

ITEM NO.501

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition (Civil) No.274/2009

IN RE: SECTION 6A OF THE CITIZENSHIP ACT 1955

(WITH IA No. 125532/2018 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 68465/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 48049/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 105327/2018 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 83457/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 73916/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 43257/2018 - CLARIFICATION/DIRECTION, IA No. 61664/2021 - CLARIFICATION/DIRECTION, IA No. 130128/2017 - CLARIFICATION/DIRECTION, IA No. 86040/2018 - CLARIFICATION/DIRECTION, IA No. 153715/2018 - CLARIFICATION/DIRECTION, IA No. 86036/2018 - CLARIFICATION/DIRECTION, IA No. 151606/2018 - CLARIFICATION/DIRECTION, IA No. 14361/2021 - CONTEMPT PETITION, IA No. 14359/2021 - CONTEMPT PETITION, IA No. 153061/2022 - DISCHARGE OF ADVOCATE ON RECORD, IA No. 10/2013 - INTERVENTION APPLICATION, IA No. 213642/2023 - INTERVENTION APPLICATION, IA No. 121861/2018 - INTERVENTION APPLICATION, IA No. 190221/2023 - INTERVENTION APPLICATION, IA No. 103961/2018 - INTERVENTION APPLICATION, IA No. 217240/2023 - INTERVENTION/IMPLEADMENT, IA No. 43256/2018 - INTERVENTION/IMPLEADMENT, IA No. 125524/2018 - INTERVENTION/IMPLEADMENT, IA No. 22616/2018 - INTERVENTION/IMPLEADMENT, IA No. 209500/2023 - INTERVENTION/IMPLEADMENT, IA No. 61640/2021 - INTERVENTION/IMPLEADMENT, IA No. 110873/2017 - INTERVENTION/IMPLEADMENT, IA No. 7921/2023 - INTERVENTION/IMPLEADMENT, IA No. 86047/2018 - INTERVENTION/IMPLEADMENT)

WITH W.P.(C) No. 916/2014 (PIL-W)

(WITH IA No. 138341/2019 - APPROPRIATE ORDERS/DIRECTIONS)

Diary No(s). 34152/2018 (XIV)

(WITH IA No. 135242/2018 - CONDONATION OF DELAY IN FILING, IA No. 135243/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 160372/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 135345/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 135241/2018 - PERMISSION TO FILE SLP)

Diary No.21214/2018 (XIV)

(WITH IA No. 84178/2018 - CONDONATION OF DELAY IN FILING)

Diary No(s). 20944/2018 (XIV)

(FOR ADMISSION and I.R. and IA No.80351/2018-CONDONATION OF DELAY IN FILING and IA No.80352/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.80350/2018-PERMISSION TO FILE SLP)

Diary No(s). 21959/2018 (XIV)

(FOR ADMISSION and I.R. and IA No.82961/2018-CONDONATION OF DELAY IN FILING and IA No.82962/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.82959/2018-PERMISSION TO FILE SLP)

Diary No.21377/2018 (XIV)

(FOR ADMISSION and I.R. and IA No.92415/2018-CONDONATION OF DELAY IN FILING and IA No.92417/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.92411/2018-PERMISSION TO FILE SLP and IA No.92419/2018-CONDONATION OF DELAY IN REFILING)

Diary No(s). 21368/2018 (XIV)

(FOR ADMISSION and I.R. and IA No.82085/2018-CONDONATION OF DELAY IN FILING and IA No.82087/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.82088/2018-INTERVENTION/IMPLEADMENT and IA No.82084/2018-PERMISSION TO FILE SLP and IA No.82086/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

W.P.(C) No.470/2018 (XI)

(FOR ADMISSION and I.R. and IA No.69948/2018-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 1047/2018 (XI)

(FOR ADMISSION and IA No.125802/2018-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 68/2016 (PIL-W)

(WITH IA No. 186168/2018 - EARLY HEARING APPLICATION, IA No. 1/2017 - INTERVENTION APPLICATION)

W.P.(C) No. 876/2014 (X)

(WITH IA No. 36773/2021 - EXEMPTION FROM FILING O.T., IA No. 1/2014 - STAY APPLICATION)

W.P.(C) No. 449/2015 (XI)

(WITH IA No. 1/2015 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 120151/2018 - CLARIFICATION/DIRECTION, IA No. 120136/2018 - CLARIFICATION/DIRECTION, IA No. 120147/2018 - INTERVENTION/IMPLEADMENT)

W.P.(C) No. 450/2015 (XI)

(WITH IA No. 1/2015 - APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 311/2015 (XI)

S.L.P.(C) No. 25858/2015 (XIV)

W.P.(C) No. 562/2012 (X)

Date : 07-12-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE M.M. SUNDRESH  
HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.  
WP C 876/2014 Mr. Vijay Hansaria, Sr. Adv.  
WP C 311/2015 Mr. Somiran Sharma, AOR  
WP C 68/2016 Mr. Udayaditya Banerjee, Adv.  
Ms. Kavya Jhawar, Adv.  
Mr. Sudipto Sircar, Adv.  
Ms. Anshula Laroia, Adv.  
Mr. Adith Deshmukh, Adv.  
Mr. Arpit Jacob Varaprasad, Adv.  
Ms. Shristi Borthakur, Adv.  
Mr. Dhruvajit Saikia, Adv.  
Ms. Aadya Malik, Adv.  
Mr. Suryanusen Gupta, Adv.

