

No: SPMU/NRC/Dist-Co-Equip/68/2015/Pt-5/352

Dated 1st Dec, 2018

From : Prateek Hajela, IAS
State Coordinator, National Register of Citizens, Assam

To : The District Registrar of Citizen Registration (DRCR)
All Districts

Subject : SOP for Claims and Objections - Collection/ determination of additional information about Claimants.

Ref : SPMU/NRC/Dist-Co-Equip/68/2015/Pt-5/282 dated 8th Nov, 2018

Sir/Madam,

Please refer the Standard Operating Procedure (SOP) issued by the Government of India as per approval by Hon'ble Supreme Court vide their orders dated 1st November, 2018.

A. Your attention is invited to Para 4(viii) (a) & 4(viii) (a) (i) of the SOP wherein special provisions have been made for Indian citizens who originate from other Indian states and who do not have any origin in Bangladesh:

1. **Para 4 (viii) (a)** *"Hon'ble Supreme Court vide its order dated 21st July, 2015 has directed as under:- "In so far as clause 3(5) of the Schedule to the Rules is concerned, we clarify that Indian citizens, including their children and descendants, who may have moved to the State of Assam subsequent to 24th March, 1971 would be eligible for inclusion in the NRC on adducing satisfactory proof of residence in any part of the country (outside Assam) as on 24th March, 1971."*
2. **Para (viii) (a) (i)** *"However, it has been observed that in some instances such persons have not been able to provide documents to satisfactorily prove their residence in any part of the country (outside Assam) upto 24th March, 1971. As such, their cases will be dealt with under Rule 4 of the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003 and Clause 3(3) of its Schedule, as follows: Citizens of India who originate from other states in India and who do not have any origin in Specified Territory (Bangladesh) and have moved to State of Assam prior to 24th March, 1971 or after, will be included in the NRC if the citizenship of such persons is ascertained beyond reasonable doubt to the satisfaction of the authorities disposing of claims and objections".*

B. Further, Clause 3(3) of the Schedule to The Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003, reads as follows:

"The names of persons who are originally inhabitants of the State of Assam and their 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."

- C. Further, as per the SOP vide Para 4 (vii), special provisions are made for destitute and orphans which read as follows:

"Destitute or orphans in respect of whom the applications have been submitted by the institutional homes will not be governed by any requirement of documents and their citizenship status will be ascertained based on alternative evidence, if available, through a Committee consisting of DRCR, Additional Deputy Commissioner In-charge of NRC, CRCR and the District Social Welfare officer".

- D. Further, as per SOP para 4 (ix), children upto 14 years of age are to be segregated:

"Claims where only children (14 years or below) have been left out from the draft NRC while their parents have been included will be segregated and pre-claim verification undertaken by CRCR to ascertain the shortcoming in linkage documents or any inconsistencies thereof. The concerned DRCR will cause specific hearings for the composite family in respect of these minor children and oral/written evidences from parents will be admissible. This special consideration is required as adequate documentary evidence may not be available for children less than 14 years of age".

- E. Further, as per para 4 (x) Claims of married women submitting Gaon Panchayat Secretary/ Circle Officer/ Lot Mandal Certificates are required to be dealt as per orders of the Hon'ble Supreme Court on the matter which read as follows:

"Claims where only married women are involved and have no linkage document other than Gaon Panchayat Secretary Certificate issued prior to August 2015 will be examined separately in accordance with the guidelines issued in its compliance to Hon'ble Supreme Court orders on the verification of Gaon Panchayat Secretary Certificate for married women. It is to be ensured that the concerned officers follow the Guidelines scrupulously by way of better capacity building and also providing adequate time for each hearing".

- F. In order to ensure proper adherence to the SOP, para 7 provides for hearings to be held in clusters details of which as reproduced below:

"Disposal of all Claims and Objections will be done through holding of hearings wherein Claimant/ Objector will be asked to attend. Venue of hearing will be a suitable place easily accessible to claimant or person objected upon belongs, keeping in mind security and logistics. Claimants will be required to bring evidence they wish to adduce in the hearings to substantiate their claim. They would also bring with them such other persons, whose oral evidence is admissible, to testify for them. For the purpose of establishing the linkage, oral evidence may be recorded of such persons who are blood relatives, namely siblings, close relatives or Government functionaries who can certify the linkage. Other family members accompanying the applicant may provide assistance during the course of the hearing. NRC authorities will also issue notices to all users of their Legacy Data to appear in these hearings.

Notices will be generated centrally and will be delivered through the NSK. 5 hearings (one for each family) per day by each authorised officer of DM will be held. The hearings will be categorised as under:

- a) Cases of applicants who originate from other States in India [Para 4(VIII) cases.]*
- b) Cases where only children (less than 14 years) have been left out. In this case, the numbers of hearings to be held per day may be higher – 8 families per day.*
- c) Cases where only married women have been left out.*
- d) Cases involving persons appearing in 1951 NRC or any of the Electoral Rolls up to 24th March, 1971 (Midnight).*
- e) Cases involving submissions of any List A document other than persons appearing in 1951 NRC or any of the Electoral Rolls up to 24th March, 1971 (Midnight).*
- f) Other Cases*

The hearings will record the particulars and statements of witnesses and after due examination of all records and evidences a speaking order will be given by the authorized officer of DM. Necessary quality checks will be undertaken by the Circle Registration Officers and cases requiring further attention will be referred to DRCRs who will attend to the cases personally. The hearing venues will have all the relevant data i.e. PDFs of Application Forms, documents, Manual Family Tree of the Claimant and all other users of that Legacy Data, PDFs of records of Family Tree and Special Verification, as applicable. Proper logistic arrangements at the venues for public as well officers undertaking the hearings will be made. If the matter of Claim / Objection is not disposed off in one hearing, more number of hearings will be scheduled. For subsequent hearings, the Disposing Officer will issue the Notices manually. Such notices will be handed over to the persons appearing at the hearing itself. For those persons who are not present, the Claimant/ Objector will ensure presence of the required witnesses. For the purposes of verification of documents and particulars wherever considered necessary, the issuing authority and the authority connected with issue of such documents/particulars will be called to submit necessary evidence in regard to authenticity of such documents/particulars. Verification of authenticity of documents by way of comparison with the backend will be carried out wherever considered essential".

