

186 (14)
RTI MATTER
MOST IMMEDIATE

No.11012/154/2013-NE.IV
Government of India
Ministry of Home Affairs

New Delhi, Dated 22nd November, 2013

To,

✓
Shri Matiur Rahman
South Ext. Part-II, B-51,
3rd Floor,
New Delhi-110049

Sub: Information under RTI Act, 2005.

Sir,

Please refer to your application dated 24.10.2013 received in NE Division, Ministry of Home Affairs on 18.11.2013 seeking information under RTI Act, 2005. The information available with NE Division, MHA is as under:-

2. The information sought at Sl. No. 1 and 2 : . Under the Assam Accord the foreigners have been divided into the following categories:

- (i) Those who came to Assam before 1.1.1966
- (ii) Those who came to Assam between 1.1.1966 and 24.3.1971
- (iii) Those who came to Assam on or after 25.3.1971

In pursuance to the clauses of the Assam Accord, Section 6A was inserted in the Citizenship Act, 1955 in the year 1985 which purports to grant recognition to all migrants of Indian origin who "came to Assam from the specified territory on the prescribed dates." Those who came, prior to 1.1.1966, are to be treated as full-fledged citizens. Those who came after 1.1.1966 upto 24.3.1971 were to be detected and, on detection, their names were to be deleted from the electoral rolls for a period of ten years. This detection was to be carried out on the basis of the Foreigners (Tribunals) Orders, 1964 constituted under the provisions of the Foreigners Act, 1946. For this purpose, Section 6A was inserted in the Citizenship Act, 1955 and the Foreigners (Tribunals) Order 1964 was amended and 11 Foreigners Tribunals were established. Under this category, every person who came to Assam on or after 1.1.1966 but before 25.3.1971 was required to register himself with the prescribed authority. In case his name has been included in the Electoral rolls of the Assembly/Parliamentary Constituency in force, his/her name would be deleted, otherwise he/she would be treated as foreigner and would remain disenfranchised for a period of ten years from the date of registration. Those persons who came on or after 25.03.1971 were to be

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detected and deported. Presently, there are 36 Foreigners Tribunals set up in Assam for detection of illegal migrants.

3. The information sought by you at Sl. No. 3 to 8 are not available with this Division.

4. The information sought at Sl. No. 9 to 10:- The Government of Assam has submitted revised modalities for updation of National Register of Citizens 1951 (NRC) on 5th July, 2013. The revised modalities submitted by the State Government was examined by the Registrar General of India and approved by the competent authority for updation of NRC work. NRC 1951 will be updated by including the names of persons from the electoral rolls upto 1971 and their descendants. As per modalities, names of illegal migrants who came to Assam on or after 25.3.1971 will not be included in the NRC 1951. Such persons will be detected and deported to their native country. An amount of Rs. 25 crore has been released to the Government of Assam on 31st October, 2013 for this purpose.

5. You are requested to kindly file fresh applications to State Government/Foreigners Division, MHA authorities seeking the aforesaid information.

6. An appeal if any, in the matter lies within a month to Shri Shambhu Singh Joint Secretary, Room No. 109-C, North Block, New Delhi - 110001.

Yours faithfully,

(Ajay Kanoujia)

Deputy Secretary & CPIO

Copy to:

1. Shri S Samanta,
Under Secretary (RTI)
North Block, MHA
New Delhi.
2. Shri Mahendra Kumar,- (information seeking at Sl. No. 3 to 8 may be available
Deputy Secretary, with Foreigners Division. If available, the same may
(C) & CPIO, kindly be provided to the applicant directly)
NDCC -II Building,
Jai Singh Road, New Delhi.

To,
The Central Public Information Officer
Ministry of Home Affairs, Government of India.
North Block, New Delhi - 110001

Dated: New Delhi, 24th October, 2013

SUB: REQUEST TO PROVIDE THE INFORMATION UNDER R.T.I. ACT, 2005.

Sir,

I the undersigned most respectfully request you to kindly provide the information under R.T.I. Act, 2005.

1. The Constitutional Provision to issue Citizenship Certificate to a Foreigner in Assam.
2. The Law or Act to Provide Citizenship to a Foreigner in Assam.
3. The Constitutional Provision to issue Citizenship Certificate to a War Refugee of Foreign Country in Assam.
4. The Law or Act to Provide Citizenship to a War Refugee of Foreign Country in Assam.
5. The Constitutional Provision or Act to give Land Rights to Foreigners of a Foreign Country in Assam.
6. The Constitutional Provision or Act to give Land Rights to a War Refugees of a Foreign Country in Assam.
7. The Constitutional Provision or Act to give Political Rights to a Foreigner for Contest in any Election in Assam.
8. The Constitutional Provision or Act to give Political Rights to a War Refugee for Vote in any Election in Assam.
9. Total numbers of Illegal Foreigners names which will be included in National Register of Citizenship (NRC) in Assam from 1951 to 1971.
10. Total numbers of War Refugees names which will be included in National Register of Citizenship (NRC) in Assam from 1951 to 1971.

Yours Faithfully
Matiur Rahman
24.10.13
(Matiur Rahman)

ADDRESS:
Matiur Rahman
South Ext. Part-II, B-51
3rd Floor, New Delhi-110049