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IN THE SUPREME COURT OF INDIA
WRIT ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 274 OF 2009

IN THE MATTER OF

ASSAM PUBLIC WORKS

.....PETITIONER

VERSUS

UNION OF INDIA AND ORS.

.....RESPONDENTS

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AFFIDAVIT ON BEHALF OF MINISTRY OF HOME AFFAIRS,

GOVERNMENT OF INDIA

I, Georgekutty T.L. son of Late Shri T.T. Luka, aged about 57 years, resident of Delhi presently serving as Deputy Secretary in the Ministry of Home Affairs, Government of India, New Delhi do hereby solemnly affirm and state as under:

2. That the Hon'ble Supreme Court of India in Order dated 31.7.2018 in Writ Petition (Civil) No. 274 of 2009 noted/observed/directed as under:

"The next stage towards publication of the final NRC would be to consider the claims and/or objections that would be filed in respect of inclusions and exclusions as the case may be.."

"Filing of claims and/or objections and consideration of the same are dealt with by Clause (6) contained in the Schedule to Rule 4-A(4), namely, Special provisions as to Manner of Preparation of National Register of Indian Citizen of State of Assam. Under clause (6)(3) of the said Schedule, the Local Registrar of Citizen Registration is required to give notice to every person, who has filed his claim or objection, to file any

document in support of such claim or objection and to dispose of the claim or objection, as the case may be, after giving the concerned person a reasonable opportunity of hearing.”

“The learned Attorney General for India has submitted that the concerned Ministry of the Government of India is in the process of preparing modalities in the form of standard operating procedures so as to deal with the different dimensions of the exercise of consideration of claims and/or objections so as to ensure that the process that will eventually be adopted is a fair process. The learned Attorney General has also informed the Court that once the modalities are finalized the same will be placed before the Court and this may be possible some time in the middle of August, 2018.”

“We permit the concerned Ministry of the Government of India to go ahead with the exercise undertaken/to be undertaken and report back to the Court with the details of the modalities as may be formulated to appropriately deal with the claims and/or objections that may be filed so as to enable publication of the final NRC. In the preparation of the modalities/standard operating procedure the State Coordinator, Shri Hajela, will be associated at every step of the process.”

3. That in compliance of the above directions of this Hon'ble Court, Ministry of Home Affairs has undertaken a detailed exercise to ensure that the Standard Operating Procedures (SOP) for filing and disposal of claims and objections are drawn with an objective that the processes are fair, transparent and provide reasonable opportunity to all concerned. This exercise has conjointly been completed by the representatives of Ministry of Home Affairs (Government of India), Government of Assam, Registrar General of India (RGI) and State Coordinator for NRC in Assam.

4. That in the meeting taken by the Union Home Secretary on 31.05.2018 with the senior officers of Government of Assam, RGI and State Coordinator for NRC Assam, it was the consensus view that adequate opportunity must be given to the individual concerned and necessary arrangements be made to avoid any inconvenience to public. It should be ensured that all claims and objections are disposed of as per law, and in a

proper manner. It was also emphasized that a strong IEC campaign may be launched to inform people about the process of filing claims and objections.

5. That after the order dated 31.7.2018 of this Hon'ble Court, the Ministry of Home Affairs asked the Registrar General of India to prepare draft SOP in consultation with the State Coordinator for NRC in Assam. The Union Home Secretary held a meeting on 04.8.2018 with the Registrar General of India and officers of Ministry of Home Affairs and discussed the draft SOP and improvements were made in the draft in the light of instructions of this Hon'ble Court.

6. That the amended draft SOP was discussed in meeting taken by Union Home Secretary on 08.8.2018 with Registrar General of India, Chief Secretary and other senior officers of Government of Assam, State Coordinator for NRC in Assam, besides officers of Ministry of Home Affairs. The suggestions and points of view of all were taken into consideration, in line with directions of this Hon'ble Court. The list of the officers attended this meeting is at **Annexure-1**.

7. That based on the above discussions held on 08.8.2018, a draft SOP was jointly prepared by Registrar General of India and State Coordinator for NRC in Assam. This draft was further discussed in a meeting taken by Union Home Secretary on 09.8.2018. After incorporating points of discussion and decision taken therein, the draft SOP has been prepared in consultation with Government of Assam, and Registrar General of India and State Coordinator for NRC in Assam. The list of officers who attended this meeting is at **Annexure-2**.

8. That while finalizing the SOP, care has been taken to ensure that the process of filing and disposal of claims and objections is fair, transparent and provide for reasonable opportunity given to the applicants. The draft SOP seeks to cover all aspects of Claims and Objections including educating people about the process, giving of sufficient time to file applications, training the officials involved in processing and disposal of claims and objections in a fair and transparent manner as per law and rules so that correct final NRC can be prepared under the directions of this Hon'ble Court.

9. The draft Modalities/ Standard Operating Procedure to deal with the claims and/ or objections that may be filed so as to enable publication of the Final NRC is placed at **Annexure-3**.

PRAYER

On the facts and in the circumstances of the case, this Hon'ble Court may kindly be pleased to

- (a) Approve the draft Modalities/ Standard Operating Procedure to deal with the claims and/ or objections that may be filed so as to enable publication of the Final NRC;
- (b) Pass such other or further order/s as it may deem fit and proper.

AND FOR THIS ACT OF KINDNESS, THE RESPONDENT SHALL EVER PRAY.

VERIFICATION:

I, the above-named deponent do hereby verify that the contents of my aforesaid affidavit are true and correct to my knowledge, belief and information derived from the records, which I believed to be true and correct. No part of it is false and nothing material has been concealed there from.

Verified at New Delhi on this day of _____ August, 2018.

(जार्जकुटी टी. एफ.)
(GEORGEKUTTY T.L.)
उप सचिव/Deputy Secretary
गृह मंत्रालय
Ministry of Home Affairs
भारत सरकार/Govt. of India

FILED BY:

[B.V. BALRAMDAS]
ADVOCATE FOR THE RESPONDENT

NEW DELHI:

DATED: 13.08.2018

Annexure-1

Meeting regarding Procedure/Modalities on disposal of claims/objections in regard to Draft NRC held on 08.8.2018 under the Chairmanship of Union Home Secretary.

List of participants:

1	Union Home Secretary – In Chair
2	Smt. T.Y.Das, Chief Secretary, Assam
3	Shri Sailesh, Registrar General of India
4	Smt. Rina Mitra, Spl. Secretary (IS), MHA
5	Shri Alok Kumar, Addl. Chief Secretary, Assam
6	Shri Pallabh Bhattacharya, Special DGP (SB), Assam
7	Shri Satyendra Garg, Joint Secretary (North East), MHA
8	Shri Anil Malik, Joint Secretary (Foreigners) MHA
9	Shri A.K. Mishra, Addl. Director, IB, MHA
10	Smt. L.S. Changsan, Principal Secretary (Home & Political), Assam
11	Shri Prateek Hajela, State Coordinator NRC, Assam
12	Shri Sanjay, Deputy Director General, o/o RGI

Annexure-2

Meeting to finalize draft SOP for filing and disposal of claims/objections relating to Draft NRC held on 09.8.2018 under the Chairmanship of Union Home Secretary.

- (i) Smt. T.Y.Das, Chief Secretary, Assam
- (ii) Shri Sailesh, Registrar General of India
- (iii) Shri Alok Kumar, Addl. Chief Secretary, Assam
- (iv) Shri Satyendra Garg, Joint Secretary (North East), MHA
- (v) Smt. L.S. Changsan, Principal Secretary (Home & Political), Assam
- (vi) Shri Prateek Hajela, State Coordinator NRC, Assam
- (vii) Shri Sanjay, Deputy Director General, o/o RGI

ANNEXURE-3

Standard Operating Procedure (SOP)/modalities for disposal of claims and objections in the updation of National Register of Citizens (NRC) 1951 in Assam.

The Standard Operating Procedure (SOP) is being laid down for disposal of claims and objections after the publication of the draft National Register of Citizens (NRC) in the State of Assam, spelling out the modalities under clause 6 of the Schedule appended to The Citizenship (Registration of Citizens and Issue of National Identity Cards), Rules, 2003 framed under the Citizenship Act, 1955.

2. The SOP has been drawn with the objective that the process of claims and objections is fair and transparent and provides reasonable opportunity to all concerned.

- (i) The list of eligible (admissible) documents for the purpose of legacy and linkage will remain the same as at the time of the initial application.
- (ii) There is no need to re-submit the documents already submitted by persons at the time of original application.
- (iii) They may, however, submit additional admissible (legacy and linkage) documents if considered necessary by them in support of their claim.
- (iv) An IEC campaign will be conducted to educate the applicants about the requirements of the application process, essential documents and evidences that will be considered in support of their claims and objections.
- (v) Adequate time will be given during the stage of filing of claims and objections, issue of notices and hearings so that due diligence is done by the authorities disposing them of.

3. Application

3.1 Any person will have an opportunity to submit an application in regard to the following:-

- a) Claims by persons who had applied for inclusion in NRC in the year 2015 when applications had been called for NRC and whose names do not appear in the draft NRC– **Claim Form**.
- b) Correction due to typographical errors in the draft NRC about particulars published of the names included – **Correction Form**.
- c) Wrongly identified as D Voters (DV) and Declared Foreigners (DF) or their descendants including those persons in whose respect the Judicial Authority/Foreigners Tribunal has given a decision declaring a person as Indian but the result has been put on hold.
- d) Make an objection in respect of inclusion of any name in the draft NRC– **Objection Form**.

