relating to Documents to be attached with the application by the applicant, paragraph 3 shall be omitted.
- 5. In Schedule IV to the said Rules, for serial numbers 1 and 2 and the entries relating thereto, the following serial numbers and entries shall be substituted, namely:—

Sl.	Matter in which fee is to be taken	Amount of fee	
No.	1		Elsewhere (Rs.)
"1.	Registration as a citizen of India under section 5 of the Act—		
	(1) Under section 5(1)(a) and 5(1)(b)—		
	(a) in respect of persons belonging to minority community in Afghanistan, Bangladesh and Pakistan (namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians)—	And the second s	
	(i) With the application	100	
	(ii) Grant of certificate of registration	100	
	(b) for all others not covered under (a) above—		
	(i) With the application	500	
	(ii) Grant of certificate of registration	5,000	
	(2) Under section 5(1)(c)—		
	(a) in respect of persons belonging to minority community in Afghanistan, Bangladesh and Pakistan mamely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians)—		
	(i) With the application	100	
	(ii) Grant of certificate of registration	100	
	(b) for all others not covered under (a) above—		
	(i) With the application	500	500
	(ii) Grant of certificate of registration	10,000	15,000
	(3) Under section 5(1)(d) and 5(4)—		
	(a) in respect of persons belonging to minority community in Afghanistan, Bangladesh and Pakistan (namely Hindus, Sikhs, Buddhists, Jains, Parsis and Christians)—		
	(i) With the application	100	Social Control of the
	(ii) Grant of certificate of registration	100	
	(b) for all others not covered under (a) above—		

(i) With the application	250	500
(ii) Grant of certificate of registration	3,000	4.000
		1
(4) Under section 5(1)(e) and 5(1)(f)— (a) in respect of persons belonging to minority community community.	nity in	Ì
(a) in respect of persons belonging to himself Afghanistan, Bangladesh and Pakistan (namely, Hindus,	Sikhs,	
Buddhists, Jains, Parsis and Christians)—		
(i) With the application	100	
(ii) Grant of certificate of registration	100	ļ
(h) Grant of covered under (a) above—		
(i) With the application	500	
(ii) Grant of certificate of registration	5,000	
(5) Under section 5(1)(g)—		
(i) With the application	500	
(ii) Grant of certificate of registration	5,000	
2. Naturalisation as a citizen of India under section 6(1) of the Act—		
(a) in respect of persons belonging to minority commu	anity in	
Afghanistan, Bangladesh and Pakistan (namely, Hindus	s, Sikhs.	
Buddhists, Jains, Parsis and Christians)—		
(i) With the application	100	
(ii) Grant of certificate of registration	100	
(b) for all others not covered under (a) above—		
(i) With the application	1,500	
(ii) Grant of certificate of registration	13,500	
	[F.No. 2603	0/266/2014-IC-

MUKESH MITTAL, Jt. Secy.

Note.—The principal rules were published in the Gazette of India, Extraordinary, vide notification number G.S.R. 124(E), dated the 25th February, 2009 and subsequently amended vide notification numbers ----- and G.S.R. 35(E), dated the 16th January, 2015.

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REGD. NO. D. L.-33004/99



असाधारण

EXTRAORDINARY

भाग II—खण्ड ३—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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नई दिल्ली, बुधवार, अक्तूबर 24, 2018/कार्तिक 2, 1940

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NEW DELHI, WEDNESDAY, OCTOBER 24, 2018/KARTIKA 2, 1940

गृह मंत्रालय

आदेश

नई दिल्ली, 23 अक्तूबर, 2018

का.आ. 5377(आ).—केन्द्रीय सरकार, नागरिकता अधिनियम, 1955 (1955 का 57) की धारा 16 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि छत्तीसगढ़, गुजरात, मध्यप्रदेश, महाराष्ट्र, राजस्थान, उत्तर प्रदेश राज्यों और दिल्ली संघ राज्य क्षेत्र में रह रहे अफगानिस्तान, बांग्लादेश और पाकिस्तान के अल्पसंख्यक समुदाय अर्थात् हिंदु, सिक्ख, वौद्ध, जैन, पारसी और ईसाई (जिसे इस आदेश में "आवेदक" कहा गया है) से संबंधित किसी व्यक्ति की बाबत नागरिकता अधिनियम, 1955 की धारा 5 के अधीन किसी व्यक्ति को भारत के नागरिक के रूप में रजिस्ट्रीकरण के लिए या धारा 6 के अधीन देशीयकरण प्रमाणपत्र अनुदत्त करने के लिए प्रयोक्तव्य शक्तियोँ का निम्नलिखित द्वारा भी प्रयोग किया जाएगा –

- (क) निम्न जिलों के संबंध में कलक्टर, जिसकी अधिकारिता के भीतर आवेदक साधारण रूप से निवासी है
 - (i) छत्तीसगढ़ राज्य में रायपुर;
 - (ii) गुजरात राज्य में अहमदाबाद, गांधीनगर तथा कच्छ;
 - (iii) मध्य प्रदेश राज्य में भोपाल तथा इंदौर;
 - (iv) महाराष्ट्र राज्य में नागपुर, मुम्बई, पुणे तथा ठाणे;
 - (v) शाजस्थान राज्य में जोधपुर, जैसलमेर तथा जयपुर;
 - (vi) उत्तर प्रदेश राज्य में लखनऊ ; और
 - (vii) दिल्ली संघ राज्य क्षेत्र में पश्चिमी दिल्ली तथा दक्षिणी दिल्ली ; और

(ख) खंड (क) के अधीन नहीं आने वाले जिलों के संबंध में, राज्य या संघ राज्य क्षेत्र में, यथास्थिति, गृह विभाग का सचिव, जिसकी अधिकारिता के भीतर आवेदक साधारण रुप से निवासी है,

नागरिकता नियम, 2009 (जिसे इसमें इसके पश्चात् उक्त नियम कहा गया है) के उपबंधों के अनुसार निम्नलिखित शर्तों के अध्यधीन प्रयोग किया जाएगा, अर्थात् :-

6200 GI/2018

(1)

- (क) उक्त नियमों के अधीन आवेदक द्वारा भारत के नागरिक के रुप में रिजस्ट्रीकरण या भारत के नागरिक के रुप में देशीयकरण प्रमाणपत्र प्रदान किए जाने के लिए आवेदन आनलाइन किया जाएगा;
- (ख) आवेदक का सत्यापन, यथास्थिति, कलक्टर अथवा सचिव द्वारा जिला एवं राज्य स्तर पर साथ-साथ किया जाएगा तथा आवेदन एवं उससे संबंधित रिपोर्ट केन्द्रीय सरकार को एक साथ आनलाइन पोर्टल पर उपलब्ध कराई जाएगी;
- (ग) आवेदक की उपयुक्तता को अभिनिश्चित करने के लिए, यथास्थिति, कलक्टर अथवा सचिव जैसा आवश्यक समझे वैसी जांच कराएगा तथा उस प्रयोजन के लिए उस आवेदन को आनलाइन ऐसे अभिकरणों को सत्यापन और टिप्पणियों के लिए भेजेगा जो ऐसी जांच पूर्ण करने के लिए अपेक्षित हो और इस संबंध में केन्द्रीय सरकार द्वारा समय-समय पर जारी अनुदेशों का संबंधित राज्य या संघ राज्य क्षेत्र और जिला द्वारा कठोर अनुपालन किया जाएगा;
- (घ) खंड (ग) में उल्लिखित अभिकरणों की टिप्पणियों को ऐसे अभिकरणों द्वारा आनलाइन अपलोड किया जाना हैं तथा इन्हें, यथास्थिति, कलक्टर अथवा सचिव और केन्द्रीय सरकार को उपलब्ध कराया जाना है;
- (ङ) यथास्थिति, कलक्टर अथवा सचिव आवेदक/आवेदिका की उपयुक्तता के संबंध में संतुष्ट होने पर आवेदक/आवेदिका को र्जिस्ट्रीकरण अथवा देशीयकरण द्वारा भारत की नागरिकता प्रदान करेगा और उक्त नियमों में यथा विहिन प्ररुप में आनलाइन पोर्टल से सम्यक् रुप से मुद्रित तथा, यथास्थिति, कलक्टर या सचिव द्वारा हस्ताक्षरित, यथास्थिति, रजिस्ट्रीकरण या देशीयकरण का प्रमाणपत्र जारी करेगा;
- (च) उक्त नियमों के अनुसार, कलक्टर और सचिव द्वारा एक आनलाइन/ डिजिटल के साथ-साथ भौतिक रिजस्टर भी रखा जाएगा जिसमें भारत के नागरिक के रूप में इस प्रकार रिजस्ट्रीकृत अथवा देशीयकृत व्यक्तियों का व्यौरा होगा तथा उस रिजस्टर की एक प्रति ऐसे रिजस्ट्रीकरण अथवा देशीयकरण के सात दिन की अवधि के भीतर केंद्रीय सरकार को भेजी जाएगी।
- 2. यह आदेश दिनांक 22 दिसंबर, 2018 से प्रवृत्त होगा और अगले आदेश तक वैध रहेगा।

[फा. सं. 26030/266/2014-आईसी-II (एस.ओ.)]

अनिल मलिक, संयुक्त सचिव

MINISTRY OF HOME AFFAIRS

ORDER

New Delhi; the 23rd October, 2018 /

- S.O. 5377(E).—In exercise of the powers conferred by section 16 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby directs that powers exercisable by it, for registration as a citizen of India under section 5 or for grant of certificate of naturalisation under section 6 of the Citizenship Act, 1955, in respect of any person belonging to minority community in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians(herein this Order referred to as "the applicant"), residing in the States of Chhattisgarh, Gujarat, Madhya Pradesh, Mahahrashtra, Rajasthan, Uttar Pradesh and Union Territory of Delhi, shall also be exercisable by-
- (a) the Collector, within whose jurisdiction the applicant is ordinarily resident, in relation to the districts of—
 - (i) Raipur in the State of Chhattisgarh;
 - (ii) Ahemdabad, Gandhinagar and Kutch in the State of Gujarat;
 - (iii) Bhopal and Indore in the State of Madhya Pradesh;
 - (iv) Nagpur, Mumbai, Pune and Thane in the State of Maharashtra;
 - (v) Jodhpur, Jaisalmer and Jaipur in the State of Rajasthan;
 - (vi) Lucknow in the State of Uttar Pradesh; and
 - (vii) West Delhi and South Delhi in the Union territory of Delhi; and

- the Secretary of the Department of Home of the State or the Union territory, as the case may be, (b) within whose jurisdiction the applicant is ordinarily resident, in relation to districts not covered under clause (a), in accordance with the provisions of the Citizenship Rules, 2009 (hereinafter referred to as the said rules), subject to the following conditions, namely:-
 - (A) the application for registration as citizen of India or grant of certificate of naturalisation as citizen of India under the said rules is made by the applicant online;
 - (B) the verification of the application is done simultaneously by the Collector or the Secretary, as the case may be, at the district level and the State level and the application and the reports thereon shall be made accessible simultaneously to the Central Government on online portal;
 - (C) the Collector or the Secretary, as the case may be, makes such inquiry as he considers necessary for ascertaining the suitability of the applicant and for that purpose forwards the application online to such agencies for verification and comments as may be required for completing such an inquiry and the instructions issued by the Central Government from time to time in this regard shall be strictly complied with by the State or Union Territory and District concerned.
 - (D) the comments of the agencies referred to in clause (C) are uploaded online by such agencies and accessible to the Collector or the Secretary, as the case may be, and the Central Government;
 - (E) the Collector or the Secretary, as the case may be, on being satisfied with the suitability of the applicant, grants him/her the citizenship of India by registration or naturalisation and issue a certificate of registration or naturalisation, as the case may be, duly printed from online portal and signed by the Collector or the Secretary, as the case may be, in the Form as prescribed in the said rules; and
 - (F) the Collector and the Secretary shall maintain an online/digital as well as physical register, in accordance with the said rules, containing the details of persons so registered or naturalised as a citizen of India and furnish a copy thereof to the Central Government within seven days of such registration or naturalization.
- This Order shall bome into force with effect from the 22nd December, 2018 and shall remain in force until further order.

[F. No. 26030/266/2014-IC-II (S.O.)] ANIL MALIK, Jt. Secy.

