

CITIZENSHIP (REGISTRATION OF CITIZENS AND ISSUE OF NATIONAL IDENTITY CARDS) AMENDMENT RULES, 2009

g«o-330W99 REGD. Che Gazette of •tidia 6391 No. 6391 EXTRAORDINARY PART u—section 3—SWsectkn (D PUBIS-IED BY AUTHORITY 9, 18, 1931 NEW DEUn, MONDAY, NOVEMBER 9, 2009/KAR'NKA 1931 1955 57) 18 eq- (1) (3) (7FfR* qrql) fiqq, 2003 i, (1) fiztq, 2009 t I (2) 2. fiqq, 2003 3. fiqq, 2009 1951 1971 4050 GV2D09 2 TIO GAZETTE OF INDIA : EXTRAORDINARY [PART U—SEC. 4. 18 •\$1 F) 1951", 1951 g) "1971 1971 1951 1971 crufq 3 (2) Mgt efi, I 1971 1951 ; 3tR (2) 1966 25 1971 (5) 1971 1971 t, 4 THE GAZETTE OF INDIA : EXTRAORDINARY 4. (1) .37ü*i gg, Rthé gg, Rq)é s (3) (1) aætFT zrr fig-em t 1964 (%1. 2601 : 937 (30, da 10 2003 I MINISTRY OF (Foreigner's Division) NOTIFTCAM)N New Delhi, the Now•nber, 2009 G.S.R. 803(EHn exercise of the powers cconferred by sub-sections (1) z: id (3) of section IS •of the Citizenship Act. 1955 (57 of 1955), the Central Government hereby rnakes the following rules to amend the Citizenship (Registration of Citizens nd Issue of National identity cards) Rules, 2003, namely:- 1. (1) These rules may be caned the Citizenship (Registration of Citizens and Issue of Naãonal Identity Cards) Amendment Rules, 2009. 6 : EXTRAORDINARY (2) They shall come into force on the date of their publication in tle Official Gazette 2. In the Citizenship (Registration of Citizens and issue of Nafional Identity Cards) Rules, 2003 (hereinafter referred to as the said rules), in rule 2, after clause (m), the following clause shall be inserted, namely:- '(ma) "Schedule" means a Schedule appended to frese rules; '

3. After rule 4 of the said rules, the following rule shall be inserted, namely:- "4A. Special provisions as to National Register of Indian Citüens in' State of Assam.- (1) Nothing in rule 4 shall, on and after the commencement of the citizenship (Registration of Citizens and Issue of National Identity Cards) Amendment Rules, 2009, apply to the State of Assam. (2) The Central Government shall, for tie • purpose, of the National Regis*r of Indian Citizens in üle State of Assam, cause to carry out throughout- the State of Assam for preparation of the National Register of Indian Citizens in tkE of Assam by inviting applications from all the residents, for collection of specified relating to each family and individual, residing in a local area in the State including tie citizenship status based on the National Register of Citizens 1951 and the electoral rolls prior to the year 1971. (3) The Registrar General of Citiaëns Registration shall notify the period and duration of the enumeration in the Official Gazette. (4) The manner of preparation of the National Register of Indian Citiaëns in the State of Assam shali be such as specified in the Schedule appended to these ruies."

4. After rule 18 of said rules, the following Schedule shall be inserted., namely:- • 'SCHEDULE [See rule 4A SPECIAL PROVISIONS AS TO MANNER OF PREPARATION OF NATIONAL REGISTER OF INDIAN cmzEN IN STATE OF ASSAM I. In this Schedule, the context othe?wise requires,— (a) "National Register of Citizens 1951" means the Re\$ster containing details of Indian citizens residing in the State of Assan, as mentioned in the National Register Of Citizens which was prepared along with 1951 censzs tmder a directive of the Ministry of Home Affairs; (b) "electoral rolls prior to 1971" means the electoral rolls containing details of voters as prepared by Election Commission of India or the State Election Commissiori of the State of Assam in a relevant period prior to the year (2) All other words and expressions used herein and not defined but defined in rule 2 of these rules, shall have the meanings, respectively, assigned to t.lrm in that rule

2. Manner of preparation of dran National Register •of iD State of Asgam.— (1) (a) The District Magistrate shall case to be cmblist*d copies of the National- Register of Citizens 1951 and electoral rolls prior to the year 1971, •as available, in suffcient numbers and publish it aryl send the same to the Local Register of Citizen Registration for wide circulation and public inspection in each village and ward. (b) Ihe Local Registrar of Citizen Registration shall select cenfrally located public places for display of the records and for issue and receipt of the application forms. (c) The Local Registrar of Citizens Registration shall be the custodian of the records' in. the area his jurisdictidn and shan be revonsible for its display during the omce hours. (2) The Local Registrar of Citizen Registration Shal] receive the filled up application forms, at the same place where the applications are issued, and issue the receipt thereof to the applicant. (3) The Local RegistrÜ of Citizen Registration, aner the receipt of tie application under sub-paragraph (3) shall

scrutiny of the applications and after its verification, prepare a consolidated list thereof which shall contain names of the following persons, namely:-- 8 GAZETTE OF INDIA : EXTRAORDINARY (a) persons whose names appear in any of the electoral rolls prior to the year 1971 or in National Register of Citizens, 1951; (b) descendants of persons mentioned in clause (a) above