3.2 (i) The applications will be submitted at the NSK where the initial application was received in 2015.

(ii) If the local residence of the applicant has undergone a change, the place of making the application will still be the original NSK.

(iii) The Local Registrar of Citizen Registration (LRCR) will receive the application and issue an acknowledgement of its receipt indicating the list of documents in a similar manner as was done at the time of receiving the application in 2015.

(iv) The applications received will be digitised as soon as possible facilitating issue of notices and other required verifications. There is no fee for making an application. There is also no penalty for rejection of the application made in respect of objection for inclusion of name in the draft NRC.

4. Eligibility/Admissibility

i) The submission of claims and corrections or application in respect of wrongly identified as D-Voter/Declared Foreigner is restricted to the applicants, who submitted their applications up to the qualifying date of receipt of applications 31st August, 2015. Objections, however, can be made by any person. The linkage documents in support of the applications for claims/objections must have been issued prior to 31st August, 2015.

ii) The list of legacy documents (List-A) shall remain the same as existed at the time of the original application. The submission of eligible and valid legacy document (List-A) is mandatory. The list of eligible legacy documents (List-A) is at **Annexure-I**. There is no need to re-submit the documents already submitted by the applicants. The person filing claim may however submit additional legacy document but it has to be an eligible & valid document as set out in Annexure-I.

If there is any change in the person with whom relationship is sought to be established, the relationship must also change. For example, if the Legacy Person is father in the original Application Form and the legacy person is father also in the Claim, the name need to remain consistent in the original Application Form and the Claim. Similarly, if the Legacy Person is Grandfather in the original Application Form and the legacy person is Grandfather also in the Claim, the name need to remain consistent in the original Application Form and the Claim. The name can be changed only if there is change in the relationship with the Legacy Person, say, Father instead of grandfather etc. While deciding upon acceptability of change in name of any legacy person, it will be ensured that bonafide changes in name due to aliases, initials are taken into account.

Detailed guidelines about the guiding principles for the purpose of scrutiny of legacy and other documens were issued to the District

Registrars on 19th October, 2017 by the State Coordinator with the approval of Registrar General of Citizen Registration. The State Government has informed that in respect of Refugee Registration Certificate issued upto 24th March, 1971 (midnight) there are variants in the form of Relief Eligibility Certificate and Camp Inmate Certificate, both issued upto 24th March, 1971 (midnight), be considered a part of the category "Refugee Registration Certificate" issued upto 24th March, 1971 (midnight) which is one of the admissible legacy documents. In addition, the State Government has proposed that any licence/certificate issued by any Government authority of relevant period i.e. upto 24th March, 1971 midnight (legacy document listed at sl.no.9) may include any Government receipts, notices, orders or records. Further, they have suggested that Pension Payment Order (PPO) showing employment/ service in Government before 1971 may be accepted as part of legacy document listed at sl.no.10 even if it is issued subsequent to 1971. These documents will be considered during examination of claims, subject to verification at the time^{of} hearing.

iii) In respect of linkage, it has been prescribed that the document should be legally admissible. No specific documents have been prescribed but these need to be part of official records to enable scrutiny of application as per clause 3 (1) of the Citizenship Rules, 2003. The documents in respect of linkage (List-B) which are not considered credible and their admissibility as official records does not exist will be spelt out in a greater detail for the purpose of illustration. The Gaonburah Certificates, the Private school/college certificates, Birth Certificate issued by authorities other than prescribed authorities of the State Government and contemporary affidavits issued for the purpose of NRC only, are not official records for establishing linkage. Gaon Panchayat Secretary/Circle Officer/Lot Mandol Certificate for males and unmarried women are not official records. In cases where persons have relied on above mentioned

documents, adequate opportunity will be given to the applicant for adducing evidence through oral evidence permissible at the time of hearing. Further, birth certificate with delayed registration beyond one year, immunisation records, ration cards will be subject to rigorous scrutiny and only on their veracity, may be considered. The refugee registration certificate/citizenship certificate/relief eligibility certificate/camp inmate certificate will be verified with the originals for admissibility. The persons filing claims can submit additional documents of linkage and alternative documents in this regard, but their eligibility will be governed as per the existing guidelines.

iv) The Claim Form will require submission of particulars and copies only of additional documents. Documents submitted earlier need not be submitted again nor particulars of such documents is to be mentioned in the Claim Form. The disposal of Claim will, however, be done based on all the documents submitted during Claim and also those submitted upto publication of Complete Draft NRC, including the original Application. The Application Form will also provide for adequate space allowing the Claimant to give a descriptive "Grounds for Claim".

v) The guidelines issued by the State Coordinator regarding the documents dated 19th October, 2017 (**Annexure-II**) dated 12th November, 2017 (**Annexure-III**) and the approval given to the State Coordinator regarding stringent verification by the RGI vide letter dated 25th April, 2018 (**Annexure-IV**) on the proposal from the State Coordinator dated 24th April, 2018 (**Annexure-V**) will also be applicable in respect of scrutiny and verification of documents/particulars.

vi) No fresh details of Family Tree will be taken during the filing of claims and objections. The Family Tree declared at the time of verification process/application process will remain valid for the purposes of claims and objections.

vii) 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.

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."

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, it is proposed to make provisions for such persons similar to 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 :

- (i) 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.

(ii) Cases of all such persons whether ordered for inclusion by the authority (disposing claims and objections) or for exclusion, will be examined first by the CRCR (Circle Registrar of Citizens Registration) and then by the DRCR (District Registrar of Citizens Registration). The final decision of inclusion or exclusion will be taken by the DRCR, who will record a speaking order issued under his seal and signature.

b) The authorities examining the claim and the DRCR will exercise great caution to ensure that no illegal person's name is included taking recourse to the above provisions.

ix) 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.

x) 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 will be ensured that the concerned officers follow the Guidelines scrupulously by way of better capacity building and also providing adequate time for each hearing.

xi) Any Person can make an objection for inclusion of name in draft NRC giving grounds for objection in the form specified and file documents, if any, in support of his objection. There is no restriction on the person for filing any number of objections. There is also no requirement of his being a local resident of NSK. However, any objection concerning inclusion shall only be filed at the NSK where the list of inclusion of the concerned person objected upon has been published. The Local Registrar of Citizen Registration will issue notices to all concerned and authorities undertaking hearing have to give reasonable opportunity to the objector and concerned persons against whom objection has been made. The authorities will examine all records, documents and evidences (including oral evidence) made before it and dispose off the objection by way of a speaking order. There is also no penalty for rejection of the application made in respect of objection for inclusion of name in the draft NRC.

5. Issue of Notices

The Local Registrar of Citizen Registration (LRCR) will issue notices to concerned persons in respect of hearings to be undertaken by the authorities disposing off claims and objections, correction or application in respect of D-voters/declared foreigners or their descendants. The notice will also be served to the person against whom the objection has been raised along with the grounds stated in the objection. The notices will be served at the place of local residence of the applicants as mentioned in the application. The LRCR will ensure that the applicant is served the notice at least 15 days prior to the date of hearing. If the notice is received late, an alternative date of hearing will be fixed and fresh notice with 15 days time from its receipt will be ensured by LRCR. The notice for hearing will also be given to any official/authority whose evidence may be necessary in respect of documents or particulars. The online facility of tracking notice will also be made available by the State Coordinator from the central data base.

6. Level of disposal of claims and objections

The applications received under clause 2 of the Schedule appended to Rule 4A of the Citizenship Rules, 2003 have been verified and scrutinised and decision for their inclusion in draft NRC has been taken at the level of the Local Registrar of Citizen Registration (LRCR). In case of any doubt in particulars/or the parental linkage, the investigation by District Magistrate through his authorised officers has also been caused whereafter the decision in such cases have been taken. In order to ensure fairness and objectivity, it is considered necessary that the officers who have decided the application at the stage of draft NRC (LRCR) are not the decision making authority at the stage of disposal of claims and objections. The disposal of claims and objections will require proper understanding of the procedures and the ability to assess various evidences placed on record or made during the course of hearing. It is therefore, desirable that the hearing and disposal is undertaken by Class-1 level officers of the State Government who have some knowledge and experience of handling the process of enquiry/investigations. These officers will function as authorised officers of the District Magistrate (District Registrar of Citizens Registration). The following category of officers posted in districts and sub-districts could be considered for the working as authorised officers of District Magistrate (DM) for disposal of claims and objections:-

- a) The Assam Civil Services Officers who also functions as Executive Magistrates.
- b) Class-1 Officers of the Forest Department
- c) Block Development Officer and Class-1 Officers of Panchayat Department.
- d) Other Class-1 Officers of various departments who have some expertise in carrying out enquiries and verifications.

The State Government has informed that they will make all efforts to mobilise the maximum possible number of such officers to complete the

process of disposal of claims and objections as expeditiously as possible. However, a certain number of officers will be required to maintain essential services and for law and order functions. The State Government has informed that they will be able to make available 1500 to 2500 Class-1 officers to perform the functions as authorised officers of District Magistrate. The district-wise distribution will be worked out by the State Government in consultation with the State Coordinator. Their capacity building and training will be necessary for conducting the hearings and disposal of claims and objections. The requirement of Class-1 officers will depend upon the numbers of Claims and Objections actually filed. Whereas it can be expected that all 40 lakhs persons (approximately 16.2 lakhs families) may file Claims, it is not possible to anticipate the numbers of Objections which are likely to be filed. The District Magistrates will ensure close supervision and will be overall responsible for the disposal of all Claims and Objections in their districts. For this purpose, they will also undertake necessary Quality Checks of at least 10% of the cases. It is also proposed to appoint senior State Government officers as Observers to oversee the process of claims and objections disposal in the district. The IAS officers and senior Assam Civil Services officers serving in the State Government will be allotted districts in this regard and will report to the State Coordinator, NRC.