रजिस्ट्री सं॰ डी॰ एल॰-33004/99

REGD. NO. D. L.-33004/99



असाधारण

EXTRAORDINARY

भाग II--खण्ड 3--उप-खण्ड (i) PART II-Section 3-Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 851]

नई दिल्ली, सोमवार, दिसम्बर ३, २०१८/अग्रहायण १२, १९४०

NEW DELHI, MONDAY, DECEMBER 3, 2018/AGRAHAYANA 12, 1940

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 3 दिसम्बर, 2018

सा.का.नि.1158(अ).—केन्द्रीय सरकार, नागरिकता अधिनियम, 1955 (1955 का 57) की धारा 18 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नागरिकता नियम, 2009 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :-

- 1. संक्षिप्त नाम और प्रारंभ : (1) इन नियमों का संक्षिप्त नाम नागरिकता (दूसरा) संशोधन नियम, 2018 है ।
 - (2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे ।
- 2. नागरिकता नियम, 2009 में, अनुसूची 1 में,-
 - (क) प्ररुप 2 के भाग 1 में, क्रम संख्यांक 6क और उससे संबंधित प्रविष्टियों के स्थान पर, निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात् :-

"र्ठक. क्या आप अफगानिस्तान, बांग्लादेश और पाकिस्तान के अल्पसंख्यक समुदायों अर्थात् हिंदू, सिख, बौद्ध, जैन, पारसी और ईसाई में से एक से संबंधित हैं?

यदि, हां, कृपया विनिर्दिष्ट करें

(ख) प्ररुप 3 के, भाग 1 में, क्रम संख्यांक 8क और उससे संबंधित प्रविष्टयों के स्थान पर, निम्नलिखित अंत:स्थापित किया जाएगा,

"8क. क्या आप अफगानिस्तान, बांग्लादेश और पाकिस्तान के अल्पसंख्यक समुदायों अर्थात् हिंदू, सिख, बाँद्ध, जैन, पारसी हां /नहीं और ईसाई में से एक से संबंधित हैं?

यदि, हां, कृपया विनिर्दिष्ट करें";

(ग) प्ररुप 4 के, भाग 1 में, क्रम संख्यांक 8क और उससे संबंधित प्रविष्टियों के स्थान पर, निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात् :-

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THE GAZETTE OF EXDIA , EXTENDED MAKE
"8क. क्या आप अफगानिस्तान, बांग्लादेश और पाकिस्तान के अल्पसंख्यक समुदायों अर्थात् हिंदू, सिख, बौद्ध, जैन, पारसी
और ईसाई में से एक से संबंधित हैं?
यदि, हां, कृपया बिनिर्दिष्ट करें";
्য) प्ररुप 5 के, भाग 1 में, क्रम संख्यांक 5क और उससे संबंधित प्रविष्टयों के स्थान पर, निम्नलिखित अंतःस्थापित किया जाएगा,
अर्थात् :-
"5क. क्या आप अफगानिस्तान, बांग्लादेश और पाकिस्तान के अल्पसंख्यक समुदायों अर्थात् हिंदू, सिख, बौद्ध, जैन, पारसी
और ईसाई में से एक से संबंधित हैं?
यदि, हां, कृपया विनिर्दिष्ट करें";
(ड.) प्ररुप 6 के, भाग 1 में, क्रम संख्यांक 7क और उससे संबंधित प्रविष्टयों के स्थान पर, निम्नलिखित अंतःस्थापित किया जाएगा.
अर्थात् :-
"7क. क्या आप अफगानिस्तान, बांग्लादेश और पाकिस्तान के अल्पसंख्यक समुदायों अर्थात् हिंदू, सिख्, बांद्ध, जैन, पारसी
और ईसाई में से एक से संबंधित हैं?
यदि, हां, कृपया विनिर्दिष्ट करेंं
्च) प्ररुप 7 के, भाग 1 में, क्रम संख्यांक 7 और उससे संबंधित प्रविष्टयों के पश्चात्, निम्नलिखित क्रम संख्यांक अंतःस्थापित किया
जाएगा, अर्थात् :- ।
र "7क. क्या आप अफगानिस्तान, बांग्लादेश और पाकिस्तान के अल्पसंख्यक समुदायों अर्थात् हिंदू, सिख, बौद्ध, जैन, पारसी
और ईसाई में से एक से संबंधित हैं?
यदि, हां, कृपया विनिर्दिष्ट करें"; और
(छ) प्ररुप 8 के, भाग 1 में, क्रम संख्यांक 3 और उससे संबंधित प्रविष्टयों के पश्चात्, निम्नलिखित क्रम संख्यांक अंतःस्थापित किया जाएगा,
अर्थात् :-
"3क क्या आप अफगानिस्तान, वांग्लादेश और पाकिस्तान के अल्पसंख्यक समुदायों अर्थात् हिंदू, सिख, बौद्ध, जैन, पारसी
और ईसाई में से एक से संबंधित हैं?
यदि, हां, कृपया विनिर्दिष्ट करें
[फा. सं. 26011/एमआईएससी/29/2018-ओसीआई]
अनिल मलिक, संयुक्त सचिव

टिप्पण: मूल नियम भारत के राजपत्र, असाधारण, भाग ॥, खंड 3 उपखंड (i) में अधिसूचना संख्यांक सा.का.नि. 124(अ), तारीख 25 फरवरी, 2009 द्वारा प्रकाशित किए गए थे और सा.का.नि. 1049 (अ), तारीख 18 अक्तूबर, 2018 द्वारा अंतिम संशोधन किए गए थे।

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi the 3rd December, 2018

New Delhi the 3rd December, 2018

G.S.R.1158(E).—In exercise of the powers conferred by section 18 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby makes the following rules further to amend the Citizenship Rules, 2009, namely:-

- (1) These rules may be called the Citizenship (Second) Amendment Rules, 2018.
 - They shall come into force on the date of their publication in the Official Gazette.
- In the Citizenship Rules, 2009, in the Schedule I,-2.
 - in Form II, in Part I, for social number 6A and the entry relating thereto, the following shall be substituted, namely:-

12,2

Do you belong to one of the minority communities from Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains. Parsis and Christians? Yes/ No If, yes, please specify; in Form III, in Part I, for serial number 8A and the entry relating thereto, the following shall be (b) substituted, namely:-Do you belong to one of the minority communities from Afghanistan, Bangladesh and "8A. Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians? Yes/No If, yes, please specify: in Form IV, in Part I, for serial number 8A and the entries relating thereto, the following shall be (c) substituted, namely:-Do you belong to one of the minority communities from Afghanistan, Bangladesh and "8A. . Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians? Yes/No If, yes, please specify": in Form V, in Part I, for serial number 5A and the entries relating thereto, the following shall be (d) substituted, namely:-"5A. Do you belong to one of the minority communities from Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians? Yes/No If, yes, please specify; in Form VI, in Part I, for serial number 7A and the entry relating thereto, the following shall be substituted, namely:-Do you belong to one of the minority communities from Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians? Yes/No If, yes, please specify; in Form VII, in Part I, after serial number 7 and the entries relating thereto, the following serial number shall be inserted, namely:-"7A. Do you belong to one of the minority communities from Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians? Yes/ No If, yes, please specify". and in Form VIII, in Part I, after serial number 3 and the entries relating thereto, the following serial number shall be inserted, namely:-"3A. Do you belong to one of the minority communities from Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians? Yes/ No If, yes, please specify" [F. No. 26011/MISC/29/2018-OCI] ANIL MALIK, Jt. Secy

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide notification number G.S.R. 124 (E), dated the 25th February. 2009 and last amended vide notification number G.S.R.1049 (E), dated the 18th October, 2018.

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[भाग][-खण्ड 3(i)]

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रजिस्ट्री सं॰ डी॰एल॰-33004/99

REGD. NO. D. L.-33004/99



असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2503] नई दिल्ली, बुधवार, जुलाई 31, 2019/श्रावण 9, 1941 No. 2503] । NEW DELHI, WEDNESDAY, JULY 31, 2019/SHRAVANA 9, 1941

गृह मंत्रालय

(भारत के महारजिस्ट्रार, नागरिक रजिस्ट्रीकरण का कार्यालय)

अधिसूचना

नई दिल्ली, 31 जुलाई, 2019

का.आ. 2753(अ).—नागरिकता (नागरिकों का रिजस्ट्रीकरण और राष्ट्रीय पहचानपत्रों का जारी करना) नियमावली, 2003 के नियम 3 के उप नियम (4) के अनुसरण में केंद्र सरकार एतद् द्वारा जनसंख्या रिजस्टर तैयार करने और उसे अद्यतन करने का निर्णय लेती है तथा स्थानीय रिजस्ट्रार के क्षेत्राधिकार के अंतर्गत सामान्य तौर पर रहने वाले सभी व्यक्तियों की संबंधित जानकारी एकत्र करने के लिए, असम के अलावा देशभर में घर-घर जाकर गणना करने संबंधी फील्ड कार्य 01 अप्रैल, 2020 से प्रारम्भ होकर 30 सितम्बर, 2020 की अविधि में किया जायेगा।

[फा. सं. 9/5/2019-सीआरडी (एनपीआर)]

विवेक जोशी, नागरिक रजिस्ट्रीकरण के महारजिस्ट्रार

MINISTRY OF HOME AFFAIRS

(OFFICE OF THE REGISTRAR GENERAL CITIZEN REGISTRATION, INDIA) NOTIFICATION

New Delhi, the 31st July, 2019

S.O. 2753(E).—In pursuance of sub-rule(4) of rule 3 of the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003, the Central Government hereby decides to prepare and update the Population Register and the field work for house to house enumeration throughout the country except Assam for collection of

3933 GI/2019

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information relating to all persons who are usually residing within the jurisdiction of Local Registrar shall be undertaken between the 1st day of April, 2020 to 30th September, 2020.

[F. No. 9/5/2019-CRD (NPR)]

VIVEK JOSHI, Registrar General of Citizen Registration

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Annexure-P/11

AS INTRODUCED IN LOK SABHA

Bill No. 370 of 2019

THE CITIZENSHIP (AMENDMENT) BILL, 2019

BILL

further to amend the Citizenship Act, 19\$5.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows-

1. (1) This Act may be called the Citizenship (Amendment) Act, 2019.

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Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification
 in the Official Gazette, appoint.

Amendment of section 2.

2. In the Citizenship Act, 1955 (hereinafter referred to as the principal Act), in section 2, 57 of 1955. in sub-section (1), in clause (b), the following proviso shall be inserted, namely:—

"Provided that any person belonging to Hindu; Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Bangladesh or Pakistan, who entered into India on or before the 31st day of December, 2014 and who has been exempted by the 5 Central Government by or under clause (c) of sub-section (2) of section 3 of the Passport (Entry into India) Act, 1920 or from the application of the provisions of the 34 of 1920. Foreigners Act, 1946 or any rule or order made thereunder, shall not be treated as 31 of 1946. illegal migrant for the purposes of this Act:".

Insertion of new section 6B. namely:-

.3. After section 6A of the principal Act, the following section shall be inserted. 10

Special provisions as to citizenship of person covered by proviso to clause (b) of sub-section (I)of section 2.

'6B. (1) The Central Government or an authority specified by it in this behalf may, subject to such conditions, restrictions and manner as may be prescribed, on an application made in this behalf, grant a certificate of registration or certificate of naturalisation to a person referred to in the proviso to clause (b) of sub-section (l) of 15 section 2.

(2) Subject to fulfilment of the conditions specified in section 5 or the qualifications for naturalisation under the provisions of the Third Schedule, a person granted the certificate of registration or certificate of naturalisation under sub-section (1) shall be deemed to be a citizen of India from the date of his entry into 20

(3) On and from the date of commencement of the Citizenship (Amendment) Act, 2019, any proceeding pending against a person under this section in respect of illegal migration or citizenship shall stand abated on conferment of citizenship to him:

Provided that such person shall not be disqualified for making application for 25 citizenship under this section on the ground that the proceeding is pending against him and the Central Government or authority specified by it in this behalf shall not reject his application on that ground if he is otherwise found qualified for grant of citizenship under this section:

Provided further that the person who makes the application for citizenship 30 under this section shall not be deprived of his rights and privileges to which he was entitled on the date of receipt of his application on the ground of making such application.

(4) Nothing in this section shall apply to tribal area of Assam, Meghalaya, Mizoram or Tripura as included in the Sixth Schedule to the Constitution and the area covered under "The Inner Line" notified under the Bengal Eastern Frontier Regulation, 1873.

Reg. 5 of 1873.

Amendment of section 7D. 4. In section 7D of the principal Act,-

(i) after clause (d), the following clause shall be inserted, namely:—

"(da) the Overseas Citizen of India Cardholder has violated any of the 40 provisions of this Act or provisions of any other law for time being in force as may be specified by the Central Government in the notification published in the Official Gazette; or".