3. Scrutiny of applications. (1) The scrutiny of applications received under sub-paragraph (3) of paragraph 2 shall be made by comparing the information stated in the application form with the official records and the persons, of whom the information is found in order, shall be eligible for inclusion of their names in the consolidated list. (2) The names of persons who have been declared as illegal migrants or foreigners by the competent authority shall not be included in the consolidated list: Provided that the names of persons who came in the State of Assam after 1966 and before the 29 March, 1971 and registered themselves with the Foreigner Registration Regional Officer and who have not been declared as illegal migrants or foreigners by the competent authority shall be eligible to be included in the consolidated list; (3) The names of persons who are originally inhabitants of the State of Assam and children and descendants, who are Citizens of India, shall be included in the consolidated list if the Citizenship of such persons is ascertained beyond reasonable doubt and to the satisfaction of the registering authority; (4) The Local Registrar of Citizens Registration may, in case of any doubt in respect of parental linkage or any particular mentioned in the application received under sub-paragraph (3) of paragraph 2, refer the matter to the District Magistrate for investigation and his decision and Local Registrar of Citizens Registration shall also inform the same to the individual or the family; (5) The Local Registrar of Citizens Registration may, in case of any person who was resident of any place other than the State of Assam on or before 1971 or who have shifted to different districts in the State of Assam after 1971, if he considers it verify the information through, inter-District and interstate correspondences

4. Publication of consolidated list—(1) The Local Registrar of Citizen Registration shall, after completion of scrutiny of all applications, prepare the consolidated list village and ward wise and authenticate each entry in the list. (2) The District Magistrate, shall cause to publish the consolidated list, prepared and authenticated under subparagraph (1), as draft of the National Register of Indian Citizens in the State of Assam, and cause to publish a public notice with to publication of the draft National Register of Indian Citizens in the State of Assam in the local news paper having wide circulation in the village and ward inviting objections and suggestions on it. (3) The Local Registrar of Citizen Registration may at any time before the final publication of the National Register of Indian Citizens in the State of Assam, may cause or direct to cause verification of names of such persons considered necessary. (4) The Local Registrar of Citizen Registration shall special in attending the instances of allegation of undue harassment, if brought to his notice during conduct of verification and take necessary action as he may consider appropriate. (5) The report of the verification shall be examined by the District Registrar of Citizens Registration. (6) The District Registrar of Citizen Registration shall, by order, act for reasons to be recorded in writing for inclusion or, as the case may be, exclusion of names, dispose of the report of the verification, and the report of verification which are allowed for inclusion of names and which are not allowed for inclusion shall be kept separately, village and ward wise along with a list of all such cases. **5. Publication of additional list**— (1) After the decision of the District Registrar of Citizens Registration under subparagraph (6) of paragraph 4, the additional list, if any, to the draft National Register of Indian Citizens shall be published in the manner specified under paragraph 2

6. Claims and objection.— (1) Any person may— (a) Whose names do not appear in the draft National Register of Indian Citizens published under paragraph 2 or in the additional list published under paragraph 4, file his claim, along with necessary documents in support of thereof; or (b) Object to inclusion of any name in the draft National Register of Indian Citizens published under paragraph 2 or in the additional list published under paragraph 4, Within a period of thirty days from the date of such publication, before the Local Registrar of Citizen Registration. (2) The Local Registrar of Citizen Registration shall maintain the list of claims received under clause (a) of sub-paragraph (1) and the objections received under clause (b) of sub-paragraph (1) in separate registers in chronological order; (3) The Local Registrar of Citizen Registration shall, give a notice to every person, who filed his claim or objection under sub-paragraph (1) to file documents, if any, in support of his claim or objection, and after giving the reasonable opportunity of hearing to the applicant or objector, dispose of the claim or, as the case may be, the objection. NE GAZETTE OF INDIA : EXTRAORDINARY 'PART II'

7. Publication of supplementary list,-- The Local Registrar of Citizen Registration shall, after the disposal of claims and the objections t.mder sub- paragraN1 (3) of paragraph 6, prepare and publish a supplementary list for inclusion or deletion of names, as the case may be, and thereafter, the Registrar General of Citizens Regis_tration shall publish the final National Register of Indian Citizens in the State of Assam

8. Appeal.— Any person, not satisfied with the outcome of the decisions of the claims and objections under paragraph 7, may prefer appeal, before the designated Trib-Inal constituted under the Foreigners (Tribunals) Order, 1964 within a period of sixty days from the date of such order; and on the disposal of appeal by the Tribunals the names shall be included or deleted, as tre case may be, in tre National Register of Indian Citizens in the State of Assarn. ASHIM VOWRANA, Jt. secy. Note : The principal rules were published in the Gazette of India, ExtraoFdinary vide notification number G.S.R. 937(E), dated the 10th December, 2003. Printed by the Manager, Governmentl of India Pressr Ring. Road. Published by me Controller of Publications. Mayapuri, New Delhi-I I OM-4 Delhi-110054.