WP C 562/2012 Mr. K N Choudhury, Sr. Adv.  
Mr. Manish Goswami, Adv.  
Mr. Navneet Gautam, Adv.  
Mr. Rongon Choudhury, Adv.  
Mr. Rishabh Sharma, Adv.  
Mr. Priyonkoo Anjan Gogoi, Adv.  
Mr. Rameshwar Prasad Goyal, AOR

WP C 562/2012 Mr. Anjani Kumar Mishra, AOR

D 20944/2018, Mr. Kapil Sibal, Sr. Adv.  
D 21959/2018 & Ms. Indira Jaising, Sr. Adv.  
WP C 470/2018 Mr. Salman Khurshid, Sr. Adv.  
Mr. Fuzail Ahmad Ayyubi, AOR  
Mr. Nizam Pasha, Adv.  
Mr. Gautam Bhatia, Adv.  
Ms. Rupali Samuel, Adv.  
Mr. Ibad Mushtaq, Adv.  
Ms. Sumedha Ray Sarkar, Adv.

Mr. Mustafa Khaddam Hussain, Adv.  
Mr. Paras Nath Singh, Adv.  
Mr. Rohin Bhatt, Adv.  
Ms. Lubna Naaz, Adv.  
Ms. Tehsheena Z Hussain, Adv.  
Ms. Akanksha Rai, Adv.  
Mr. Mohammad Wasim, Adv.  
Mr. Shahid Nadeem, Adv.  
Mr. Sadeeq Sherwani, Adv.  
Ms. Gurneet Kaur, Adv.

D 34152/2018 Mr. Shivendra Singh, AOR  
Mr. Bikram Dwivedi, Adv.  
Mr. Sanjeev Chaudhary, Adv.  
Mr. Puneett Singhal, Adv.

WP C 1047/2018 Mr. Somesh Chandra Jha, AOR

SLP 25858/2015 Mr. Sanjay Hegde, Sr. Adv.  
Mr. Anas Tanwir, Adv.  
Mr. Mrigank Prabhakar, AOR

WP C 450/2015 Mr. Partha Sil, AOR

D 21214/2018 & Mr. Mansoor Ali, AOR  
D 21377/2018 Mr. Syed Shahid Husain Rizvi, Adv.  
Mr. Bilal Mansoor, Adv.  
Mr. S. Islam, Adv.  
Mr. Imtiyaz Ali, Adv.

WP 274/2009 Mr. Mukul Kumar, AOR  
Mr. Anish Roy, Adv.

For Respondent(s) Mr. R. Venkatramani, Attorney General for India  
UOI Mr. Tushar Mehta, Solicitor General  
Mr. K.M. Nataraj, A.S.G.  
Mr. Arvind Kumar Sharma, AOR  
Mrs. Rekha Pandey, Adv.  
Mrs. Shraddha Deshmukh, Adv.  
Mrs. Ruchi Kohli, Adv.  
Mr. Kanu Agrawal, Adv.  
Mrs. Ruchi Gour Narula, Adv.  
Ms. Diksha Rai, Adv.  
Mrs. Sneha Kalita, Adv.

Ms. Sonali Jain, Adv.  
Mr. Raman Yadav, Adv.  
Mr. Chitvan Singhal, Adv.  
Mr. Kartikay Aggarwal, Adv.  
Mr. Abhishek Kumar Pandey, Adv.  
Mr. Gaurang Bhushan, Adv.  
Mr. Mukesh Kumar Maroria, AOR  
Mrs. Mrinal Elkar Mazumdar, Adv.  
Mr. Anil Hooda, Adv.  
Mr. Rajesh Singh Chauhan, Adv.  
Mr. Shuvodeep Roy, Adv.

Assam

Mr. Tushar Mehta, Solicitor General  
Mr. Devajit Saikia, Sr Adv/Adv Gen Assam  
Mr. Shuvodeep Roy, AOR  
Ms. Diksha Rai, Adv.  
Mr. Kanu Agrawal, Adv.  
Mr. P Nayak, Adv.  
Mr. Madhav Sinhal, Adv.  
Mr. Gaurang Bhushan, Adv.  
Mr. Kritagya Kait, Adv.  
Mr. Tanmay Mehta, Adv.  
Mr. Rohit Khare, Adv.  
Mr. Akshay Nain, Adv.  
Mr. Deepayan Dutta, Adv.  
Mr. Saurabh Tripathi, Adv.  
Mr. Arijit Dey, Adv.  
Ms. Atiga Singh, Adv.  
Ms. Apurva Sachdev, Adv.