(ii) after clause (f), the following proviso shall be inserted, namely:—

"Provided that no order under this section shall be passed unless the 45 Overseas Citizen of India Cardholder has been given a reasonable opportunity of being heard.".

Amendment of section 18.

5. In section 18 of the principal Act. in sub-section (2), after clause (ee), the following clause shall be inserted, namely:---

"(eei) the conditions, restrictions and manner for granting certificate of 50 registration or certificate of naturalisation under sub-section (1) of section 6B;".

6. In the Third Schedule to the principal Act, in clause (d), the following proviso shall Amendment be inserted, namely:-

Schedule.

'Provided that for the person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community in Afghanistan, Bangladesh or Pakistan, the aggregate period of residence or service of Government in India as required under this clause shall be read as "not less than five years" in place of "not less than eleven years".'.

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STATEMENT OF OBJECTS AND REASONS

The Citizenship Act, 1955 (57 of 1955) was enacted to provide for the acquisition and determination of Indian citizenship.

- continuously between the territories of India and the areas presently comprised in Pakistan, Afghanistan and Bangladesh. Millions of citizens of undivided India belonging to various faiths were staying in the said areas of Pakistan and Bangladesh when India was partitioned in 1947. The constitutions of Pakistan, Afghanistan and Bangladesh provide for a specific state religion. As a result, many persons belonging to Hindu, Sikh, Buddhist, Jain, Parsi and Christian communities have faced persecution on grounds of religiou in those countries. Some of them also have fears about such persecution in their day-to-day life where right to practice, profess and propagate their religion has been obstructed and restricted. Many such persons have fled to India to seek shelter and continued to stay in India even if their travel documents have expired or they have incomplete or no documents.
- 3. Under the existing provisions of the Act, migrants from Hindu, Sikh, Buddhist, Jain, Parsi or Christian communities from Afghanistan, Pakistan or Bangladesh who entered into India without valid travel documents or if the validity of their documents has expired are regarded as illegal migrants and ineligible to apply for Indian citizenship under section 5 or section 6 of the Act.
- 4. The Central Government exempted the said migrants from the adverse penal consequences of the Passport (Entry into India) Act, 1920 and the Foreigners Act, 1946 and rules or orders made thereunder *vide* notifications, dated 07.09.2015 and dated 18.07.2016. Subsequently, the Central Government also made them eligible for long term visa to stay in India, *vide*, orders date 08.01.2016 and 14.09.2016. Now, it is proposed to make the said migrants eligible for Indian Citizenship.
- 5. The illegal migrants who have entered into India up to the cut of date of 31.12.2014 need a special regime to govern their citizenship matters. For this purpose the Central Government or an authority specified by it, shall grant the certificate of registration or certificate of naturalisation subject to such conditions, restrictions and manner as may be prescribed. Since many of them have entered into India long back, they may be given the citizenship of India from the date of their entry in India if they fulfil conditions for Indian citizenship specified in section 5 or the qualifications for the naturalisation under the provisions of the Third Schedule to the Act.
- 6. The Bill further seeks to grant immunity to the migrant of the aforesaid Hindu, Sikh, Buddhist, Jain, Parsi and Christian communities so that any proceedings against them regarding in respect of their status of migration or citizenship does not bar them from applying for Indian citizenship. The competent authority, to be prescribed under the Act, shall not take into account any proceedings initiated against such persons regarding their status as illegal migrant or their citizenship matter while considering their application under section 5 or section 6 of the Act, if they fulfil all the conditions for grant of citizenship.
- 7. Many persons of Indian origin including persons belonging to the said minority communities from the aforesaid countries have been applying for citizenship under section 5 of the Citizenship Act, 1955 but they are unable to produce proof of their Indian origin. Hence, they are forced to apply for citizenship by naturalisation under section 6 of the said Act, which, *inter alia*, prescribe twelve years residency as a qualification for naturalisation in terms of the Third Schedule to the Act. This denies them many opportunities

and advantages that may accrue only to the citizens of India, even though they are likely to stay in India permanently. Therefore, it is proposed to amend the Third Schedule to the Act to make applicants belonging to the said communities from the aforesaid countries eligible for citizenship by naturalisation if they can establish their residency in India for five years instead of the existing eleven years.

- 8. Presently, there is no specific provision in section 7D of the Act to cancel the registration of Overseas Citizen of India Cardholder who violates any provisions of the Act or any other law for the time being in force. It is also proposed to amend the said section 7D so as to empower the Central Government to cancel registration as Overseas Citizen of India Cardholder in case of violation of any provisions of the Act or any other law for the time being in force.
- 9. Since there is no specific provision in the Act at present to provide an opportunity of being heard to the Overseas Citizen of India Cardholder before cancellation of the Overseas Citizen of India Card under section 7D, it is proposed to provide the opportunity of being heard to the Overseas Citizen of India Cardholder before the cancellation of the Overseas Citizen of India Card.
- 10. The Bill further seeks to protect the constitutional guarantee given to indigenous populations of North Eastern States covered under the Sixth Schedule to the Constitution and the statutory protection given to areas covered under "The Inner Line" system of the Bengal Fastern Frontier Regulation, 1873.
 - 11. The Bill seeks to achieve the above objectives.

NEW DELHI;

AMIT SHAH.

The 4th December, 2019.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill seeks to insert a new clause (eei) in sub-section (2) of section 18 of the Citizenship Act, 1955 so as to empower the Central Government to make rules to provide the conditions, restrictions and manner for granting certificate of registration or certificate of naturalisation under sub-section (1) of section 6B of the said Act.

2. The matters in respect of which the aforementioned rules may be made are matters of procedure and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

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further to amend the Citizenship Act, 1955.

(Shri Amit Shah, Minister of Home Affairs)

MGIPMRND-4109LS(S3)-06-12-2019.

ANNEXURE P/12

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REGISTERED NO. DL-(N)04/0007/2003-19



असाधारण

EXTRAORDINARY

भाग II --- खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं॰ 71] नई दिल्ली, बृहस्पतिवार, दिसम्बर 12, 2019/अग्रहायण 21, 1941 (शक) No. 71] NEW DELHI, THURSDAY, DECEMBER 12, 2019/AGRAHAYANA 21, 1941 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके। Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 12th December, 2019/Agrahayana 21, 1941 (Saka)

The following Act of Parliament received the assent of the President on the 12th December, 2019, and is hereby published for general information:—

THE CITIZENSHIP (AMENDMENT) ACT, 2019

No. 47 of 2019

[12th December, 2019.]

An Act further to amend the Citizenship Act, 1955.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Citizenship (Amendment) Act, 2019.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 2.

2. In the Citizenship Act. 1955 (hereinafter referred to as the principal Act), in section 2, 57 of 1955. in sub-section (1), in clause (b), the following proviso shall be inserted, namely:—

"Provided that any person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Bangladesh or Pakistan, who entered into India on or before the 31st day of December, 2014 and who has been exempted by the Central Government by or under clause (c) of sub-section (2) of section 3 of the Passport (Entry into India) Act, 1920 or from the application of the provisions of the 34 of 1920. Foreigners Act, 1946 or any rule or order made thereunder, shall not be treated as 31 of 1946. illegal migrant for the purposes of this Act:".

Insertion of new section 6B. namely:-

3. After section 6A of the principal Act, the following section shall be inserted.

Special provisions as to citizenship of person covered by proviso to clause (b) of sub-section (I)of section 2.

- '6B. (1) The Central Government or an authority specified by it in this behalf may, subject to such conditions, restrictions and manner as may be prescribed, on an application made in this behalf, grant a certificate of registration or certificate of naturalisation to a person referred to in the proviso to clause (b) of sub-section (l) of
- (2) Subject to fulfilment of the conditions specified in section 5 or the qualifications for naturalisation under the provisions of the Third Schedule, a person granted the certificate of registration or certificate of naturalisation under sub-section (1) shall be deemed to be a citizen of India from the date of his entry into India.
- (3) On and from the date of commencement of the Citizenship (Amendment) Act, 2019, any proceeding pending against a person under this section in respect of illegal migration or citizenship shall stand abated on conferment of citizenship to him:

Provided that such person shall not be disqualified for making application for citizenship under this section on the ground that the proceeding is pending against him and the Central Government or authority specified by it in this behalf shall not reject his application on that ground if he is otherwise found qualified for gram of citizenship under this section:

Provided further that the person who makes the application for citizenship under this section shall not be deprived of his rights and privileges to which he was entitled on the date of receipt of his application on the ground of making such application.

(4) Nothing in this section shall apply to tribal area of Assam, Meghalaya, Mizoram or Tripura as included in the Sixth Schedule to the Constitution and the area covered under "The Inner Line" notified under the Bengal Eastern Frontier Regulation, 1873.'.

Reg. 5 of 1873.

Amendment of section 7D.

- 4. In section 7D of the principal Act.-
 - (i) after clause (d), the following clause shall be inserted, namely:—

"(da) the Overseas Citizen of India Cardholder has violated any of the provisions of this Act or provisions of any other law for time being in force as may be specified by the Central Government in the notification published in the Official Gazette; or";

(ii) after clause (f), the following proviso shall be inserted, namely:—

"Provided that no order under this section shall be passed unless the Overseas Citizen of India Cardholder has been given a reasonable opportunity of being heard.".

Amendment of section 18.

- 5. In section 18 of the principal Act, in sub-section (2), after clause (ee), the following. clause shall be inserted, namely:-
 - "(eei) the conditions, restrictions and manner for granting certificate of registration or certificate of naturalisation under sub-section (1) of section 6B;".

6. In the Third Schedule to the principal Act, in clause (d), the following proviso shall be inserted, namely:—

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Amendment of Third Schedule.

'Provided that for the person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community in Afghanistan, Bangladesh or Pakistan, the aggregate period of residence or service of Government in India as required under this clause shall be read as "not less than five years" in place of "not less than eleven years".

> DR. G. NARAYANA RAJU, Secretary to the Govt. of India.

UPLOADED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI-110002 AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI-110054.

ANNEXUREY / 13

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रजिस्ट्री सं. ही.एल.- 33004/99

REGD. NO. D. L.-33004/99



सी.जी.-डी.एल.-अ:-10012020-215314 CG-DL-E-10012020-215314

> असाधारण EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित PUBLISHED BY AUTHORITY

ਚੰ. 162] No. 162] नई दिल्ली, शुक्रवार, जनवरी 10, 2020/पौष 20, 1941

NEW DELHI, FRIDAY, JANUARY 10, 2020/PAUSHA 20, 1941

गृह मंत्रालय अधिसूचना

नई दिल्ली, 10 जनवरी, 2020

का.आ. 172(अ).—केन्द्रीय सरकार, नागरिकता (संशोधन) अधिनियम, 2019 (2019 का 47) की धारा 1 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 10 जनवरी, 2020 को उस तारीख के रूप में नियत करती है जिसको उक्त अधिनियम के उपबंध प्रवृत्त होंगे।

[फा. सं. 26011/01/2015-आईसी-र्(भाग)] अनिल मलिक, अपर सचिव

MINISTRY OF HOME AFFAIRS NOTIFICATION

New Delhi, the 10th January, 2020

S.O. 172(E).—In exercise of the powers conferred by sub-section (2) of the section 1 of the Citizenship (Amendment) Act, 2019 (47 of 2019), the Central Government hereby appoints the 10th day of January, 2020, as the date on which the provisions of the said Act shall come into force.

[F. No. 26011/01/2015-IC-I(Part)]
ANIL MALIK, Addl. Secy.

224 GI/2020

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For official use only



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INSTRUCTION MANUAL

FOR

UPDATION OF

NATIONAL POPULATION REGISTER (NPR)

2020

FOR ENUMERATORS AND SUPERVISORS



Office of the Registrar General & Census Commissioner, India
Ministry of Home Affairs

Government of India

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N.D.C.C. Building II, Jai Singh Road, New Delhi http://www.censusindia.gov.in

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1. INTRODUCTION

Background

- 1.1 National Population Register (NPR) of all the 'usual residents' in the country was created in 2010. The field work for NPR data collection was undertaken alongwith Houselisting and Housing Census 2010.
- 1.2 The electronic database of more than 119 crore usual residents of the country has already been created under NPR in English as well as the Regional Languages by collecting specific information of all usual residents.
- 1.3 As per decision of the Government of India, the NPR Database has been updated during 2015-16 in all States/UTs (except Assam and Meghalaya) to make a comprehensive resident database.