7. Holding of Hearings

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. It is proposed to hold 5 hearings (one for each family) per day by each authorised officer of DM. 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 upto 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 upto 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 authorised 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 of 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.

8. **Verification under section 4(3)**

The LRCR may at any time before the final publication of NRC in the State of Assam may cause or direct to cause verification of names already included in the final draft NRC if considered necessary. The verification may be carried out by LRCR or any officer authorized by the DRCR. The concerned persons will be given reasonable opportunity during the verification process. The report of the verification will be submitted to DRCR, who shall examine the report and dispose it by issuing a written order under Clause 4(5) to 4(6). Further action thereafter will be taken as per clause 5 and clause 6 of the Schedule of the Citizenship Rules 2003.

9. **Biometric Enrolment**

During the course of the hearings, the State Government in collaboration with UIDAI will undertake the process of biometric enrolment of all the applicants of NRC. The biometric enrolment in respect of persons who are part of claims and those persons objected upon will be distinctive and separate ID will be generated. Once the final NRC has been published such persons who are included in the NRC will be given the usual Aadhaar number as applicable to legal residents in the country. In case a person already has Aadhaar number who is also a part of the claim or objected upon, his Aadhaar number will be obtained.

10. Timelines

Various organisations have made representations that adequate time period atleast 3 to 4 months be provided for the purpose of filing the claims and objections. It had been initially proposed that the process of claims and objections will happen from 30th August, 2018 to 28th September, 2018. However, it would be reasonable to give at least two months time for receiving claims and objections. The time lines have been drawn accordingly. Timelines are based on assumption that 2500 Class-1 officers will be deployed by the State Government and 5 hearings per day will take place (8 hearings per day for cases of children of 14 years or less). The hearings will commence from 15th December, 2018 and time line for their disposal can only be firmed up once the actual number of claims/objections received are known.

The details of timelines and activities are shown below :

SI No	Activity	Start Date	End Date
1	Informing public about reasons of non-inclusion	10/08/18	-
2	Capacity Building of Public, Making available blank claim/objection forms to public	20/08/18	-
3	Receipt of claims & objections from public	30/08/18	28/10/18
4	Digitisation and processing of forms	15/09/18	20/11/18
5	Issue and Delivery of Notices	20/11/18	30/11/18
6	Conduct of Hearings	15/12/18 onwards	

LIST A - LIST OF LEGACY DOCUMENTS ADMISSIBLE

1. Extract of NRC, 1951
2. Extract/ certified copy of Electoral Rolls up to the midnight of 24th March 1971 (midnight)
3. Land records including tenancy records of relevant period (up to 24th March, 1971 (midnight))
4. Citizenship Certificate issued by competent authority (up to 24th March, 1971 (midnight))
5. Permanent Residential Certificate issued from outside the State up to up to 24th March, 1971 (midnight) (which all should be got verified from the issuing authority by the Registering authority)
6. Refugee registration certificate issued up to 24th March, 1971 (midnight))
7. Passport issued by the Government of India up to 24th March, 1971 (midnight))
8. Life Insurance Corporation of India Insurance Policy (LICI) of relevant period up to 24th March, 1971 (midnight))
9. Any license/ certificate issued by the any Government authority of relevant period i.e. up to 24th March, 1971 (midnight))
10. Document showing service/ employment under Government/ Public sector undertaking (up to 24th March, 1971 (midnight))
11. Bank/ Post office Accounts of relevant period i.e. (up to 24th March, 1971 (midnight))
12. Birth certificates issued by the competent authority (up to 24th March, 1971 (midnight))
13. Educational certificate issued by Board/ Universities (up to 24th March, 1971 (midnight))
14. Records/ processes pertaining to court up to 24th March, 1971 (midnight))

Supporting Documents

15. Ration cards issued by competent authority with official seal and signature up to 24th March, 1971 (midnight))

Note: Any of the documents specified in the above List of Documents would be accepted except Document mentioned against Sl.15 which may be regarded as supporting document only.

No: SPMU/NRC/Dist-Co-Equip/68/2015/Pt-3/101

Dated 19th October, 2017

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

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

Subject : Taking final decision about eligibility of applicants in updated NRC.

Sir/Madam,

With reference to the subject cited above, I am to inform you that we will soon start sharing with you the results of Office Verification as received from the various Issuing Authorities of documents submitted by NRC applicants. Thereafter, the process of arriving at the final decision about eligibility of applicants for inclusion in updated NRC shall have to be taken by the LRCRs and recorded in their Verification Teams Reports (VTRs). Such decisions shall be taken by the LRCRs based on the scrutiny carried out by them under Clause 3 of the Schedule. While taking the decision, all the relevant statutory provisions as provided for in the Citizenship Act, 1955 read with the provisions of the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003 shall be strictly followed. As such, you also need to ensure that copies of the relevant statutes are available with the LRCRs, CRCRs and ACRCRs etc. The following Guidelines are also issued to enable the registering authorities to arrive at a proper decision:

1. The scrutiny decision arrived at by the LRCR shall be a considered decision based on all encompassing field enquiry, comparison with official records etc. As such, the Field Verification Results and findings, and Office Verification Results and findings shall be important inputs to enable the LRCR arrive at the scrutiny Result.
2. In accordance with the provisions of the law, the onus of proof of citizenship lies with the applicant. As such, only when the LRCR is absolutely satisfied beyond reasonable doubt about eligibility then only LRCR would order for inclusion of such persons in the Draft NRC.
3. About handling applicants who are D Voters (DVs) or Declared Foreigners (DFs) or whose cases are pending with the Foreigners Tribunals and their children or descendants. instructions have been issued vide this office's letter SPMU/NRC/Dist-Co-Equip/68/2015/Pt-3/93 dated 16th October, 2017.

4. In cases when LRCRs have a doubt about their parental linkage, decisions about such persons shall be taken as per the procedures explained during the training imparted to DRCRs and CRCRs and instructions already issued vide this office's letter No. SPMU/NRC/Dist-Co-Equip/68/2015/Part 3/66 dated 7th September, 2017.
5. Wherever the LRCR have any doubt about any particulars and documents submitted along with the Application Form, he/she may refer the matter to the District Magistrate for Investigation and decision under Clause 3(4) of the Schedule. Separate instructions about considering such cases will be issued shortly.
6. It may be noted that any misrepresentation of information or discovery of fact that a document has been fraudulently obtained, although there is a matching of particulars/ documents with the official record, the application will not be considered for inclusion in NRC and if such facts come to the notice subsequently, the name shall be excluded from the final NRC.
7. While considering eligibility of legacy documents, it may be noted that the Citizenship Rules provides for only two documents, namely, NRC 1951 or Electoral Rolls up to 24th March, (midnight) 1971. Safe custody and maintenance of such records has been well established. As such, any other documents will be considered for legacy only if the document is specifically mentioned in the list of admissible documents approved by the Government of India as given at Annexure A, and only after a careful scrutiny of the document. It is also important to note that submission of an eligible and valid List A document is essential. The following would be the guiding principles while taking decision of scrutiny under Clause 3(1) for Legacy (List A) documents:
 - a. Only such List A documents would be acceptable for which the official records are available and the comparison with such official records has revealed that the particulars are found in order as required under Clause 3(1) of the Schedule. Wherever such officials records are not available (as in Records Not Available (RNA) cases), the matter may be referred to the District Magistrate (DM)/ DRCR under Clause 3(4).
 - b. For documents mentioned at Sl 1 and 2 of the list, i.e. NRC 1951 or Electoral Rolls up to 24th March, (midnight) 1971, most of the data has been digitised and the scrutiny process would, therefore, be relatively easy. However, the use of the document by any applicant has to be carefully examined as this document has been displayed and made available in public domain for a considerably long period of time. As such, admissibility of this legacy document needs to be carefully examined with respect to the linkage

claimed and no misuse of legacy must be allowed. Whereas the process of Investigation for Linkage Verification would be useful towards this end, special care needs to be taken by the LRRC while considering this category of documents. Further, the LRRC must ensure that tampered documents are not accepted.

- c. For documents covered at SI 3 of the list, only such documents would be considered acceptable which qualify to be called as Land Records or Tenancy Records. It may be noted that unregistered Sale Deeds would be unacceptable. For Revenue Receipts submitted by the applicants, or other documents about which the LRRC has doubt or backend is not available, such documents may be referred to the District Magistrate (DM)/ DRRC under Clause 3(4).
- d. For documents covered at SI 5, i.e. Permanent Residential Certificates (PRCs), these documents need to be verified more closely to ensure that the document is issued only by the competent authority of the concerned state other than Assam and proves residence of the Legacy Person in that state of India up to the cut-off date of 24th March (midnight), 1971.
- e. For documents covered at SI 8, i.e. Life Insurance Corporation of India Insurance Policy (LICI) , these documents need to be verified more closely to ensure that the document proves residence of the Legacy Person in Assam (or any part of India) up to the cut-off date of 24th March (midnight), 1971.
- f. For documents covered at SI 9, namely, license/ certificate issued by the any Government authority, only such documents would be considered acceptable which have been issued as per any Act or Rules. In case of doubt, the matter may be referred to the District Magistrate (DM)/ DRRC under Clause 3(4).
- g. For documents at SI 10, i.e. Document showing service/ employment under Government/ Public sector undertaking/ Govt/ Public Sector employment records, it may be noted that the document must prove employment of the Legacy Person with the Government/Public Sector before the cut-off date of 24th March (midnight), 1971 although the document may have been issued even after the said cut-off date.
- h. For documents at SI 11, i.e. Post office Accounts need to be verified more closely to ensure that the document proves residence of the Legacy Person in Assam (or any part of India) before the cut-off date of 24th March (midnight), 1971.