As such, in order to ensure that the hearings are scheduled in clusters as per the requirements of the SOP, and that the public are aware of the special provisions for genuine Indian citizens, the following information needs to be collected from the public:

1. As per para A above, whether the Claimant Claims to be an Indian citizen originating from other Indian states and not originating from Bangladesh? If yes, name of such State.

2. Any other provisions which the the Claimant would want to utilise, for example, destitute/ orphan or person who is originally inhabitant of the State of Assam under Clause 3(3).
3. The public may provide information relevant to these provisions as answer to Question 7 at Side D of the Claim Form.

Newspaper advertisements to the above effect i.e informing the public about the special provisions and the need on their part to provide the said information while answering Question 7 in Side D of the Claim Form have been published already. You are also requested to ensure local publicity through IEC. You need to ensure that the LRCRs insist in collection of such information while receiving Claim Forms. For those who have already submitted their Claim Form, the above information will have to be submitted additionally, by visiting the NSK. If required, LRCRs have to contact the claimants for this.

Further, the following information will have to be determined by the LRCRs:

1. Whether the Claimant is / are children upto 14 years of age?
2. Whether the Claimant is a married woman submitting Gaon Panchayat Secretary/ Circle Officer/ Lot Mandal Certificates? It may be added that only such women need to be covered here who have migrated due to marriage within Assam only. As per RGI's letter DO No 9/36/2014- CRD (NPR) dated 5th May 2015 (copy enclosed), such Certificates from other states are not to be treated as valid.

In view of the above, for each Claimant, the above-mentioned information needs to be collected from the public or determined by the LRCR and filled up for each Claimant as follows:

4 POINT INFORMATION TABLE						
SI No	Member ID	Other Indian State or 3(3)		Children upto 14 years of age	Married Women submitting GP Secy. Type Certificate	Destitute/ Orphan/ Transgender
		Y/N/3(3)	State Name/ —			
1		Y/N/3(3)	State Name/ —	Y/N	Y/N	Y/N
2		Y/N/3(3)	State Name/ —	Y/N	Y/N	Y/N
3		Y/N/3(3)	State Name/ —	Y/N	Y/N	Y/N
4		Y/N/3(3)	State Name/ —	Y/N	Y/N	Y/N
5		Y/N/3(3)	State Name/ —	Y/N	Y/N	Y/N
6		Y/N/3(3)	State Name/ —	Y/N	Y/N	Y/N

One format of above-mentioned 4 Point Information Table for each ARN will be printed locally (printing press to be used) and this table will be filled up by LRCR for each ARN submitting Claim Form or/and DV DF PFT Form. Software namely "4 Point Information Entry Software" for entering these data has already been rolled out. Please ensure that all data entry start from 3rd December 2018 and are completed within 17th December 2018.

It needs to be clearly understood that the above-mentioned information is only meant for scheduling of the hearings. Submission of a Claim based on the above information doesn't entitle to inclusion in Final NRC directly. Such eligibility will be subject to statutory provision and the prescribed verification process. Further, it may also be noted that any Claimant/ Objector who knowingly furnishes any false information or particulars will be subjected to penalty under Section 17 of the Citizenship Act, 1955.

It may also be noted that the various eligibility conditions prescribed in the SOP for documents/ Legacy Person freezing etc are required to be enforced only during verification/ hearings of Claims and Objections. During the process of submission of Claims and Objections, no scrutiny of documents and other particulars etc is required to be done with a view allowing / disallowing receipt of any Claim or Objection. As such, submission of any Claim or Objection by the public should not be denied merely because the documents or particulars submitted may not eventually establish NRC eligibility as per SOP/ other statutory provisions.

Yours faithfully,


(Prateek Hajela, IAS)

State Coordinator, National Register of Citizens, Assam

Memo No: SPMU/NRC/Dist-Co-Equip/68/2015/Part 5/352 - A

Dated 1st Dec, 2018

Copy for information and necessary action to:

1. The Chief Secretary to the Govt. of Assam, Dispur.
2. The Registrar General of India, Govt. of India, Ministry of Home Affairs, 2/A Man Singh Road, New Delhi 110011
3. The Joint Secretary (NE), Ministry of Home Affairs, North Block, New Delhi 110001
4. The Divisional Commissioner, Lower Assam Division, Panbazar, Guwahati
5. The Divisional Commissioner, Upper Assam Division, Jorhat
6. The Divisional Commissioner, North Assam Division, Tezpur
7. The Divisional Commissioner, Barak Valley Division, Silchar, Cachar
8. The Divisional Commissioner, Central Assam Division, Nagaon.
9. ADC, I/C, NRC, All Districts
10. CRCR, All Circles
11. All DPSs, CPSs


State Coordinator, National Register of Citizens, Assam