Legal Framework

- 1.4 The Scheme for creation of National Population Register is being undertaken under the provisions of The Citizenship Act, 1955 and The Citizenship Rules, 2003. The NPR will contain the details of all the 'usual residents' of the country regardless of whether they are citizens or non-citizens of India.
- 1.5 Some of the important provisions of the Citizenship Rules, 2003 define the duties and responsibilities of every official of the Central Government, State Government, Local bodies or their undertakings, the individuals and the head of the household are reproduced below for ready reference.
 - a. Rule 3(4): The Central Government may, by an order issued in this regard, decide a date by which the Population Register shall be prepared by collecting information relating to all persons who are usually residing within the jurisdiction of Local Registrar.
 - b. Rule 5: Officials of the Central Government, State Governments and local bodies to assist the Registrar General of Citizen Registration: Every official of the Central Government, State Government, local bodies or their undertakings shall assist the Registrar General of Citizen Registration or any person authorized by him in this behalf, in preparation of the database relating to each family and every person, and in implementing the provisions of these rules.
 - c. Rule 7: Head of family and individual to act as informant: ...
 - (2) It shall be the responsibility of the head of every family, during the period specified for preparation of the Population Register, to give the correct details of name and number of members and other particulars as specified in sub-rule (3) of rule 3, of the family of which he/she is the head.

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(4) In the case of dependents, such as minor who has not attained the age of eighteen years, or who is disabled, the responsibility of reporting the particulars under this rule shall be of the head of the family.

Updation of National Population Register (NPR) 2020

- 1.6 The Government has decided to update the NPR database alongwith Houselisting and Housing Census phase of Census of India 2021 during April-September 2020.
- 1.7 Updating the existing NPR database by verifying the details of all residents by conducting a house to house enumeration by the enumerator (designated Government official) and modifying/correcting the demographic data items.
- 1.8 Collecting Aadhaar number from each resident voluntarily.
- 1.9 Collecting Mobile number, Election Photo Identity Cards (EPIC) or Voter ID Card number, Indian Passport number and Driving License number, if available with the residents.
- 1.10 Inclusion of all new resident(s)/new household(s) found in the local area (HLB) during the field work.

Methodology

- 1.11 Publishing the intent of the Government for updation of NPR in the Gazette Notification in the Gazette of India and republishing of the same in State/UT Gazette by respective State Government / UT Administration.
- 1.12 Appointment of various field functionaries by States/UTs Government. The enumerator appointed for the work of Houselisting and Housing Census will also conduct the NPR updation exercise.
- 1.13 Creation of Houselisting Block (HLB) wise NPR database in pdf format by Office of Registrar General, India (ORGI). The NPR booklet would be available for downloading through the Census Management and Monitoring System (CMMS) web Portal for all the States/Districts/Sub-districts (Charges) etc. An Index sheet will be available in the NPR booklet by listing the names of head of the household (with few members name), date of birth etc. in alphabetical order for facilitating searching of a household in the booklet. For mobile App, the search facility will be inbuilt in the App itself.
- 1.14 Printing of HLB wise NPR booklets including blank NPR forms, summary sheet etc. by the State/District/Sub-district/charge level officials.
- 1.15 Training of State/District/Sub-district/Charge level officers.
- 1.16 Training of enumerators and supervisors and handing over the material for the field work.

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- 1.17 House-to-house enumeration by enumerator for updation of NPR database, collection of few new items of information and collection of various numbers like Aadhaar, mobile, Voter ID Card (EPIC), Passport and Driving License, if available with the residents on a voluntarily basis.
- 1.18 The blank NPR forms attached with NPR booklet would be filled up for all new residents of existing households found in a household/ for all new households found in the EB during the field work. If space is available in the corresponding page of the booklet to accommodate the new member of the household, the same may be utilized for filling up the information.
- 1.19 Filling up of Summary Sheet attached with NPR booklet. Refer Annex I & II of this Manual.
- 1.20 Submission of the updated NPR booklet and other items to the Charge Officer through the supervisor.
- 1.21 A mobile app will also be available to the enumerators which can be downloaded from google play store for updating NPR database. The data of the allotted HLB will be provided in the mobile app. Updated data is to be uploaded to the Central Server by syncing the mobile phone as and when internet connectivity is available to enumerator.
- 1.22 Submission of the NPR booklet and other items to the Charge Officer (used or unused).
- 1.23 Finalisation and digitisation of updated NPR booklet by Office of the RGI through charge level.

2. ROLES AND RESPONSIBILITIES OF FIELD FUNCTIONARIES

2.1 General Instructions for Enumerators

- Attend the training classes, study the NPR Schedule and the Manual carefully and understand them thoroughly.
- Ensure the collection of following material before leaving the training centre:
 - i. Appointment Letter
 - ii. Identity Card
 - iii. Pre-printed NPR data booklet (Check that Name and location code of State, District, Sub-district, Town/Village/Ward etc. are correct)
 - iv. Stationary articles for field work
- Always carry and display your Identity Card during the field work.
- Before starting the work, meet prominent persons of the area like village headman, Gaon burah, Sarpanch, Municipal Councillors, representatives of RWAs etc. and explain them the objective of NPR updation and purpose of your visit and seek their cooperation.
- Visit each household to get information for each member of the household as printed in the NPR booklet. Remember to cover all Households. In case of any difficulty, immediately inform your Supervisor/Charge Officer.
- Special Charges would be covered later.
- Use blue ball-point pen only for making entries in the schedule.
- While modifying/correcting the NPR booklet or while filling the new NPR schedule for a new member of the household or a new household, take extra care to write Letters and Numerals in the centre of boxes without touching the sides.
- Make extra efforts to record name of the person and date of birth accurately. If need be, ask for Aadhaar Card, Voter ID card of the respondent for a reference.
- 10. If the work of more than one Houselisting Block is allotted, it is required to prepare separate sets of records for each Houselisting Block allotted.

2.2 Roles & Responsibilities of Various Stakeholders

2.2.1 State Co-ordinator

- i. Notification in the State Gazette for updation of NPR
- ii. Ensuring appointment of various level of functionaries within the State/UT
- iii. Co-ordinating the training of State/District level of functionaries
- iv. Exercising financial control over expenditure
- v. Coordinating publicity efforts at State level along with Directorate of Census Operations
- vi. Ensuring timely completion of field work by taking all necessary steps
- vii. Overall supervision & monitoring and any other issue

2.2.2 District Registrar/ District Magistrate/ District Collector

- i. Appointment of all functionaries at District level
- ii. Training of functionaries at District level
- iii. Ensuring availability of NPR data booklet for the area under her/his jurisdiction
- iv. Distribution of Material for field work
- v. Ensuring proper and wide publicity so as to create awareness and involvement of general public
- vi. Undertaking inspection of the field work
- vii. Ensuring and certifying full coverage
- viii. Getting NPR data booklets back from the field
- ix. Monitoring data entry at the District level centre
- x. Exercise financial dontrol over expenditure
- xi. Any other task assigned by the Competent Authority

2.2.3 Sub-district Registrar/Sub-district Magistrate

- i. Appointment of all functionaries at Sub-district level
- ii. Training of functionaries at Sub-district level
- iii. Distribution of Material for field work
- iv. Ensuring proper and wide publicity so as to create awareness to the general public. Publicity may be given that the numbers like Aadhaar number, Voter ID card number, mobile number, Passport number and Driving License number may be kept ready for the enumerator comes for data collection
- v. Undertaking inspection of the field work
- vi. Ensuring timely start and completion
- vii. Ensuring correctness and quality of data collection
- viii. Ensuring and certifying full coverage
- ix. Exercise financial control over expenditure
- x. Coordinating the field activities at Sub-district level
- xi. Any other task assigned by the Competent Authority

2.2.4 Tehsil/ Charge Officer

- i. Appointment of all functionaries at Charge level
- ii. Training of functionaries at Charge level
- iii. Printing of NPR data booklets after downloading from portal
- iv. Distribution of Material for field work to the enumerators
- v. Ensuring proper and wide publicity so as to create awareness to the general public. Publicity may be given that the numbers like Aadhaar number, Voter ID card number, mobile number, Passport number and Driving License number may be kept ready for the enumerator comes for data collection
- vi. Undertaking inspection of the field work
- vii. Ensuring timely start and completion
- viii. Ensuring correctness and quality of data collection
- ix. Ensuring and certifying full coverage

- x. Coordinating the field activities at Charge level
- xi. Any other task assigned by the Competent Authority

2.2.5 Supervisor

- i. Overseeing the training of enumerators including self-training
- ii. Coordinate with charge officer and enumerator and ensure timely distribution of material to the enumerators
- iii. Undertaking inspection of the field work
- iv. Ensuring timely start and completion
- v. Ensuring correctness and quality of data collection
- vi. Ensuring and certifying full coverage of all HLBs in the allotted supervisory circle
- vii. Coordinating the field activities of enumerators under her/him
- viii. Any other task assigned by the Competent Authority

2.2.6 Enumerator

- i. Collecting Appointment Letter and Identity Card
- ii. Attending training compulsorily with full attention
- iii. Collect all relevant materials (Layout map etc.) for field work including NPR data booklet, Blank NPR schedule (A4 size) and summary sheet etc. for the area allotted
- iv. Studying the manual carefully. If any doubt is there, get it clarified from your Charge Officer
- v. Going around the area assigned to you and familiarize yourself
- vi. All usual residents within the boundary of the area assigned to you have to be covered.
- vii. Visiting each household to update the demographic information as per process laid out in the manual. In case the house is locked at the time of your visit, please visit again. You may also inform the neighbours to inform the household
- viii. Inform the household while preparing the lay out map or canvassing the Houselisting schedule that the numbers like Aadhaar number, Voter ID card number, mobile number, Passport number and Driving License number may be kept ready for data collection under NPR
- ix. Update the NPR database for each member of the household.
- x. Inform the respondent that it is her/his duty to give correct particulars regarding each and every normal resident in the household.
- xi. Show the updated data to the respondent and obtain her/his signature/thumb impression in the booklet.
- xii. For the residents not found in the booklet, fill up fresh NPR schedule as per process indicated in the manual. For mobile App, new schedules are to be filled up as per process laid out in the respective Instruction Manual.

- xiii. Ensure that each and every normal resident of the area allotted to you has been covered.
- xiv. Prepare summary sheet and sign. This is not applicable in mobile App. (In the event of collecting data through mobile app, the instructions have been elaborated in Instruction Manual of NPR mobile App.
- xv. Submit updated NPR data booklet, NPR filled-in schedules and duly signed Summary sheet to the respective Charge Officer through supervisor.
- xvi. Submit the unused forms and other materials given for this work.

3. INSTRUCTIONS TO ENUMERATORS FOR UPDATING NPR

Concepts and Definitions

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- Please remember that you have to collect the details required for the NPR alongwith the details required for the Houselisting and Housing Census. Hence, the basic concepts like 'Houselisting Block', 'Premises', 'Building', 'Census House', 'Household', 'Layout Map' etc. remain the same. These are explained in the Instruction Manual of Houselisting and Housing Census given separately for Census wok. These are also explained below in brief:
- Houselisting Block: 'Houselisting Block' means a specific area allotted to the Enumerator for the purpose of carrying out Census Operations relating to House Numbering and Houselisting. Please ensure that the number of the Houselisting Block allotted to you is clearly mentioned along with its location particulars in the Appointment Letter. In case of any doubt, please clarify with your Supervisor or Charge Officer (Tahsildar, SDM, BDO, Municipal Commissioner etc.).
- Premises: Premises means Building along with the land and/or common places in case of apartments/ flats/multi-storey Buildings attached to it. A Building may not always have a compound wall or fencing. In such cases, the land or the common place as the case may be, that is available to the Household may be treated as 'Premises'
- 3.4 **Building:** A 'Building' is generally a single structure on the ground. Normally, a structure will have four walls and a roof. Sometimes it is made up of more than one component unit which are used or likely to be used as dwellings (residences) or establishments such as shops, business houses, offices, factories, workshops, work sheds, schools, places of entertainment, places of worship, godowns, stores, etc.
- 3.5 Census House: A 'Census House' is a Building or part of a Building used or recognized as a separate unit because of having a separate main entrance from the road or common courtyard or staircase etc. It may be occupied or vacant. It may be used for a residential or non-residential purpose or both.
- Household: A 'Household' is usually a group of persons who normally live together and take their meals from a common kitchen unless the exigencies of work prevent any of them from doing so. The persons in a Household may be related or unrelated or a mix of both. However, if a group of unrelated persons live in a Census House but do not take their meals from the common kitchen, then they will not collectively constitute a Household. Each such person should be treated as a separate Household.
- 3.7 Normal Household: A 'Normal Household' is usually a group of persons who normally live together and take their meals from a common kitchen unless the exigencies of work prevent any of them from doing so. Persons in a Normal

- Household may be related or unrelated or a mix of both whereas in an Institutional Household the persons are unrelated.
- Institutional Household: A group of unrelated persons who live in an institution and take their meals from a common kitchen is called an 'Institutional Household' e.g. boarding houses, messes, hostels, hotels, rescue homes, observation homes, beggars' homes, jails, ashrams, old age homes, children homes, orphanages, etc.
- Further, the procedures explained in the Instruction Manual for Houselisting and Housing Census include the Numbering of Buildings and Census Houses and the preparation of Layout Map. Proper understanding of these concepts and procedures would enable you to complete the work without omission or duplication. You must familiarize yourself with all these concepts and procedures.