- i. For documents at SI 12, only such Birth Certificates need to be accepted which are issued by the authorities competent to issue the Birth Certificate as per the relevant laws. Others can be referred to DM / DRCR under Clause 3(4).
 - j. For documents at SI 14, namely, Ration Cards, separate instructions shall be issued.
 - k. For documents at SI 15, namely, Court Records, only such documents be accepted which are record of a proceeding in a Judicial or Revenue Court and others may be rejected. Affidavits shall not be accepted. For those documents where the LRCR has doubt, the matter may be referred to the District Magistrate (DM)/ DRCR under Clause 3(4).
 - l. It may be noted that Gaon Panchayat Certificates/Circle Officers Certificates/Lot Mandal Certificates for married women are essentially linkage documents, and not List A documents. As the matter is currently subjudice, decision shall be based on the judgment of the Hon'ble Supreme Court.
8. While considering linkage documents for verification of children and descendants (List B documents) it has been prescribed that document should be legally admissible. This is essential to arrive at a decision about the veracity of the linkage claimed with the Legacy Person by way of submission of the List B documents. The following would be the general principles while determining legal admissibility as "official records" under Clause 3(1) of any List B document :
- a. The document qualifies to be a "Public Document" as defined under the Indian Evidence Act.
 - b. The document has been issued as a part of the official records usually kept by the Issuing Authority and the document is issued as an extract of such a pre-existing record.
 - c. The Issuing Authority must qualify to be considered legally admissible while referring to the "official record" provision mentioned in Clause 3(1). Affidavits which are not part of official records under Clause 3(1) cannot be considered. Some illustrative examples while determining such qualification are:
 - i. School Authorities cannot be considered to issue Birth Certificates if they have not been authorised by the State Government under Registration of Births & Deaths Act, though they can issue extracts of their enrolment records. Further, there is a likelihood that some schools do not have reliable enrolment records and have issued the List B documents without availability of pre-existing records

with them. Such certificates issued without sanctity of pre-existing official records are not permissible under clause 3(1) and possibility of fraudulent/ forged record creation cannot be ruled out. Ordinarily, documents issued by Private elementary schools may be referred to the DM/DRCR under Clause 3(4). However, the cases of documents issued by Government Schools may not ordinarily be rejected unless found doubtful by the LRRCR/ DRRCR.

- ii. Marriage Certificates shall also have to be issued by authorities who are statutorily required to solemnise or keep a record of the marriages. Other Authorities would not be considered as competent while Issuing Marriage Certificates.
 - iii. Only such Birth Certificates need to be accepted which are issued by the authorities competent to issue the Birth Certificate as per the relevant law, namely, the Registration of Births and Deaths Act, 1969. Similarly, the time of issue of the certificate also needs to be closely examined. Certificates of births with delayed registration need to be verified closely and only when the LRRCR is satisfied beyond reasonable doubt about the veracity of the said certificate, should such certificate be considered acceptable. In case of any doubt LRRCR may refer the matter to DM/ DRRCR under clause 3(4).
 - d. Insofar as the admissibility of Gaon Panchayat Certificates / Circle Officers Certificates/ Lot Mandal Certificates for married women is concerned, the matter is sub-judice and action shall have to be taken as per the decision of the Hon'ble Supreme Court as and when received. Till then, cases of such persons would have to be kept pending as per orders dated 24th August, 2017 passed by the Hon'ble Supreme Court in SLP (C) 13256/2017. Similarly, such cases may also be kept pending where the applicants have submitted Gaonburah certificates or similar documents for proving linkage.
 - e. Special care needs to be taken while handling cases of errors in age or names or change in names or aliases or any other errors in the Legacy Data. Use of aliases or change in names may be allowed only when the LRRCR is sure that the person is same and not misusing somebody else's document as his/her document.
9. In accordance to the provisions of Clause 3(1) of the schedule, the particulars of the application including prescribed eligible documents needs to be compared with the official records. Those applications (including documents) where such particulars and documents stand verified and the

registering authority is fully satisfied beyond reasonable doubt, the decision making by way of Speaking Order can be done by the LRCR. Those cases where the verification with the official records has revealed that the documents have been found to be forged, LRCR may take a decision on the ineligibility of the applicant. Those cases where the issuing authority of the documents have communicated that the official records are not available, the Local Registrar may, in case of doubt, refer the matter to District Registrar of Citizen Registration/ DM for decision making under Clause 3(4) of the Citizenship Rules, 2003. In respect of the cases where the official records verification by the issuing authority have revealed that they are not legally admissible, the LRCR may consider the guidelines issued vide this letter and may take appropriate decision in respect of the ineligibility of the applicant or in case of doubt refer the matter to DM/DRCR under Clause 3(4).

10. It is reiterated that except for those covered under Clause 3(3), submission of an admissible and valid List A document is essential. However, for those persons who have not submitted any documentary evidence for List B, matter of issue of establishment of relationship with the Legacy Person (other than for those cases whose citizenship status has been ascertained beyond reasonable doubt under Clause 3(3)) would be referred to the DRCR under Clause 3(4).
11. It may be noted that the LRCR needs to arrive at the final decision about eligibility of any NRC applicant based on a very judicious appreciation of all the particulars available. As such, at the time of taking the final decision about eligibility or ineligibility of any person for inclusion in updated NRC, all the particulars need to be carefully examined. The following are some of the matters which need to be carefully examined :

- a. Age of the Legacy Person/ applicant/ family member: A large number of persons have submitted Legacy Data i.e. extracts of NRC 1951 or Electoral Rolls up to 24th March, 1971 to prove their residence or of the Legacy Person/ Ancestor in Assam or any other part of India. It stands to reason that the age of the person or Legacy Person for getting his/her name included in the Electoral Rolls needs to be at least 21 years on the date of inclusion in the Electoral Rolls. It needs to be noted that the minimum age for inclusion in Electoral Rolls was 21 years then and got reduced to 18 years much later in 1989. In that case, the age of the Legacy Person as on 1st January, 2015 (which is the year of submission of NRC Application Form) has to be at least 65 years (for those using 1971 Electoral Rolls), 71 years (for those using 1966 Electoral Rolls), and 64 years (for those using 1951 NRC). The age as on 1st January, 2015 of the Legacy Person shall have to be the sum of the age (as in Legacy Data) and 44 (for 1971 Electoral Rolls), 49 (for 1966

Electoral Rolls), 64 (for 1951 NRC). If the Legacy Person is still living, then the physical age of the person needs to match this age. This may be checked by the LRCR. In case, the applicant is a descendant of the Legacy Person, then there should be an adequate age difference between the applicant (the Family Member whose eligibility is being decided) and the Legacy Person. For example, if the age of the Legacy Person in 2015 is 65 years of age, then the descendant would ordinarily not be more than 47 years of age as on 1st January, 2015 as it can be expected that the Legacy Person must have been at least 18 years of age when the descendant was born. However, as these are personal issues, adequate appreciation of the situation would be required based on which the LRCR will arrive at his/her considered decision of scrutiny.

- b. Age gap between parent and child – it is important to check that the age gap between the parent and the child is adequate. This needs to be seen from the point of view of the ages of both of the father and the mother. Similarly, it needs to be seen that if there are more than one child of any person, there should be an adequate age gap between the children.
 - c. Complete linkage between Legacy Person and applicant/ family member : It is essential that the linkage claimed with the Legacy Person is only that of Parent/ Grand Parent/ Great Grand Parent/ Great Great Grand Parent as any other relationship like brother, sister, nephew, uncle, aunt is not acceptable. Further, it would be essential to establish the complete linkage with the Legacy Person. In case of Grand Parent, establishment of linkage shall have to be done for two generations. Similarly, in case of Great Grand Parent, the linkage shall have to be established for three generations. This aspect needs to be carefully considered while deciding upon eligibility for inclusion in updated NRC.
12. Insofar as the manner of recording of the LRCR orders are concerned, the flowing illustrations may be used :

Wherever, the LRCR arrives at a decision of eligibility for inclusion in Draft NRC, he/she will record a speaking order an illustrative example of which is given below –

“Based on the scrutiny of the particulars submitted by the applicants and verifications made including detailed Field Verification and any other requirement as found applicable, I am satisfied beyond reasonable doubt about the citizenship status of the following persons in accordance with the Citizenship Rules, 2003 of the Citizenship Act, 1955, as amended, and hereby order for their inclusion in the Draft Consolidated List/NRC in the State of Assam:

Sl No. Name of Member

Sl No. Name of Member

Wherever the LRCR finally rejects any applicant, the orders may be drafted on the following lines-

"Based on the scrutiny of the particulars submitted by the applicants and verifications made including detailed Field Verification and any other requirement as found applicable, I am not satisfied beyond reasonable doubt about the citizenship status of the following persons in accordance with the Citizenship Rules, 2003 of the Citizenship Act, 1955, as amended, and hereby order that their names cannot be considered for inclusion in the Draft Consolidated List/NRC in the State of Assam:

Sl No. Name of Member

Sl No. Name of Member

It may be noted that the above formats are only indicative and the LRCR may modify the orders as per his/ her own considered decision.

13. The OVRs as received from the various Issuing Authorities as on 16th October, 2017 will now be shared with the field officers. These OVRs would be limited to those documents where the OVRs appear relatively easy for the LRCRs to take their decision. ARN-wise PDFs of the OVRs shall be sent to the districts from 24th October, 2017 printouts of which shall be taken and sent to NSKs/ LRCRs. The LRCRs would then be required to start recording their final orders about these members. Once the LRCRs become familiar with the process of writing their final orders, results of other members would be shared like those applicants who may be covered under Clause 3(4). It may be noted that while carrying out the above mentioned exercise, if there are any more applicants whose citizenship status has been determined beyond reasonable doubt by the LRCRs under Clause 3(3), they may be recorded as such.

The process of recording the final results in the VTRs for these ARNs shall have to be completed within 4th November, 2017. These orders shall have to be recorded at the end of the VTR. Additional paper sheets if required may be added to the VTR with a clear reference of use of such continuation sheets recorded in the previous page of the VTR.

For the purpose of recording results of Review of Family Tree Match/Linkage Verification as already conveyed vide this office's letter dated No. SPMU/NRC/Dist-Co-Equip/68/2015/Part-3/66 dated 7th

September, 2017 or for recording data about fresh members under Clause 3(3), the data shall have to be entered in LVRRS 1 Software Application, completion of data entry of which shall have to be completed within 31st October, 2017. SOP to handle LVRRS 1 Software Application has been communicated vide this office's letter no SPMU/NRC/Dist-Co-Equip/68/2015/Pt-3/95 dated 16th October, 2017.

In order to enable the LRCRs take the decision properly, a training needs to be organised at the district level which will be chaired by the DRCR and attended by all the LRCRs, CRCRs, ACRCRs, and ADRCRs. This training must be organised within 24th October, 2017 and actual work of recording orders by the LRCRs started at the field from 25th October, 2017 to complete the same within 4th November, 2017.

It may be noted that these decisions recorded by LRCRs shall be subject to modifications wherever there is any fresh discovery of any fact which requires any changes in the decisions recorded earlier. These changes for the time being would be limited to the period up to Draft NRC Publication, however, such discovery can also happen as provided under Clause 4(3) at any time up to final NRC Publication. This discovery may happen due to various factors which include but are not limited to the following:

1. There is discovery that the applicant or the children / descendants of the applicant are D Voters or Declared Foreigners or their case is referred for opinion to a Foreigners Tribunal.
2. There is a discovery about ineligibility on account of parental linkage as found during Investigation of Linkage Verification under Clause 3(4).
3. There is any discovery of misrepresentation or fraudulent issue of any document at any stage which will lead to exclusion of the person from the NRC.

These Guidelines are issued as per approval received from the Registrar General of Citizen Registration through email dated 18th October, 2017. The above instructions may be brought to the notice of all statutory functionaries.

Yours faithfully,

Sd/-

(Prateek Hajela, IAS)

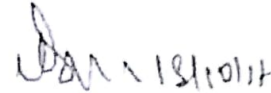
State Coordinator, National Register of Citizens, Assam

No: SPMU/NRC/Dist-Co-Equip/68/2015/Part 3/101 - A

Dated 19th October 2017

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. Joint Secretary (North East) 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

ANNEXURE A

ILLUSTRATIVE LIST OF ADMISSIBLE DOCUMENTS

1. Extract of NRC, 1951
2. Extract/ certified copy of Electoral Rolls up to the midnight of 24th March 1971 (midnight)
3. Land records including tenancy records of relevant period (up to 24th March, 1971 (midnight))
4. Citizenship Certificate issued by competent authority (up to 24th March, 1971 (midnight))
5. Permanent Residential Certificate issued from outside the State up to up to 24th March, 1971 (midnight) (which all should be got verified from the issuing authority by the Registering authority)
6. Refugee registration certificate issued up to 24th March, 1971 (midnight))
7. Passport issued by the Government of India up to 24th March, 1971 (midnight))
8. Life Insurance Corporation of India Insurance Policy (LIC) of relevant period up to 24th March, 1971 (midnight))
9. Any license/ certificate issued by the any Government authority of relevant period i.e. up to 24th March, 1971 (midnight))
10. Document showing service/ employment under Government/ Public sector undertaking (up to 24th March, 1971 (midnight))
11. Bank/ Post office Accounts of relevant period i.e. (up to 24th March, 1971 (midnight))
12. Birth certificates issued by the competent authority (up to 24th March, 1971 (midnight))
13. Educational certificate issued by Board/ Universities (up to 24th March, 1971 (midnight))

Supporting Document :

14. Ration cards issued by competent authority with official seal and signature up to 24th March, 1971 (midnight))
15. Records/ processes pertaining to court up to 24th March, 1971 (midnight))

Note: Documents mentioned against Sl. 14 which may be regarded as supporting documents only.

No: SPMU/NRC/Dist-Co-Equip/68/2015/Pt-3/129

Dated 12th November, 2017

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

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

Subject : Taking final decision about eligibility of applicants in updated NRC for cases referred to District Magistrate under Clause 3(4).

Ref : 1. This office's letter No: SPMU/NRC/Dist-Co-Equip/68/2015/Pt-3/101 dated 19/10/2017.
2. This office's letter No: SPMU/NRC/Dist-Co-Equip/68/2015/Pt-3/114 dated 25/10/2017

Sir/Madam,

With reference to the subject cited above, I am to inform you that vide letter under reference at 1.) above, Guidelines were communicated about taking final decision about eligibility of applicants in updated NRC. In these Guidelines, at Para 5, it was informed that -

"Wherever the LRCR have any doubt about any particulars and documents submitted along with the Application Form, he/she may refer the matter to the District Magistrate for Investigation and decision under Clause 3(4) of the Schedule. Separate instructions about considering such cases will be issued shortly."

As such, the following Guidelines are issued to enable the statutory authorities consider such cases of reference under Clause 3(4). These Guidelines will cover only such matters which have not been covered in the Guidelines as issued vide letters under reference.

1. As you are aware, OVR "No" may happen due to either of the two reasons – a.) Forged Document (FD) or b.) Official Records Not Available with the Issuing Authority, namely, RNA cases. Further, OVR "ID" may happen due to either of the two reasons – a.) Illegible Document (ILL) or b.) the document not considered legally admissible by the DRCR, namely, NLA cases or NV (Not Verifiable for D1 documents). In case of OVR FD, the LRCR may not find any difficulty in arriving at a decision of scrutiny under Clause 3(1) thereby not allowing the said person from being included in Draft NRC. However, in cases where the Issuing Authority has not been able to give conclusive results of comparison with their "official records" i.e. OVR RNA or ID cases, the LRCR may find doubt about the said documents and, therefore, require an Investigation to be caused by the District Magistrate (DM) and the decision of the DM as per provisions of Clause 3(4) of the Schedule to Citizenship Rules. Cases requiring reference to DM under Clause 3(4) may ordinarily cover the following:

- a. The OV results received from the Issuing Authorities of the Type "No" (other than FD cases) or "ID".
- b. Cases where the applicant have submitted a valid List A document but not submitted sufficient List B documents. **It may be reiterated that submission of a valid List A document is a must in absence of which the person will be liable for getting rejected for inclusion in Updated NRC.** Sufficiency of List B documents has to be examined from

the point of view of the number of generation gap between the Family Member and the Legacy Person. For example, for establishing linkage with the father as Legacy Person, only one List B document would be sufficient while for establishing linkage with the grandfather as Legacy Person, two List B documents may be required and for establishing linkage with the great grandfather as Legacy Person, may be 3 List B documents would be required. This requirement and sufficiency would of course vary from case to case.