Approach to field work

- 3.10 The NPR updation exercise is to be done by the same enumerator, duly appointed for Houselisting and Housing Census of the allotted HLB by the respective local administration.
- 3.11 You would have already gone around the Houselisting Block and identified the boundaries and other land marks of the block and ensured that there is no confusion in identification of the Houselisting (HL) Block boundary. In case of any confusion, the Supervisor should be consulted and problem should be resolved before the commencement of work. After identification of HL Block boundary you would have been assigned, building and census house numbers as described in detail in the Instruction Manual for Houselisting and Housing Census. You would have also prepared Layout Map of the block assigned to you which would also be used for updation of NPR. Please ensure that the NPR data booklet provided corresponds with the location of the HLB allotted to you. If you have been assigned more than one block, the records of each block should be kept separately. You are now ready to update the NPR.
- 3.12 Please have the contact details of Supervisor/ Charge officer for any necessity during the field work.
- As instructed in the training classes start the Houselisting Operations first and then undertake updating of NPR. Start at the first house and proceed systematically till you reach the last house. This will enable you to cover all the households without omission. The field work shall be monitored by State/District/Tehsil/Charge Level/Supervisor Authority for ensuring timely completion and quality. The overall supervision and control shall be exercised by the officers/officials of the Directorate of Census Operations/Registrar General Citizen Registration, India.

Field Work by Enumerator/ Supervisor

3.14 Step by Step modifying/correcting NPR data booklet and filling up of new NPR schedule and other forms by the Enumerator during field work:

- a) All the pages in the booklet are serially numbered. Ensure that the booklet contains all the pages with proper printing on each page. At the end of booklet, some blank NPR schedules and summary sheets have also been provided. If any discrepancy is there, immediately contact your supervisor/charge officer for rectifying the same.
- b) The cover page of the booklet (Annex X) contains the Location Particulars of the HLB (2020) or new HLB number which has been allotted to you. Please confirm that the NPR data booklet is of the same HLB for which you have to undertake the field work.
- c) All the particulars like Names of State, District/ Tehsil/Taluk/ P.S./ Dev.Block/ Circle/ Mandal, Town/Village with their respective codes will be pre-printed. The Ward code, Household Block Number and Sub- Block Number and the Pin Code Number will also be pre-printed. The mobile number of the Enumerator is to be recorded on the cover page (Annex X)of the booklet.
- d) The NPR updation will be undertaken through enquiries from the head of the household or any adult responsible member of the household. Choose the right respondent who is well informed, articulate and can provide the requisite information by herself/himself or after consulting other member(s) in the household. While recording the information in the NPR Schedule, you are advised to involve as many members in the household as possible. You will find that the NPR data booklet and Schedule is simple and easy to understand, once you are conversant and familiar with it. The questions included in the NPR are self-explanatory and mainly deal with name of members of the household and their place of residence. Please remember that every member in the household has different particulars and hence particulars of each and every member of the household should be correctly ascertained and recorded.
- e) The degree of accuracy in filling up of the NPR data during the enumeration largely depends on the interest taken by you in following the instructions contained in this manual. You are, therefore, advised to go through these instructions more than once because total grasp of the terms used and absolute command over the system of entering answers to various questions will form the foundation for systematic enumeration by modifying/correcting the entries in the booklet and canvassing of the NPR Schedule for new residents. This would also helptyou in avoiding pitfalls, duplication of efforts and unnecessary labour. In case of any doubt, never hesitate to ask your Supervisor or the Charge Officer.
- f) You have to only canvass the NPR booklet/new schedule in the households of your Houselisting Block(s) without omission or duplication. The next question is who are eligible for enumeration? The following persons are eligible to be enumerated in NPR:
 - i) Who are present in the household during the period of enumeration.
 - ii) Who are normal residents of the household and have stayed there for part of the enumeration period

- iii) Who are normal residents of the household but are not present at the time of your visit and are expected to return back within the period of enumeration
- 3.15 Please note that visitors, domestic servants, tenants, drivers or other such person(s) who are found to be residing with the household and full fill the above three criteria's 'should be included in the enumeration. It is important that every person male or female, aged or infant is counted only once, without omission or duplication.
- 3.16 NPR will not cover foreign nationals having diplomatic status. However, foreign nationals not enjoying diplomatic status and Indian nationals employed and staying with them in the Foreign Missions will have to be covered. It would therefore, be necessary to cover every household found within your Houselisting Block

Enumeration of Defence and similar Service Personnel

3.17 Households of Defence and similar Service Personnel will be eligible for enumeration if they are residing in civilian areas. The enumeration of Defence and similar Service Personnel who are living in strictly military or restricted areas (special charges) would not be done while undertaking updation of NPR.

4. INSTRUCTIONS FOR UPDATING/FILL'ING UP SIDE 'A' OF NPR BOOKLET/ SCHEDULE

Enumeration of the Household:

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- 4.1 On the left hand side of the NPR data booklet format, the Temporary Identification Number (TIN) of the household comprising the codes of State, District, Subdistrict, Village/Town, Ward and HLB number of the household in NPR database shall be printed for each household who exist in the NPR database. For New Households, this space will be blank and nothing is to be filled up.
- 4.2 Census House Number and Household Number: The Census House Number and Household Number will be the same as canvassed in the HLO schedule for the same household and it should be filled on all pages used for that household.

 A blank NPR schedule and a filled up schedule may be seen respectively at Annex VIII & IX of this manual while cover page of booklet may be seen at Annex X of this manual.

Census House Number	0	0	()	1
Household Number	0	0	1]

4.3 Present Address: The present address of the household was collected during data collection in 2010 and the same was updated in 2015. Verify the present address of the household as printed. As the names of Town/ Village, Sub District, District, State are already available on the cover page of booklet (Annex X), these has not been repeated in present address. Check that the items like House Number, Locality and PIN code are correctly printed. If not, please rectify the same. The present address need not to be repeated on subsequent pages used for the same household.

House Number/ Locality	213, B Block, Pashchim Bagh,
	New Delhi

4.4 Pin code: The Pin code is very important in the database for identifying the geographical identity of the household. All correspondences regarding NPR will depend on the correct Pin code. Please ensure that the correct Pin code is printed on the data Booklet, otherwise encircle the printed one and write the correct one.

						,	
Pin code	1	1	0	0	6	3	

- 4.5 **Household Status**: On the top of the NPR data booklet format, availability of the household is to be noted as under:
 - If the old household is available, enter code '1'
 - If the house is closed, enter code '2'
 - If the household is moved out, enter code '3'
 - If the household could not be enumerated during the period enter code '4'
 - If the household is a new one, enter code '5'.

- 4.6 Number of members: Total number of members as available in the NPR database in the household will be pre-printed. Please correct/ fill up data in this box after canvassing the booklet/ new schedule. This information needs to be updated after completing the updation of the NPR booklet. This information will be required only on the first page of each household.
- 4.7 Verify the details of particulars printed on Side A and B of the NPR Booklet from the respondent. If any correction is there, encircle the details and record/ update the details in the space provided.
- 4.8 Serial Number: The Serial number of the member of the household will be preprinted as per database in the NPR booklet of the HLB. For new household, please allot serial number accordingly. For any addition in the existing household, give next serial number to the new member added. If the person is available then verify/ update all her/his details.

4.9 Questions under NPR

Q.1a. Name of the person in full: Ask whether name printed in NPR booklet is correct or not. If not correct, encircle the name (or part of name) to be corrected and record the correct name in the space available. For a new household member in an existing household/ for a new household in the HLB, please write her/his name in full in the space provided.

It is very important to write the person's name carefully and correctly. In case of the female members of the household, respondents may sometimes refuse to divulge the names. Similarly, female respondents may not give the name of their husband or of any other relation. In such cases you must explain that the name of every person is extremely important for the creation of NPR. Please ask for any document like ration card, Aadhaar Card, PAN card, voter ID card, school records, etc. which would reveal the name of the person in such cases. If all such efforts fail in all such cases, you may record as so and so's wife or sister or mother or husband or father or son or daughter as the case may be.

Sometimes, the infants and children may not have been named yet. Please try to ascertain the intended name for the child by explaining to the respondent the importance of capturing the name of the individual in the NPR. However, if the respondent insists that the child has not been named, you may, in such cases, write "so and so's son or daughter" as the case may be. It hardly needs any reemphasis that all members of the household should be enumerated and entered in a systematic order.

Q.1b. Availability of member of the household. In case a member is available as per the printed data, put code '1'; if any person in the data booklet has expired or died, put code '2'; if a member of the household has moved out then put code '3' and for a new member put code '4'. For a completely new household, skip this information.

e r-4
1

Q.2 Relationship to Head: Record the relationship of the respective member with the head of the household in 2 digit codes in the boxes. The codes are given at the bottom of the schedule. The codes are reproduced as under:

Relationship	Code
Head/Self	01
Spouse	02
Daughter/Son	03
Granddaughter/Grandson	04
Mother/Father	05
Sister/Brother	06
Daughter-in-law/Son-in-law	07
Grandmother/Grandfather	08
Mother-in-law/Father-in-law	09
Other related person	10
Domestic servant	11
Other unrelated person	12

- Q.3 Sex: Ascertain the gender of the respondent and correct, if any mismatch is there as reported by the respondent. For new NPR schedule, please record the code from the code list given in the schedule. For male record '1', for female record '2' and for Third gender record '3'.
- Q.4 Marital Status: Verify the marital status of the member of the household being enumerated. Please record the appropriate code as per the status given in the code list below. The codes are: Never Married-1, Currently Married-2, Widowed-3, Separated-4, Divorced-5.
 - a) For a person who has never married any time before, record code '1' in the box under this question.
 - b) For a person currently married, whether for the first or another time and whose marriage is subsisting at the time of enumeration (the spouse is alive), record code '2' in the box under this question. Similarly, enter code '2' for persons who are recognised by custom or society as married and also for persons in stable de facto union. Even if a marriage is disputed, record code '2' if the person concerned says she or he is married or is in stable de facto union.

- c) For a widowed person whose husband or wife is dead, and who is not presently married, enter code '3' in the box under this question.
- d) For a person who has been separated from wife or husband and is living separately with no apparent intention of living together again, enter code '4' in the box under this question.
- e) For a person who is divorced either by decree of a law court or by an accepted social or religious custom but has not remarried, enter code '5' in the box under this question.
- f) This question must be answered for all persons irrespective of age. For very young children, though we know that they may not be married, the appropriate code must be entered after enquiry. You may be aware that in certain parts of the country child marriage or pre-puberty marriage is still prevalent.
- g) The children are married even before they attain the age of puberty and the consummation of marriage takes place later. Therefore, if the person is married and even if she/he is living apart from her/his spouse till the Gauna is performed, the person will be treated as currently married and code '2' will be recorded under this question.
- h) Code '2' is allotted to 'currently married'. The world 'currently' does not mean 'recently'. It only means 'at present'. For example, a man may be 80 years old and may have been married 60 years ago; if his wife is still alive and the marriage subsists, he is 'currently married'.
- i) The condition for the marital status to be reckoned as 'currently married' is that the husband and the wife both are alive and that their marriage subsists, i.e., they are not divorced or separated. Please note that we are not concerned with the legality of a marriage₁
- Q.5 Date of Birth: Verify the date of birth of the member. If not matched, record the correction in the space provided. Record the day (2 digits), month (2 digits) and year (# digits) in the space provided in the format DD-MM-YYYY. If the respondent is unable to provide the date and month of her/his birth, then record only year.

Date of birth is one of the important items of information being collected in the NPR. In most of the cases, the date of birth of a person may be known. In case, the respondent does not know the exact date of birth, the same could be ascertained from documents such as birth certificate, School Leaving Certificate or any other relevant document like Aadhaar Card, Voter ID card, PAN card, Passport etc. In some cases, the horoscope (Janampatry) may contain the date of birth in English or in the local language. In case it is written according to the local calendar then you might have to convert the same into the English (Gregorgian) calendar. In order to assist you, the conversion sheet is given in the Annex III.

Some of the situations that an Enumerator is likely to encounter while canvassing the question on date of birth of a person are discussed below:

a. The actual date of birth as per English Calendar is known: Record the day (2 digits), month (2 digits) and year (4 digits) as returned by the respondent, example-12th May,1958 should be recorded as shown below:

12-05-1958

- b. The date of birth is known as per local calendar:
 - i. In such cases, convert the date of birth as per local calendar to the English calendar to the extent possible. You may use the Ready Reckoner-1 (Annex III) to arrive at the year of birth as per English calendar from the year of birth as per local calendar.
 - ii. If the month of birth is known in the local calendar, record the English equivalent month.
 - iii. Since the local calendar varies from place to place, you may take the help of local people for converting the Day, Month and Year of Birth in local calendar to English calendar. A table showing months as per National Calendar and corresponding Gregorian months is given at Annex IV for ready reference.
- c. Only year of birth is known: In such situations follow the step-wise approach stated below:
 - Regord the year of birth. If the informant tells only the year of birth but is not sure about the month of birth, ask whether the birth was before the rainy season or not. If the birth was before the rainy reason, you may further ask whether the birth was in the month during which some important festivals like New Year's Day, Guru Gobind Singh Jayanti, Makara Sankranti, Pongal, Republic Day, Basant Panchami, Maharishi Dayanand SaraswatiJayanti, Maha Shivratri, Holi, Gudi Padwa, Ramnavmi, Vaisakhi, Bihu, Mahabir Jayanti, Good Friday Budh Purnima are celebrated and estimate the month of birth. Similarly, if the birth was during or after the rainy reason, you may probe and estimate the month of birth by asking whether the birth was in the month during which some important festivals like, Nagapanchami, Janamashtmi, Raksha Bandhan, Independence Day, Ganesh Chaturthi, Onam, Dussehra, Gandhi Jayanti, Diwali, Bhai Duj, Maharishi Valmiki Jayanti, Chhath Puja, Guru Nanak Jayanti, Ayyappa Festival, Christmas festival are celebrated. For your convenience, a list of important Festivals and corresponding Gregorian months in which they fall is given at Annex V.
 - ii. Also estimate, the day in these cases appropriately and record the same in the space provided.
- d. Year of birth is not known but age in completed years is known: To estimate the month of birth, follow the steps mentioned at above para c(i). The year of birth (in 4 digits) may be recorded using the Ready Reckoner (Annex VI) for converting age in completed years to year of birth as per English calendar. Follow the steps



mentioned above to arrive at the month and day of birth and record the same at the appropriate place.

- e. Neither date of birth nor age is known: In such cases, estimate the day, month and year of birth through probing questions. Some examples of probing methodology to estimate the year are depicted below. The month of birth may be estimated following the step mentioned in above para c(i).
 - i. The informant may be assisted to arrive at the correct year of birth by stimulating her/his memory with reference to any historical event, etc. well known in the area such as a war, flood, earthquake, change in political regime, etc. Examples include: First World War (1914-1918), Dandi March (1930), Quit India(1942), Independence (1947), India's war with China (1962), war with Pakistan (1965), liberation of Bangladesh (1971), Asiad Games (1982), India's first win in the cricket world cup (1983) etc. Relating the birth of a person with the year when an important event has occurred, you can arrive at the year of birth of the person.
 - ii. Sometimes, the year of birth/age can be ascertained with reference to the year of birth/age of another person of known year of birth/age, who may be living in the same household or in the neighbouring household or that of a well known person of the village such as Headman of the village. A person can then easily say whether she/he was older or younger than such a person and by how many years. This will help you to find the year of birth/age more precisely. If you can estimate age but not the year of birth, use the Ready Reckoner-2 (Annex VI) to arrive at the year of birth from estimated age.
 - iii. In the case of woman, sometimes it becomes difficult to know the actual date of birth or age. If a woman is not aware about her age and is also unable to report the year of her birth, you will have to further probe to estimate her year of birth. One way of estimating it is to find the date of birth of her eldest living son or daughter and her own age at the time when she gave birth to her child. Subtract her age at the time of birth or her child from the 4 digit year of birth of the child to get a fair estimate of her year of birth.
 - iv. If a woman is not able to tell her age at the time when the first child was born, try to ascertain her age at the time of marriage (or her age at the time of consummation of marriage) and the interval between her marriage and the birth of her eldest child. Adding these two figures with the age of her eldest child will determine her current age.
 - v. If a woman does not know her age at marriage, try to find out the difference between her age from the age of her husband whose year of birth may be known. Use this to record the woman's year of birth.
 - vi. If the respondent does not know the age of any member of the household and probing also does not help in determining the age of that person, you will

have to estimate her/his age by using your best judgment. Remember this is last resort to be used only when all your efforts at probing the age have failed. After determining the age, use the Ready Reckoner-2 (Annex VI) to record the year of birth.

vii. In all cases where day and month of birth are not known, estimate the day and month of birth through step (ci&ii) mentioned above.

For these 4 questions, the layout of the schedule/ format of NPR booklet shall look as under:

-	elationship to Head
Q 3. S	ex: Male - 1, Female - 2, Third Gender - 3
Q 4. N	Iarital Status
Q 5. I	Pate of Birth as per English Calendar (DD-MM-YYYY)
Q 2	01,
Q3	1
Q 4	2
	DOB as DD-MM-YYYY)
Q 5	12-05-1958

Q.6 Place of birth: Ask whether the place of birth provided in the NPR booklet is correct or not. If any correction is required, record the correct name in the available space. For all new entries, if place of birth is within India, write the present name of the State and District. For a person whose birth place is the same as the place of enumeration, put dashes (-) in both the parts under this question.

If outside India, write the present name of the country and put a '-' against District.

Note: Record the latest/ present name of the Country/State or District. (and not the erstwhile name i.e., name at the time of birth.)

Example- (Born within India)

Q 6. Place of Birt					
	f the state and district.				
	write the name of the				
country and put					
State/Country	Uttar Pradesh				
District	J				

Example- (Born outside India)

Q 6. Place of Birth if within India, write the name of the state and district If outside India, write the name of the

country and put '	-' for district
State/ Country	United Kingdom
District	-

Q.7 (i) Nationality as declared: Ask whether the 'Nationality as declared' printed in the booklet is correct or not. In the booklet, the 'Nationality as declared' for all Indians will be printed as '1', for others, it would be the name of the country reported earlier. If any correction is required, record the correct name in the available space. For new members/ new households, if the respondent replies that she/he is an Indian, then record '1', otherwise record the name of the country of the respondent. Nationality recorded is as declared by the respondent. This does not confer any right to Indian Citizenship.

Nationality for each of the enumerated person has to be asked from the respondent and recorded. You may come across cases where the nationality of the persons in the same household would be different. Therefore, you must probe this question for each individual carefully to get the correct information. Please record the nationality of the respondent as declared by her/ him for each of the persons being enumerated. Do not get into any argument with the respondent regarding this. Please inform the respondent to give correct Nationality of each person in the household. She/ he can be penalised for giving any false information.

Q.7 (ii) Passport number: If a resident informs that she/he is Indian and has Indian passport, then ask for Passport number. If the respondent provides the passport number, record the same in the boxes provided.

Q:	7(i). N	ation	ality	as de	clare	d	
Inc	lian-l						
Ot	hers v	vrite:	name	of co	untr	¥	
(ii)	. If Ir	dian,	Pass	port l	Numl	ber	
		1					
1	8	.3	6	9	8	5	4

Q 7(i). Nationality as declared
Indian-1,
Others write name of country
(ii). If Indian, Passport Number
United Kingdom

Q.8 Educational Qualification: The highest educational level attained is to be recorded here. For example, if a person says that he is studying in graduation level, then code for his educational qualification shall be 12. That means codes according to highest class passed is to be recorded here. Please record the code from the code list given at the bottom of the schedule. The codes are reproduced as under:

Educational Qualification	Code	Educational Qualification	Code
Pre-primary	00	Bachelor/ Undergraduate	18
Class 1-12	01-12	PG Diploma	19
ITI	13	Masters/Post Graduate	20
Polytechnic	14	M. Phil	21
Nursing Diploma	15	Doctorate and above	22
Teacher Training Diploma	16	Without formal education	23
Certificate/Other Diploma	17	Illiterate	99

In the NPR Data booklet/schedule, the filled up question will look as under:

Q 9.	Educational							
Qualification								
12								

Q.9 Occupation/Activity: The nature of occupation/activity or the actual work that a person does is to be recorded here. Please record the code from the code list given at the bottom of the schedule for each of the member. The codes are reproduced as under:

Occupation/Activity	Code
Cultivator	1
Agriculture Labourer	2
Daily Wage Earner (Other than Agriculture labourer)	3
Single/Family Worker/Self Employed	4
Employer	5
Government Employee	6
Private employee (Other than Domestic helper)	7
Domestic Helper _I	8
Non-Worker	9

If a person was engaged in more than one economic activity, record the code for the economic activity in which she or he was mostly engaged.

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In the NPR Data booklet/schedule, the question will look as under:

Q	9. Occupation/	
A	ctivity	
6		

Q.10 Write name of the mother tongue in full and give code from code directory: Ask what the mother tongue of the respondent is and record the code from the Code Directory given in this manual at Annex VII.

Mother tongue is the language spoken in childhood by the person's mother to the person. If the mother died in infancy, the language mainly spoken in the person's home in childhood will be the mother tongue. In the case of infants and deaf mutes, the language usually spoken by the mother should be recorded. In case of doubt, the language mainly spoken in the Household may be recorded. It is not necessary that the language returned as mother tongue should have a script.

Please note the following:

- (i) If you have reasons to suspect that in any area due to any organised movement, the mother tongue is not being truthfully returned, you should record the mother tongue as actually returned by the respondent and make a report to your supervisory officers for verification.
- (ii) You are not expected to determine if the language returned by a person is a dialect of another language.
- (iii)Record the code of the language as returned for each person as her/his mother tongue. Do not try to record code of any language other than what is returned by the respondent. Ask every person about her/his mother tongue because the mother tongue of each member of a Household need not necessarily be the same. These may be different for different members in the Household

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Q 10. Mother tongue
(Fill codes as per list
provided in manual)
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Refer "Code directory of mother tongue" given at Annex VII of this manual.

5. INSTRUCTIONS FOR UPDATING/FILLING UP SIDE 'B' OF NPR BOOKLET/ SCHEDULE

- Serial Number: The serial number of the member of the household will be pre-printed here in NPR booklet. For new member/ new household copy the serial number from Side A of the schedule.
- Q.11. Permanent Residential Address: Ascertain whether the permanent address printed in the NPR booklet is correct or not. If any correction is required, record the correction in the space available. If for any member of household, the Permanent Residential address is different from the head of household, then make the required entry/correction in the box provided else put tick in the box provided below the sl. no.

Q 11. Permanent Address									
Permanent Residential Address (for									
members other than head of household									
if Permanent address is same as head of									
the household, put √ mark below S.No.									
and no need to repeat the address)									
House Number & Locality									
A/ 36, MIG Housing									
Town/Village									
Kankarbagh, Patna									
Sub-district & District									
Patna									
State/Country									
Bihar									
Pin Code									
8 0 0 0 2 0									

Q 12. Duration of stay and place of last residence: In this data item, you have to ask a question whether the member is staying at present address since birth. If the reply is 'Yes', write 'Yes' in Q12 (a) and duration of stay at present address and place of last residence is to be left blank. If the reply is 'No', write 'No' in Q12 (a) and record the duration in completed years in 12(b)(i) below. For them, ask the last place of residence and the State and District is to be recorded in 12(b)(ii) if within India. If the place of last residence is outside India, then write the name of the country in 12(b)(ii) and put a '-' against District.