- c. Cases where doubt arises as to legal admissibility of "official records". In the letter under reference no 1, general principles of determining legal admissibility of official records, both under List A and List B, under Clause 3(1) of Rules were given. Based on the general principles mentioned therein, cases of those persons may also be referred under Clause 3(4) where the documents are such which cannot be considered legally admissible as "official records" under Clause 3(1).
 - d. Cases having doubts as identified during ongoing order recording exercise, commonly referred to as Phase 1 OVR LRCR Order recording exercise.
 - e. Any other matters where the LRCR have any doubt about any particulars and documents submitted along with the Application Form, he/she may refer the matter to the DM for Investigation and decision under Clause 3(4) of the Schedule.
 - f. It may be added that the above are indicative and the decision of having doubt under Clause 3(4) will have to be a considered decision of the LRCR.
2. As per provisions contained in Clause 3(4), on receipt of such reference from the LRCR, the DM is required to cause Investigation of such cases and thereafter the DM would give his/her final decision. In order to enable the DM cause such Investigation, the following Guidelines are given :
- a. The Investigation would be carried out by the NSK Verification Team (VT) visiting the applicants at their residential address and the result of Investigation would be based on a considerate and comprehensive field verification and assessment of the entire family.
 - b. All the existing VTs and additional VTs as per requirement will be notified for the purpose of carrying out Investigation under Clause 3(4) by the DM. Instructions on formation of such VTs including the tentative requirement of number of Verification Teams required has been communicated to the DRCRs by the NRC SPMU vide letter no SPMU/NRC/Dist-CO-Equip/68/2015/Pt 3/125 dated 4th November, 2017. All the DMs are accordingly required to make the notifications within 14th November, 2017.
 - c. The Investigation would consist of a comprehensive field verification and assessment of the eligibility of the applicants for inclusion in Draft NRC. The Investigation would take into account the totality of circumstances and arrive at a judicious decision. Statement of the applicant or any other person considered appropriate by the Verification Team can also be recorded. While arriving at the Investigation findings about the members whose eligibility is doubted by the LRCR, the Verification Teams would also take into consideration the eligibility of all the other applicants in the Application Form. While arriving at their findings, the VT can also take into account the Family Tree Match Results status if such results are

"Clear". The Investigation would consider various matters/ particulars/ facts/ issue, and prepare DM's Investigation Team (DMIT) Report, an illustration of which is given at Annexure A (Report of Verification Team (VT) carrying out DM's Investigation under Clause 3(4)). Adequate copies of such blank Reports will be printed by the DRCRs and sent to NSKs. The Investigation Teams will ascertain legal admissibility, likelihood of tampering of documents under doubt and also take into consideration the OV, FV and Family tree Match results of other members of the family. VTs will also examine any additional evidence, if any, adduced by applicants, socio-cultural attributes of applicants such as language/dialect spoken etc. The VTs would check prima facie admissibility of such evidence. The applicants shall be enquired about the place of origin of ancestors i.e. if they were from Assam, or from other part of India or from Specified Territory. The VT may also trace places of residence of applicants' family from period starting 19th July 1948 to 2015. These details can be recorded as respondent data. Veracity of such claims can be ascertained by observing the respondents' clarity and confidence in providing such information. VTs can record statements with regard to the claims of the member applicant(s) about residence of self or ancestors or linkage claimed with the ancestor for whom List A document submitted. While taking statements of other persons, it needs to be ensured that statements of at least 3-4 persons are taken. All efforts to be made to take statements of the Gaonburah (GB), Lot Mandal (LM) (or other Revenue/government functionary), Post Man, eminent teacher of the area, and any leading citizen of the area. If the area is covered under any Border Police establishment, statement of I/C Officer of Border Police shall have to be necessarily taken. In case of recording of statements of other persons, relationship of the person with the member applicant / HOF needs to be mentioned. VTs need to ensure that in case of minors statement of adult applicant/HOF need to be recorded to the effect that the investigation was carried out in his/her presence and he/she is aware of the particulars/ evidences / statements recorded. It needs to be clearly understood that the above activities are part of the District Magistrate's Investigation and, therefore, the VTs have to carry out this responsibility as investigation and not merely re-verification. This would mean that the findings of the VTs need to be arrived only after a considerate assessment of all the particulars that come to their notice. Although statements of various persons would be recorded, the findings of the VTs shall have to be based on their own considered appreciation of all the facts and statements etc. Though a reporting format (Annexure A) has been suggested for aiding the VTs and ensuring uniformity across the various VTs, it will be incumbent upon the VTs to arrive at a judicious decision based on their own assessment.

- d. While carrying out the Investigation though Field Verification, providing of the Originals of the documents would be insisted upon. The Investigation may also include visit to office of the Issuing Authority to ascertain scrutiny results as provided under Clause 3(1), particularly in case of D1 documents. It may be noted, however, that originals of the documents are not taken away from the applicants.
- e. A statement showing OVRs of such Members whose OVRs are either "No" (other than FD) or "ID" or cases where List B document has been found insufficient would be generated from SPMU and sent to the NSKs. Such statements shall be generated by computer as follows :

- i. Letter to the applicant conveying Information as required under Clause 3(4) with a copy to the District Magistrate for causing investigation and conveying decision. For the sake of ease of understanding by the public, these would be called "Letter for Re-verification (LFR)"
- ii. Part A and Part B of the DMIT Report (Report of Verification Team (VT) carrying out DM's Investigation under Clause 3(4)).
- iii. Both the above will have some blank space to let LRCR add any additional persons about whose particulars the LRCR has any doubt. For example, if the LRCR has referred any case to DM under Clause 3(4) during LRCR Order Recording Exercise –Phase 1, and the name of such person which is not included in the computer generated statement may be written by hand. Wherever, there is no computer generated LFR for the ARN, particulars or documents of any member of which is referred to the DM, the entire LFR may have to be filled up manually. Adequate numbers of blank format of the letter shall be made available by the DRCR to the LRCRs for manual recording of particulars, wherever necessary.
- iv. The Letter for Reverification (LFR) addressed to the applicant to be signed by the LRCR informing the applicant about the particulars about which doubt has arisen requiring Investigation (format at **Annexure B**). Two copies of these letters would be made, one for delivery to the applicant and the other as reference to the District Magistrate. The copy marked to the DM will be the starting point for the VT authorised by the DM to carry out investigation and the Verification Team will accordingly proceed to visit the applicant at the residential address given in the Application Form. The VTs will carry with them h the respective Application Form Folders.
- v. Similar to the matter of recording names of additional members in the LFR, such additions would also have to be made in Part A of the DMIT Report. Wherever, there is no computer generated Part A or Part B for the ARN, particulars or documents of any member of which is referred to the DM, the entire Part A and Part B of such ARNs may have to be filled up by hand. Adequate numbers of blank format of the report shall be made available by the DRCR to the LRCRs for manual recording of particulars, wherever necessary.
- vi. Records of such members whose particulars have been added manually will be kept by entering in Spreadsheet as per format at **Annexure C**. This feature has been added as some such cases of reference under Clause 3(4) would also be decided by the LRCRs during Phase 1 LRCR Order Recording while there might be some more cases where the LRCRs may like to refer the matter under Clause 3(4).
- vii. Similar to the matter of adding particulars of new members, wherever the LRCR decides that reference under Clause 3(4) is not required but the name of such persons appears in the computer generated LFR and Part A of DMIT, the LRCR may strike off such names.

- f. At the time of arrival of the VT at the residential address of the applicant, the Letter of Re-verification (LFR) would be handed over to the applicant and his/her signature recorded on the other copy of the letter and used as an Office Copy. While handing over the letter, the VT will explain to the applicant that the VT visit has been made to verify certain particulars of the Application Form or any of the documents submitted. The VT Team shall record their findings about eligibility of the members whose particulars have been found doubtful by the LRCR, as per DMIT Report at Annexure A. The Verification Team shall come to a final finding about eligibility of the applicants after spending reasonable time in each case. They should not write any decision during the conduct of enquiry in presence of applicants. The particulars Part G in DMIT Report (Annexure A) must be recorded only after coming back to NSK and the VT must not reveal their findings to the public while at the field.
- g. During their field visits, if the Verification Teams are satisfied about citizenship status beyond any reasonable doubt of any person(s) under Clause 3(3), the same may also be ascertained. As some persons were identified under 3(3) only during the ongoing Phase 1 exercise, it is possible that computer generated LFR and Part A of the DMIT may have got generated for them as well. Such cases may be kept aside and field verification for such cases be kept on hold till receipt of DRRCR approval for processing such cases under 3(3).
- h. In order to ensure that the applicants are available at their residences, prior information of the visit by the Verification Team shall have to be given to the applicants. For this purpose, adequate IEC may be carried out clearly mentioning the period of visits by VTs so that the public remain available at their residences when the Verification Team would carry out their field visits.
- i. In case of applicants staying outside Assam when they had applied for inclusion in updated NRC, the Verification Team would arrive at a considered decision about the eligibility based on their assessment of the particulars in the Application Form. As one round of Field Verification has already been carried out and cases of such persons/ applicants would already have been covered, only when felt essential, the applicants may be asked to appear at the NSK or CRRCR Office as considered appropriate by the Verification Team.
- j. In case of those persons who had come from other states of India to Assam after 24th March (Midnight), 1971 and were ordinarily resident in Assam at the time of NRC Application Form submission but have now left Assam due to change in their place posting may not be found at their residences. These persons would be such who have not given any place in Assam in their Permanent Residence column of the Application Form. Wherever such persons were found at their Present Residence (as given in the Application Form) during the first round of Field Verification in October, 2015 to March, 2016 but not found at their residence now, such cases may be kept pending. If, however, such persons were not found at their Present Residence (as given in the Application Form) even during the first round of Field Verification in October, 2015 to March, 2016 cases of such persons may be rejected.
- k. Only in cases of D Voters (and their children and descendants) or those cases which have been referred to the Foreigners Tribunals by the competent authority would the decision be kept pending.

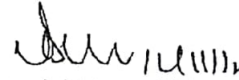
Citizenship Rules, 2003, it is the District Magistrate who has been vested with the role of adjudicating such matters, which is a quasi-judicial work.