Q 12. Whether Staying at present place since birth 12 (a) Yes/No,

if No, fill 12(b), else skip							
12 (b) (i) Duration of stay at present place in year							
12 (b) (ii) Place	12 (b) (ii) Place of Last residence						
12(a)	Yes						
12 (b) (i)	-						
12 (b) (ii)	-						
State/Country	-						
District							

Whether Staying at present place since birth							
12(a) Yes/No,							
if No, fill 12(b), else skip							
12 (b) (i) Durati	12 (b) (i) Duration of stay at present place in years						
12 (b) (ii) Place	of Last residence						
12 (a)	No						
12 (b) (i)	5						
12 (b) (ii)	Patna						
State/Country	Bihar						
District	Patna						

Q. 13 Details of father, mother and spouse

- i) If father, mother and spouse are not enumerated in this household or not alive, write their names and date(s) of birth in the space provided. In case of spouse write only name.
- ii) If they are enumerated in this household, write the serial no. in the space provided.
- iii) If place of birth is within India record the State and District of birth place for father & mother in the space provided. If place of birth is outside India then write the present name of the country and put a '-' against District.
- iv) If parents' Date of Birth and/or Place of birth can not be ascertained, then put '-' in the respective spaces.

Q13.If enumerated in this household, write serial number of the father,	
mother and spouse in the box	
Q.13(i) If father, mother and spouse	Q.13(ii) Place of Birth of Father &
are not enumerated in this household	
or not alive, write their names along	If within India, write the name of
with date of birth else write serial	the state and district if outside
number	

			India, Write the name of the				
,		country and put '-' for district '					
Father's Name			State/Country				
Ashok Kumar Bhardwaj	L		Uttar Pradesh				
(DOB as DD-MM-YYYY)			District				
(2000)			Banda ·				
2 5 1 1 1 9	3	0					
Mother's Name	0	4	State / Country				
			Uttar Pradesh				
(DOB as DD-MM-YYYY)			District				
	ļ		Sitapur ;				
Spouse's Name		ĺ					
Naina Bhardwaj							

In the above example, father of the individual is not alive and mother is staying in the same household and is listed at serial number 04.

Q14. (If available)

- (i) Aadhaar Number
- (ii) Mobile Number
- (iii) Voter ID Card Number
- (iv) Driving License Number
- (i) Aadhaar number: For many households, the 12 digit Aadhaar number was collected during the updation of NPR in 2015-16. Those Aadhaar numbers will be printed in the space provided in Side B of the NPR booklet. But the first 8 digits of the Aadhaar number will be masked and only the last 4 digits will be visible/preprinted. If the four digits printed are not correct, record the 12 digits in the space below by cutting out the printed number. Aadhaar number is to be collected if provided by the resident voluntarily. For all new members/new households, if Aadhaar number is available, record carefully the same in the boxes provided.
 - (i) Aadhaar Number (Already printed- example)

(fresh collection-example)

				,		····	·			1	T	
į		_	l _	_	_	_	4		4	Ε.	7	2
1	a	l &	6	1 4		2	1	- 4	- 44	2	/	<i>ا</i> ۔۔۔
8		9	} •	'	-			į	1		1	
В			į.	1	1	1	4					

Q. 14 (ii) Mobile Number: For many households, the mobile number was collected during the updation of NPR in 2015-16. Those mobile numbers will be printed in the boxes. If not correct, record/update the mobile number in the space below by cutting out the printed number. For all new members/new households, if mobile number is available, record carefully the same in the boxes provided. No landline number needs to be recorded here.

(ii), Mobile Number

(

Ī											
	7 1	8	6	2	1	4	5	2	1	2	
		J									

Q.14 (iii) Voter ID Card Number: Record the Voter ID card number or EPIC (Election Photo Identity Card) number of all residents, who are in possession of the same, carefully in the space provided for this.

(iii) Voter ID Card Number

,									
Χ	Р	D	6	2	7	8	2	1	2

Q.14 (iv) Driving License Number: Record the Driving License number of all residents, who are in possession of the same, carefully in the boxes given.

(iv) Driving License Card Number

•													,	
D	L	0	4	2	4	5	8	6	7	6	4	0	0	2
			<u> </u>			1		·	·					

Note:

If any of the above number is not available, it may be left blank.

• Follow the above process for each member of the household.

• After completing a page, please sign in the space provided at the bottom of side A. Also get the signature or thumb impression of the respondent at the bottom of side A. The process is to be repeated for all households in the EB.

6. INSTRUCTIONS FOR FILLING UP OF SUMMARY SHEET

- 6. Filling up of Summary Sheet (Refer Annex I of this manual)
 - i. At the end of the NPR data booklet, one summary sheet has been provided.
 - ii. The item-wise details have to be filled for your HLB.
- 6.1 Step-by-step filling up of Summary sheet
 - iii. Household no. (Col. No. 2): Fill the household number from top of page of the NPR data booklet.
 - iv. Total members of the household as per NPR (Col. No. 3): Note down the total number of members from left hand side of NPR data booklet which will be preprinted in col 2 of the summary sheet.
 - v. Number of Members found during field work (Col no. 4): Count code '1's (i.e. available) from Q 1b for the members of the household and note down the number in col 4 of the summary sheet.
- 6.2 Number of Members not found during field work
 - vi. Moved out (Col. 5): Count code 3's (i.e. 'Moved out' due to any reason) from Q 1 b for the members of the household and note down the number in col. 5 of the summary sheet.
 - vii. Dead(Col. 6): Count code 2's (i.e. 'Died') from Q 1 b for the members of the household and note down the number in col. 6 of the summary sheet.
 - viii. Col.7: Enter the subtotal of Col. Nos. 5 & 6.
- 6.3 New Members found in the existing household/new household during field work (Col. No 8):
 - ix. Count and note down the no. of new members of the households from the booklet.
- 6.4 Total members actually found during the field work (Col. 9):
 - x. Count and note down the number of members actually found during the field work. (Col. 4 +Col. 8) from the NPR booklet.
 - xi. Col. No. 10: Remarks if any, may be entered in this Column.
 - xii. The page totals may be done for each page at the end.
 - xiii. In another fresh summary sheet (Annex II) note down all the page totals of the HLB and write down the Grand total.
 - xiv. In every page of the summary report the enumerator have to put his signature.

*****_***

165 Annex I

Summary Sheet NPR Updation - 2020

Household wise

			As per N	NPR booklet			Now Total		d and to Coppe
Sr.	Household	Total	Number of members	Number	of mem found	bers not	New members found	members in the househol	Remarks, if any
No.	No.	members in the household	found during field	Moved Died Total work					
			work			(5+6)		(4+8)	
1	2	3	4	5	6	7	8	9	10
			\ <u>\</u>						
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				Local Et region		ALADA VOA			
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						1			+
	,				<u> </u>				
					<u> </u>				
		<u> </u>							
	-				-				1
Page Total	ì								

(Signature of the Enumerator)

166 Annex II

Summary Sheet NPR Updation - 2020

(To be prepared from Annex I)

Ì

			(10 be pre As per N	PR bookle					L
Sr.	l Page No.	Total	Number of members	Number	of mem found	bers not	New members found	Total members in the	Remarks,
No.	Tage 4.0.	members in the household	found during field	Moved out	Died	Sub Total	during field work	household	if any
			work			(5+6)		(4+8)	<u> </u>
1	2	3	4	5	6	7	8	9	10
					<u> </u>				
					<u> </u>				
		ļ		<u> </u>			1		
	-								
					<u> </u>				,
				1					
	1	1							
	<u> </u>								
	1				-				
	3								The state of the s
	3		<u> </u>						
Grand	l Total							***************************************	
						1			1

(Signature of the Enumerator)

Annex III

Ready Reckoner 1
Estimated Year of Birth as per English calendar from Year of birth as per local calendar

ENGLISH	SAKA	ISLAMIC	VIKRAM SAMVAT	BENGALI
2019	1941	1440	2076	1436
2019	1940	1439	2075	1425
2016	1939	1438	2074	1424
	1939	1437	2073	1423
2016 2015	1937	1436	2072	1422
	1936	14135	2071	1421
2014	1935	1434	2070	1420
2013	1934	1433	2069	1419
2012	1933	1432	2068	1418
2011	1932	1431	2067	1417
	1932 /	1430	2066	1416
2009	1931	1429	2065	1415
2008	1929	1428	2064	1414
2007		1427	2063	1413
2006	1928	1427	2063	1412
2005	1927		2062	1411
2004	1926	1425	2061	1410
2003	1925	1424		
2002	1924	1423	2059	1409
2001	1923	1422	2058	1408
2000	1922	1421	2057	1407
1999	1921	1420	2056	1406
1998	1920	1419	2055	1405
1997	1919	1418	2054	1404
1996	1918	1417	2053	1403
1995	1917	1416	2052	1402
1994	1916	1415	2051	1401
1993	1915	1414	1 2050	1400
1992	1914	1413	2049	1399
1991	1913	1412	2048	1398
1990	1912	1411	2047	1397
1989	1911	1410	2046	1396
1988	1910	1409	2045	1395
1987	1909	1408	2044	1394
1986	1908	1407	2043	1393
1985	1907	1406	2042	1392
1984	1906	1405	2041	1391
1983	1905	1404	2040	1390
1982	1904	1403	2039	1389

NGLISH	SAKA	ISLAMIC	VIKRAM SAMVAT	BENGALI
1981	1903	1402	2038	1388
1980	1902	1401	2037	1387
1979	1901	1400	2036	1386
1978	1900	1399	2035	1385
1977	1899	1398	2034	1384
1976	1898	1397	2033	1383
1975	1897	1396	2032	1382
1974	1896	1395	2031	1381
1973	1895	1394	2030	1380
1972	1894	1393	2029	1379
1971	1893	1392	2028	1378
1970	1892	1391	2027	1377
1969	1891	1390	2026	1376
.968	1890	1389	2025	1375
1967	1889	1388	2024	1374
1966	1888	1387	2023	1373
1965	1887	1386	2022	1372
1964	1886	1385	2021	1371
1963	1885	1384	2020	1370
1962	1884	1383	2019	1369
1961	1883	1382	2018	1368
1960	1882	1381	2017	1367
1959	1881	1380	2016	1366
1958	1880	1379	2015	1365
1957	1879	1378	2014	1364
1956	1878	1377	2013	1363
1955	1877	1376	2012	1362
1954	1876	1375	2011	,1361
1953	1875	1374	2010	1360
1952	1874	1373	2009	1359
1951	1873	1372	2008	1358
1950	1872	1371	2007	1357
1949	1871	1370	2006	1356
1948	1870	1369	2005	1355
1947	1869	1368	2004	1354
1946	1868	1367	2003	1353
1945	1867	1366	2002	1352
1944	1866	1365	2001	1351

ENGLISH	SAKA	ISLAMIC	VIKRAM SAMVAT	BENGALI	ENGLISH	SAKA	ISLAMIC	VIKRAM SAMVAT	BENGALI
1943	1865	1364	2000	1350	1930	1852	1351	1987	1337
1942	1864	1363	1999	1349	1929	1851	1350	1986	1336
1941	1863	1362	1998	1348	1928	1850	1349	1985	1335
1940	1862	1361	1997	1347	1927	1849	1348	1984	1334
1939	1861	1360	1996	1346	1926	1848	1347	1983	1333
1938	1860	1359	1995	1345	1925	1847	1346	1982	1332
1937	1859	1358	1994	1344	1924	1846	1345	1981	1331
1936	1858	1357	1993	1343	1923	1845	1344	1980	1330
1935	1857	1356	1992	1342	1922	1844	1343	1979	1329
1934	1856	1355	1991	1341	1921	1843	1342	1978	1328
1933	1855	1354	1990	1340	1920	1842	1341	1977	1327
1932	1854	1353	1989	1339	1919	1841	1340	1976	1326
1931	. 1853	1352	1988	1338	1918	1840	1339	1975	1325

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Annex IV

Months as per Indian Calendar and corresponding English / Gregorian Calendar

Months as per Indian calendar	Corresponding English / Gregorian Months
PAUSH	December/January
MAGH	January / February
PHALGUN	February/March
CHAITRA	March/April
VAISHAKH	April/May
JYAISHTHA	May/June
ASHADHA	June/July
SHRAVANA	July/ August
BHADRAPAD	August/September
ASHWIN	September/October
KARTIK	October/November
AGRAHAYANA	November/December

Important Festivals corresponding to English / Gregorian Months

Name of Festival	Corresponding English/ Gregorian Month
NEW YEAR'S DAY	January
GURU GOBIND SINGH JAYANTI, MAKARA SANKRANTI, PONGAL, REPUBLIC DAY	January
BASANT PANCHAMI,	January / February
MAHARISHI DAYANAND SARASWATI JAYANTI, MAHA SHIVRATRI,HOLI (February/ March
GUDI PADWA, RAMNAVMI,	March/ April
VAISAKHI, BIHU, MAHABIR JAYANTI, GOOD FRIDAY	April
BUDH PURNIMA	May
RATH YATRA	June / July
NAGAPANCHAMI,	July/ August
JANAMASHTMI, RAKSHA BANDHAN	
INDEPENDENCE DAY	August
GANESH CHATURTHI	August/September
ONAM	September
DUSSEHRA, DURGA PUJA, NAVRATRA	September/ October
GANDHI JAYANTI	October
DIWALI, BHAI DUJ, MAHARISHI VALMIKI JAYANTI, CHHATH PUJA, GURU NANAK JAYANTI	October/November
AYYAPPA FESTIVAL, CHINISTMAS	December

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Annex VI

Ready Reckoner 2

Estimated Year of Birth from estimated age: Houselisting & Housing Census 2010

Estimated Age in completed years	Year of Birth as per English Calendar	Estimated Age in completed years	Year of Birth as per English Calendar		Estimated Age in completed years	Year of Birth as per English Calendar
0	2020	34	1986	ļ	68	1952
1	2019	35	1985		69	1951
2	2018	36	1984		70	1950
3	2017	37	1983		71	1949
4	2016	38	1982		· 72	1948
5	, 2015	39	1981	1	73	1947
6	2014	40	1980	 	74	1946
7	2013	41	1979		75	1945
8	2012	42	1978	1	76	1944
9 .	2012	43	1977	1	.77	1943
10	2010	44	1976	-	78	1942
11	2009	45	1975		79	1941
12	2008	46	1974	\top	80	1940
13	2007	47	1973		81	1939
14 1	2006	48	1972		82	1938
15	2005	49	1971	+	83	1937
16	2004	50	1970	1	84	1936
17	2003	51	1969	1	85	1935
18	2002	52	1968		86	1934
19	2001	53	1967	T	87	1933
20	2000	54	1966	1	88	1932
21	1999	55	1965		89	1931
22	1998	56	1964		90	1930
23	1997 /	57	1963	1	91	1929
24	1996	58	1962		92	1928
25	1995	59	1961		93	1927
26	1994	60	1960		94	1926
27	1993	61	1959		95	1925
28	1992	62	1958		96	1924
29	1991	63	1957		97	1923
30	1990	64	1956		98	1922
31	1989	65	1955		99	1921
32	1988	66	1954		100	1920
33	1987	67	1953	1	101	1919

172 Annex VII

Code Directory for Mother tongue

Mother tongue	Code
Adi (001
Adi Gallong/ Gallong	002
Adi Miniyong/ Miniyong	003
Afghani/ Kabuli/ Pashto	004
Ahirani	005
Anal	006
Angami	007
Ao	008
Apatani	009
Arabic/ Arbi	010
Are	011
Assamese	012
Awadhi	013
Badaga	014
Baghati/ Baghati Pahari	015
Bagheli/ Baghel Khandi	016
Bagri	017
Bagri Rajasthani	018
Bahawal Puri	019
Balti	020
Banjari	021
Baori	022
Barel	023
Bauti	024
Bengali	025
Bhadrawahi	026
Bhagoria '	027
Bhansari	028
Bharmauri/ Gaddi	029
Bhateali	030
Bhatia	031
Bhatri	032
Bhilali	033
Bhili/ Bhilodi	034
Bhojpuri	035

Mother tongue	Code
Bhotia	036
Bhuiya/ Bhuyan[Ori]	037
Bhumij	038
Bhumijali	039
Bilaspuri Kahluri	040
Bishnoi	041
Bishnupriya Manipuri/ Manipuri Bishnupriya	042
Bishnupuriya	043
Bodo/Boro	044
Brajbhasha	045
Bundeli/ Bundel khandi	046
Chakhesang	047
Chakma	048
Chakru/ Chokri	049
Chambeali/ Chamrali	050
Chang	051
Chhattisgarhi	052
Chirr	053
Chodhari	054
Chungli	055
Churahi	056
Coorgi/ Kodagu	057
Dangi	058
Dardi	059
Deori	060
Desia	061
Dhodia	062
Dhundhari	063
Dhurwa	064
Dimasa	065
Dogri	066
Dorli .	067
English	068
Gadaba	069
Gamti/ Gavit	070

Mother tongue	Code
Gangte	071
Garasia	072
Garhwali	073
Garo	074
Gawari 1	075
Gojri/ Gujjari/ Gujar	076
Gondi	077
Gorboli/ Goru/ Gorwani	078
Gujarati	079
Gujari	080
Gujrao/ Gujrau	081
Haijong/ Hajong	082
Halabi	083
Halam	084
Handuri	085
Hara/ Harauti	086
Haryanvi	087
Hindi	088
Hindi Multani	089
Hmar	090
Но	091
Irula/ Irular Mozhi	092
Jatapu	093
Jaunpuri/ Jaunsari	094
Juang	095
Kabui	096
Kachari	097
Kachchhi ¹	098
Kaikadi	099
Kalari	100
Kangri	101
Kannada	102
Karbi/ Mikir	103
Karmali	104

Mother tongue	Code
Kashmiri '	105
Khandeshi	106
Khari Boli	107
Kharia .	108
Khasi	109
Khezha	110
ıKhiemnungan	111
Khond/ Kondh	112
Khortha/ Khotta	113
Kinnauri	. 114
Kisan	115
	116
Kishtwari	117
Koch	117
Koda/ Kora	119
Kodava	120
Kodu	121
Kokbarak	122
Kokna/ Kokni/ Kukna Kol	123
Kolami	124
Koli	125
Kom	126
Konda	127
Konkani	128
Konyak	129
Koraku	130
Korava	131
Korku	132
Korwa	133
Koya	134
Kudubi/ Kudumbi	135
Kui	136
Kuki	137
Kulehiya	138

Mother tongue	Code
Kulvi	139
Kumauni	140
Kurmali Thar	141
Kuruba/ Kurumba	142
Kurukh/ Oraon	143
Kuvi	144
Ladakhi	145
Lahauli	146
Lahnda	147
Lakher	148
	149
Lalung	150
Lamani/ Lambadi	
Laria	151
Lepcha	152
Liangmei	153
Limbu	154
Lodhi	155
Lohara	156
Lotha	157
Lushai/Mizo	158
Lyngngam	159
Magadhi/ Magahi	160
Mahili '	161
Maithili	162
Malayalam	163
Malto	164
Malvi	165
Malwani	166
Mandeali	167
Manipuri	168
Mao	169
Mara	170
Maram	171
Marathi	172
Maria/ Muria	173
Maring	174

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Mother tongue	Code
Marwari	175
Mawchi	176
Mech/Mechhia	177
Mewari	178
Mewati	179
Miri/ Mishing	180
Mishmi	181
	182
Mogh	183
Mongsen	
Monpa	184
Munda	185
Mundari	186
Muwasi	187
Nagpuria	188
Nawait	189
Nepali	190
Nicobarese	191
Nimadi	192
Nissi/ Dafla	193
Nocte	194
Odia	195
Padari	196
Pahari	197
Pahariya	, 198
Paite	199
Palmuha	200
Panch Pargania	201
Pando/ Pandwani	202
Pangwali	203
Pania	204
' Paola	205
Paradhi	206
Parji	207
Pattani	208
Pawari/ Powari	209
Pawi	210

Mother tongue	Code
Pawri \	211
Phom	212
Pnar/Synteng	213
Pochury	214
Ponchi	215
Prakritha/ Prakritha Bhasha	216
Proja (Ori)	217
Punjabi	218
Puran/ Puran Bhasha	[,] 219
Purbi Maithili	220
Purkhi	221
Rabha	222
Rai	223
Rajasthani	224
Rajbangsi	225
Rathi	226
Reang	227
Relli	228
Rengma	229
Rongmei	230
Sadan/Sadri	231
Sambalpuri	232
Sangtam	233
Sanskrit 1	234
Santali	235
Saurashtra/Saurashtri	236
Savara ,	237
Sema	238
Sherpa	239
Shina	240
Sindhi	241
Siraji	242
Sirmauri	243
Sondwari	244

Mother tongue	Code
Sugali	245
Surgujia	246
'Surjapuri	247
Tadavi	248
Tagin	249
Talgalo	. 250
Tamang	251
Tamil	252
Tangkhul	253
Tangsa	254
Telugu	255
Thado	256
Tharu	257
Thati	258
Tibetan	259
Tikhir '	260
Tripuri	261
Tulu	262
Tutcha Tangsa	263
Urdu	264
Vadari	265
Vaiphei	266
Varli	267
Vasava	268
Wagdi	269
Wancho	270
War	271
Yerava	272
Yerukala/Yerukula	273
Yimchungre	274
Zeliang	275
Zemi	276
Zou	277
Other Mother Tongue (Please specify)	999

IN THE SUPREME COURT OF INDIA CIVIL ORIGINAL JURISDICTION I.A. NO. OF 2020

IN WRIT PETITION (C) NO.

OF 2020

IN THE MATTER OF:-



... Petitioner

VERSUS

Union of India & Ors.

... Respondents

APPLICATION FOR STAY

TO '
THE CHIEF JUSTICE OF INDIA
AND HIS LORDSHIP'S COMPANION JUSTICES
OF THE HON'BLE SUPREME COURT OF INDIA

The humble petition of the Petitioner named above:

- 1. The Petitioner, a public interest litigant is filing the present Writ Petition against the Respondent seeking relief of declaration that the Citizenship Amendment Act, 2019 (Act No. 47 of 2019) (hereinafter called the "CAA") is *ultra vires* the Constitution. The CAA is violative of Articles 5,6,7,8,10,11, 14, 19 and 21 of the Constitution of India. That the Petitioner is also challenging the validity of:
 - (a) Notification Order No. GSR 685 (E) dated 08.09.2015;
 - (b) Notification/ Order G.S.R. 686(E) dated 08.09.2015,
 - (c) G.S.R. 702(E) dated 18.07.2016,
 - (d) G.S.R. 703(E) dated 18.07.2016.
 - (e) GSR 1186 (E) dated 23.12.2016
 - (f) GSR 5377(E) dated 23.10.2018

- 2. The Petitioner has also assailed the powers of the Government under S.14A of the Citizenship Act, 1955 and the Notification / Order S.0.2753 (E) dated 31.07.2019.
- That the facts leading to the present Writ Petition are setout in the Writ Petition and so are the grounds which are not repeated herein for the sake of brevity.
- 4. That the Petitioner has established a prima facie case and irreparable harm would be caused unless the impugned orders are stayed by this Hon'ble Court.
- 5. That no irreparable harm would be caused to anyone if the prayers sought for are granted as the Citizenship Amendment Act disrupts the Constitutional promise.

PRAYER

For the facts and reasons aforestated, this Hon'ble Court may graciously be pleased to

- A. Stay the operation and implementation of Citizenship (Amendment) Act, 2019 (Act No. 47 of 2019) during the pendency of the present proceedings;
- B. Stay the operation and implementation of the Notification Order No. GSR 685 (E) dated 08.09.2015 and Notification/ Order G.S.R. 686(E) dated 08.09.2015;

C. Stay all proceedings in relation to National Population Register / National Register of Citizens purportedly under S.14A of the Citizenship Act, 1955 (as amended from time to time) and Order S.0.2753 (E) dated 31.07.2019 during the pendency of these proceedings;

Drawn By

LZAFÉER AHMAD MOHD SHAZ KHAN

Drawn on: 16.01.2020 Filed on: 16.01.2020

New Delhi

FILED BY:

TALHA ABDUL RAHMAN

ADVOCATE FOR PETITIONER

Talha Abdul Rahman

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B.A., LL.B. (Hons.), B.C.L. (Oxon.)
Advocate on Record

The Registrar
Supreme Court of India, Bhagwandass Road
New Delhi | 110003

20.01.2020

In Re:

Dairy No.

of 2020

v. UNION OF INDIA & ORS.

LETTER

Şir,

It is to bring under your kind information that the captioned matter is not a Public Interest Litigation. Rather it is normal writ petition under Article 32 of the Constitution of India being filed due to infringement of fundamental rights of the Petitioner.

Thus, the Petitioner shall be exempted from adhering to the due filing procedure of PIL.

Yours truly

Talha Abdul Rahman

Advocate for Petitioner

Code: 2467 ,

Office: E-350,G.F.,East of Kailash, New Delhi - 110065 talha@talha.in | (M): +91 8130500766