The following are the steps to be taken for implementing the field verification for 3(4):

1. Notification by DRCRs of NSK Based VTs for Investigation under Clause 3(4) by 14th November, 2017.
2. Training of the ADRCRs/ CRCRs/ ACRCRs/ Verification Teams at district/ circle level - 15th to 20th November, 2017.
3. Training by LRCR of the VTs of his NSK including division/ allocation of areas/ villages within the NSK - 20th to 22nd November, 2017. This activity has to be closely supervised by the CRCRs and monitored by the DRCRs.
4. Orders by DRCRs for hiring of vehicles (wef 28th November, 2017 to 31st December, 2017) for NSK based VTs - 18th November, 2017. Vehicles to be available at the NSKs within 28th November, 2017. Requirement of Vehicles to communicated to SCNR within 16th November 2017.
5. Printing of blank formats of DM's Investigation Team Report and blank LFRs at Districts/Circles (Part C to Part H) and sending to the NSKs - within 25th November, 2017. Though computer generated LFRs and Part A and Part B of the DMIT Reports would be provided as PDFs by the SPMU, some blank LFRs and blank Part A and Part B of the DMIT Reports will also have to be printed by DRCRs and sent to NSKs.
6. Holding Community Level Meetings to carry out publicity/ IEC amongst the public about house to house visits by VTs - 21st November, 2017 to 10th December, 2017. Involvement of the VTs in the publicity/ IEC to be limited to 25th November, 2017. Thereafter the publicity/ IEC activities to be carried out by other staff.
7. Sharing by SPMU with the DRCRs of NSK-wise ARN based PDFs for OVR No and ID cases (LFR and Part A and Part B of DMIT Report) - 24th November, 2017.
8. Taking printouts of the ARN based PDFs at Districts/Circles/NSKs- 25th to 26th November, 2017
9. Examination by the LRCRs at NSKs of the ARN based PDFs and affixing signatures for the visits to be carried out during the first 5 days of the field visits - 27th November, 2017 to 30th November, 2017. For the remaining days of the field visits, affixing signatures and handing over to the VTs to be done on a day to day basis.
10. Carrying out house to house visits for DM's Investigation - 1st December, 2017 onwards.
11. Recording of findings by the VTs and sending to DM for decision. This activity of sending of VT findings to DMs has to be performed every Saturday by sending the findings in batches with the first batch to be sent on 9th December, 2017.

12. Decision by DM on VT findings and sending back to NSKs. This activity of sending back the DM decisions to the NSKs in batches has to be done on the next Wednesday with the first batch starting on 13th December, 2017.
13. Receipt of DM decisions at NSKs and recording of final orders by LRCRs. The LRCR would record their orders on receipt of the DM decisions in parallel.

Yours faithfully,



(Prateek Hajela, IAS)

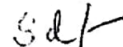
State Coordinator, National Register of Citizens, Assam

Memo No: SPMU/NRC/Dist-Co-Equip/68/2015/Part 3/129-A

Dated 12th November, 2017

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. Joint Secretary (North East) 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

**REPORT OF VERIFICATION TEAM (VT) CARRYING OUT DISTRICT MAGISTRATE'S INVESTIGATION UNDER
CLAUSE 3(4) - (DMIT (DM'S INVESTIGATION TEAM) REPORT)**

PART A (Details of Member(s) whose particulars/ documents are referred)

- i. Name :
- ii. Father's Name :
- iii. ARN :
- iv. Document Details : Document Description, Document Code, Meta-Data/ Issuing Authority (as available), OVR including Remarks, Family Tree Match Results

Member ID	Name of Family Member	Document Description (Doc Code, Metadata, IA)	OV Results & Remarks	Family Tree Match Results

The prefilled table shall be provided for RNA, ID documents. In case of any other document that was referred by LRCR to DM under Clause 3(4) during LRCR Order recording exercise - Phase 1, details shall be entered manually in the space provided. In case of need for removing any case from the DM's Investigation, the details of such cases may also be struck off from the table above.

PART B (Verification Results of other members of the family – FVR/ OVR/ Family Tree Match Results)

Member ID	Name of Family Member	Document Description (Doc Code, Metadata, IA)	OV Results & Remarks	Family Tree Match Results	LRCR Decision

(Part A and Part B shall be prefilled (to be sent from SPMU. some blank formats are also to be printed by DRCRs)

ANNEXURE A

**REPORT OF VERIFICATION TEAM (VT) CARRYING OUT DISTRICT MAGISTRATE'S INVESTIGATION UNDER
CLAUSE 3(4) - (DMIT (DM'S INVESTIGATION TEAM) REPORT)**

PART C (Ascertaining scrutiny results of the document(s) under doubt)

ITEM	VT ASSESSMENT
Legal admissibility of the Issuing Authority while referring to "official records" provision under Clause 3(1)*.	Admissible/ Not admissible along with reasons
Likelihood of tampering	Tampered/Not Tampered
Date of issue of the document**	Timely/ Delayed

*while determining legal admissibility of official records, both under List A and List B, under Clause 3(1) of Rules , refer para 7 and 8 (c) of instructions issued vide letter No: BPMU/NRC/Dist-Co-Equip/68/2015/Pl-3/101 dated 19th October, 2017.

**correlation of the date of issue with the date of event recorded in the document is important for example, in case of Birth Certificates, time gap between the Date of issue and Date of Birth is an important factor while carrying out scrutiny.

PART D (Additional Information collection during Investigation)

1. Examination of additional evidence, if any, adduced by the member applicant(s) under doubt

SI No	Evidence Description	VT Assessment	Reasons in brief
		Acceptable/ Not acceptable	
		Acceptable/ Not acceptable	

2. Age of the member applicant(s) under doubt :.....
3. Socio-Cultural attributes
 - a. Language/ dialect spoken :.....
 - b. Other attributes :.....
4. Place of origin of self or ancestors –
Assam/ Other parts of India/ Specified Territory (*Tick Mark whichever is applicable*)
5. Places where self or ancestors resided during the period from 19/07/1948 to 2015 :

Time Period	Place of Residence		Time Period	Place of Residence	
	Ancestors	Self		Ancestors	Self
19/07/1948 to 1960			1981 to 1990		
1961 to 24/03/1970			1991 to 2000		
1971 to 1980			2001 to 2015		

6. Date of entry in Assam :.....

REPORT OF VERIFICATION TEAM (VT) CARRYING OUT DISTRICT MAGISTRATE'S INVESTIGATION UNDER
CLAUSE 3(4) - (DMIT (DM'S INVESTIGATION TEAM) REPORT)

*While giving the findings the following needs to be ensured:

- a. Findings have to clearly indicate whether the member applicant is found to be a non – citizen/ illegal migrant. As such the findings of the VT shall have to be either “Yes – found eligible” or “No – found ineligible”. Only in special cases already given in the Guidelines would the findings be “Pending” and in no other cases should the findings be “Pending”.
- b. While recording in the report of other particulars (Part C & Part D) and recording of statements of various persons (as at Part E, F) would be done at the field, the findings under Part G shall not be recorded at the field and recorded only at the NSK/ CRCR Office etc. The VT also has to ensure that the findings arrived at by the VT are not revealed to the members applicant or public.
- c. The findings of VTs need to be arrived only after a considerate assessment of all the particulars that come to their notice. Although statements of various persons would be recorded, the findings of the VTs shall have to be based on their own considered appreciation of all the facts and statements etc. Though a reporting format has been suggested for aiding the VTs and ensuring uniformity across the various VTs, it will be incumbent upon the VTs to arrive at a judicious decision based on their own assessment.

Signature of Head of the Verification Team (VT) carrying out DM's Investigation.

Name and Designation.....

Date.....

ANNEXURE B

LETTER OF INFORMATION UNDER CLAUSE 3(4) OF THE SCHEDULE TO THE CITIZENSHIP
(REGISTRATION OF CITIZENSHIP AND ISSUE OF NATIONAL IDENTITY CARDS), RULES, 2003.

To,

<HOF Name>, Head of the Family for Application Receipt Number (ARN) <ARN>

While carrying out scrutiny of your NRC Application Form, it has been found that certain clarifications are required for the following family members with regards to the particulars mentioned hereunder:

Member ID	Name of Family Member	Particulars / Document Description

Verification Team from the NRC Seva Kendra (NSK) while visiting you at the residential address mentioned in the Application Form, would seek clarification from you/ members(s) mentioned above to arrive at a considered decision on your application for inclusion in Draft NRC.

You are requested to cooperate with the Verification Team accordingly.

Local Registrar of Citizen Registration (LRCR)

Name and address of NSK

Date

Copy to:

1. District Magistrate, <name of District> for causing investigation and conveying decision under Clause 3(4).

(This format will be generated by SPMU. Printing shall be done at districts. Some blank formats are also to be printed by DRCRs)

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ANNEXURE C

Member ID	Name of Family Member	Document Description	OV Results & Remarks	LRCR Recommendation
		(Doc Code, Metadata, IA)		



Annexure - IV

File No.9/31/2014-CRD(NPR) Vol-II/CN-11674
Office of the Registrar General, India
Government of India
Ministry of Home Affairs
2-A, Man Singh Road, New Delhi-110011
NRC Division

Date:-25.04.2018

To
Shri Prateek Hajela,
State Coordinator,
National Register of Citizens, Assam,
Achyut Plaza (1st Floor), Bharalupar, Bhangagarh,
Guwahati, Assam-781005

Subject: Regarding eligibility determination in case of documents requiring more stringent verification.

Sir,

In reference to your letter No.SPMU/NRC/Correspondence to RGI/13/2014/Pt-4/83 dated 24.04.2018 the proposal submitted by State Coordinator, NRC, Assam is approved. The guidelines/instructions to the field officers may kindly be issued.

2. This issues with the approval of the Registrar General, India.

Yours faithfully,

Sanjay

Sanjay

Deputy Director General

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OFFICE OF THE STATE COORDINATOR, NRC
AGHYUT PLAZA (1ST FLOOR), BHARALUPAR, BHANGAGARH, GUWAHATI -781005

true descendants of the Legacy Person and applicants have made admissions of their mistakes and surrendered their claims for such legacies.

4. Birth Certificates submitted as List B document. There are a number of applicants who have submitted Birth Certificates but such persons have been found to be not the true descendants of the Legacy Person. There are also cases where such persons actually had different names originally but after getting declared as foreigners by the Foreigners Tribunals or being identified as D Voters, they changed their names to get included in NRC. They have also produced authentic Birth Certificates in their new names. Some such instances are given in Annexure 1.
5. Similarly, there are a number of cases where NRC applicants found ineligible during Family Tree Investigation have also produced valid Electoral Rolls / EPICs as List B documents. Some such instances are given in Annexure 1.

It appears, therefore, that mere reliance on such documents issued without stringent checking of authenticity of contents certified therein may lead to erroneous inclusion in the NRC as getting hold of valid and authentic documentary evidence with false names/ particulars etc. doesn't seem to be difficult.

It is further submitted that the experience of DMIT Round of December, 2017 – January, 2018 indicates that a number of applicants who have submitted Refugee Registration Certificates / Citizenship Certificates as List A Document have not been able to provide the originals. It is likely that copies of one Refugee Registration Certificate / Citizenship Certificate might be used by a number of applicants who are actually not related to the holder of the certificate. As there is no system of checking of consistency amongst such descendants (like Family Tree in case of digitized 1951 NRC and Pre-1971 Electoral Rolls), misuse of such documents cannot be ruled out. This has been revealed during interaction (like trainings) with the various field level officers, particularly, the LRCRs. As the Family Tree Investigation has been found to be very effective in determining correctness of Legacy Data submitted by the NRC applicants, some other List A documents which cannot be subjected through Family Tree checking need to be examined more closely as these could also be misused by submission of photocopies of the same original certificate by a number of applicants. Further, there are also undigitized records of 1951 NRC, 1971 Electoral Rolls up to 24th March (midnight), 1971 submitted by applicants as List A documents, backend of which are not available with the Deputy Commissioners.

As such, based on the experience of Family Tree Investigation and Special Verification, it is felt that the eligibility of applicants submitting certain types of documents need to be examined more closely and that Guidelines be issued to the field officers that in addition to instructions carried in this office's letter no. SPMU/Dist CO Equip/68/2015/Part 3/101 dated 19th October 2017, extra caution needs to be taken in case of determining eligibility of applicants either through DMIT or otherwise for the documents listed below:

1. Affidavits submitted as List B document or for change in name.
2. Gaonburah Certificates submitted as List B document.
3. Private school/college certificates submitted as List B document.
4. Birth Certificates issued by authorities other than Health Deptt submitted as List B document.
5. Birth Certificates with delayed registration submitted as List B document.
6. Immunisation records submitted as List B document.
7. Ration Cards submitted as List B document.

OFFICE OF THE STATE COORDINATOR, NRC
ACHYUT PLAZA (1ST FLOOR), BHARALUPAR, BHANGAGARH, GUWAHATI -781005

8. Refugee Registration Certificates / Citizenship Certificates submitted as List A Document
9. Records of 1951 NRC, 1971 Electoral Rolls up to 24th March (midnight), 1971 backend of which are not available with the Deputy Commissioners submitted as List A.
10. Other documents indicated as not legally admissible (NLA) in this office's letter no. SPMU/Dist CO Equip/68/2015/Part 3/101 dated 19th October 2017.

To handle the above-mentioned cases, it is proposed that the following course of action be taken:

1. All the above-mentioned cases are proposed to be highlighted for more stringent checking by LRCRs and vetting by CRCRs to be called "Review"
2. Such cases for Review be red-flagged while informing the LRCRs through the CVR mechanism with instructions to the LRCRs to be extra cautious while deciding eligibility in such cases and allow inclusion in NRC only on the basis of corroboration by adducing a sufficient and credible evidence and determined through an exhaustive process of verification.
3. Wherever LRCRs have decided upon inclusion of applicants submitting abovementioned documents, an extra layer of checking / Review be done by the CRCRs. As time is short, the only system which can allow implementation of this system is the Xiddhanta Online software application. After recording of LRCR decisions through e-Form 4 Software Application and receipt of such results at Central Database through sync, cases of such members will be sent to the CRCRs through the Xiddhanta Online software application. The CRCRs would thereafter vet such cases and record their findings in the hard copies of ARN Folders and also enter the same into the computers through Xiddhanta Online software application. Inclusion/ exclusion of each such member submitting abovementioned documents in the Draft NRC will be based on the decision of the CRCR.
4. It is further submitted that the field officers need to be directed that GP/LM/CO Certificates submitted by males and unmarried women cannot be considered legally admissible at all for NRC purposes.

It is further submitted that another round of DMIT (DM's Investigation under Clause 3(4)) will have to be conducted for those documents where the Issuing Authorities will not be able to give any categorical result of Office verification till the end of first week of May, 2018. As per the orders of the Hon'ble Supreme Court of 27th March, 2018, 3rd round of DMIT also needs to be completed within the timelines stipulated therein. As such, the following modifications are proposed for this round of DMIT (to be called DMIT Round 2):

1. As there is a shortage of capable officers to carry out DMIT Round 2, and quality of investigation/ verification is of utmost importance, DMIT Round 2 will be conducted primarily by LRCRs and only in case of 219 NSKs, 297 numbers of additional officers will be deployed as VT Heads (carrying out DM's Investigation) to handle the additional load. Further, as LRCRs will also have to concurrently determine eligibility of applicants based on Family Tree Investigation and Special Verification Results as communicated through weekly reports of FTRRS and SVRRS, it would not be possible to depute them for field duties. As such, DMIT Round 2 is proposed to be conducted through NSK based hearings.
2. Considering the timelines, 15 Application Forms would be taken up per day per LRCR/ VT Head.
3. LFRs (Letters for Re-verification) will henceforth also contain the date, time and venue (which will be the NSK) of the DMIT hearing. LFRs will be centrally generated (with pre-printed details of date, time and venue) for cases of OVR No (RNA/ ID/ No Remarks) / No OVR and sent to the NSKs for delivery to the public. For any additional cases found fit for reference by the LRCRs for DMIT, they would generate the LFRs manually and fix the date of hearing as per their own local calendar (to complete all cases within 31st May).

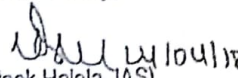
OFFICE OF THE STATE COORDINATOR, NRC
ACHYUT PLAZA (1ST FLOOR), BHARALUPAR, BHANGAGARH, GUWAHATI -781005

4. The above-mentioned Review cases to be highlighted for stringent checking or in case of doubt, the same procedure be followed as in Special Verification in case of personal knowledge / oral evidence as communicated by ORGI letter No.9/31/2014-CRD (NPR) Vol.II dated 23/02/2018. In view of the learnings of Family Tree Investigation and Special Verification, recording of evidences would be limited only to blood relatives viz. parents, siblings (after proper establishment of their identity). Further, in slight modification of this office's letter number SPMU/Dist CO Equip/88/2015/Part 3/283 dated 5th December 2017, evidence of others including Government functionaries would have to be supported by additional credible evidence. Evidence of private persons be scrupulously avoided.
5. DMIT will not ordinarily be conducted for those persons who have already participated in Family Tree Investigation hearings and/or Special Verification and decision on their eligibility taken accordingly through those proceedings.
6. The other Guidelines for DMIT Round 2 will remain the same as communicated earlier.

It is further submitted that Family Tree Investigation has also revealed that in respect of some persons whose names have already appeared in Part Draft NRC (published on 1st January, 2018), their NRC Application Form particulars have been found to be incorrect and accordingly their names need to be excluded from the Complete Draft NRC to be published. Similarly, there are some cases where additional facts have emerged about some persons proving their ineligibility but whose names have already appeared in Part Draft NRC, requiring exclusion of their names from the Complete Draft NRC. There may also be cases where information is received about such persons being declared as foreigners by various Foreigners Tribunals requiring their exclusion from the Complete Draft NRC but whose names are already included in Part Draft NRC. Clause 4(3) of the Schedule would require re-verification in such cases to be caused by the LRCR followed by decision by DRGRs on results of such re-verification under Clauses 4(5) and 4(6) and publication of "additional list" under Clause 5(1). It is proposed that all such cases be also handled in a manner similar to Review cases through Xiddhanta Online and results published along-with the Complete Draft NRC to be published shortly. This would enable Claims and Objections to be invited for all such cases together. Approval is accordingly requested for the above procedure to be followed in all cases where requirement of further verification is considered essential although names of the applicants have already appeared in the Part Draft NRC published on 1st January, 2018.

Approval is also sought to issue Guidelines/ instructions to the field officers as mentioned above.

Yours faithfully,


(Prateek Hajela, IAS)

State Coordinator, National Register of Citizens, Assam

No: SPMU/NRC/Correspondence to RGI/13/2014/Pl-4/83 A

Dated 24th April, 2018

Copy for information and necessary action to 3

1. The Chief Secretary to the Govt. of Assam, Dispur.
2. Joint Secretary (North East) Ministry of Home Affairs, North Block, New Delhi 110001.


State Coordinator, National Register of Citizens, Assam

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