Mr. Kapil Sibal, Sr. Adv.  
Ms. Indira Jaising, Sr. Adv.  
Mr. Salman Khurshid, Sr. Adv.  
Mr. Fuzail Ahmad Ayyubi, AOR  
Mr. Nizam Pasha, Adv.  
Mr. Gautam Bhatia, Adv.  
Mr. Mustafa Khaddam Hussain, Adv.  
Ms. Rupali Samuel, Adv.  
Mr. Ibad Mushtaq, Adv.  
Mr. Paras Nath Singh, Adv.  
Mr. Mohammad Wasim, Adv.  
Mr. Rohin Bhatt, Adv.  
Ms. Sumedha Ray Sarkar, Adv.  
Ms. Lubna Naaz, Adv.

Ms. Tehsheena Z Hussain, Adv.  
Ms. Akanksha Rai, Adv.  
Mr. Shahid Nadeem, Adv.  
Mr. Sadeeq Sherwani, Adv.  
Ms. Gurneet Kaur, Adv.  
Mr. Syed Ashhar, Adv.  
Mr. Arkam Pasha, Adv.

Mr. Dushyant Dave, Sr. Adv.  
Mr. Mansoor Ali, AOR  
Mr. M.R. Shamshad, Adv.  
Mr. Syed Shahid Husain Rizvi, Adv.  
Mr. Bilal Mansoor, Adv.  
Ms. Rubina Jawed, Adv.  
Mr. S Islam, Adv.  
Mr. Imtiyaz Ali, Adv.  
Mr. Arijit Sarkar, Adv.  
Mr. Zeeshan Rizvi, Adv.  
Ms. Nabeela Jamil, Adv.

Ms. Malvika Trivedi, Sr. Adv.  
Mr. Ankit Yadav, AOR  
Ms. Sujal Gupta, Adv.  
Mr. Shailendra Slaria, Adv.  
Ms. Prakriti Rastogi, Adv.  
Mr. Tarun Mehra, Adv.  
Mr. Gajjala Bhaskar, Adv.

Mrs. Malvika Trivedi, Sr. Adv.  
Mr. Ankit Yadav, Adv.  
Ms. Sujal Gupta, Adv.  
Mr. Shailendra Slaria, Adv.  
Ms. Prakriti Rastogi, Adv.  
Mr. T. Mahipal, AOR

Mr. Chander Uday Singh, Sr. Adv.  
Ms. Aparna Bhat, AOR  
Mr. Gautam Bhatia, Adv.  
Ms. Bidya Mohanty, Adv.  
Ms. Karishma Maria, Adv.  
Mr. Mrinmoy Dutta, Adv.  
Mr. Amjid Maqbool, Adv.

Mr. P V Surendranath, Sr. Adv.  
Mr. Biju P Raman, AOR  
Mr. Sawan Kumar Shukla, Adv.  
Mr. John Thomas Arakal, Adv.  
Mrs. Lekha Sudhakar, Adv.

Ms. Ruchi Kohli, AOR

Ms. Sneha Kalita, AOR

Ms. Krishna Sarma, Adv.  
Mr. Navnit Kumar, Adv.  
Mr. Pradeep Kumar, Adv.  
Mr. Mr. Pradeep Kumar, Adv.  
For M/S. Corporate Law Group, AOR

Mr. Gaurav Dhingra, AOR

Mr. Ardhendumauli Kumar Prasad, A.A.G.  
Mr. Pradeep Misra, AOR  
Mr. Daleep Dhyani, Adv.  
Mr. Manoj Kumar Sharma, Adv.  
Mr. Suraj Singh, Adv.  
Mr. Bhuwan Chandra, Adv.

Mr. Chanchal Kumar Ganguli, AOR

Mr. Debojit Borkakati, AOR

Mr. Mohit D. Ram, AOR

Ms. Sushma Suri, AOR

Mr. Sahil Tagotra, AOR  
Mr. Sidhant Kumar, Adv.  
Ms. Manyaa Chandok, Adv.  
Ms. Ishita Deswal, Adv.  
Ms. Abhivyakti Banerjee, Adv.

Ms. Astha Sharma, AOR  
Mr. Srisatya Mohanty, Adv.  
Ms. Anju Thomas, Adv.  
Mr. Sanjeev Kaushik, Adv.  
Ms. Mantika Haryani, Adv.

Mr. Shreyas Awasthi, Adv.  
Mr. Himanshu Chakravarty, Adv.  
Ms. Ripul Swati Kumari, Adv.  
Mr. Bhanu Mishra, Adv.  
Ms. Muskan Surana, Adv.  
Ms. Lihzu Shiney Konyak, Adv.  
Ms. Anvita Dwivedi, Adv.

Ms. G. Indira, AOR

Mr. G. N. Reddy, AOR

Mrs. Niranjana Singh, AOR

Mr. Ashok Kumar Singh, AOR  
Mr. Shantwanu Singh, Adv.  
Mr. Rahul Dubey, Adv.  
Ms. Pragya Singh, Adv.  
Mr. Akshay Singh, Adv.

Mr. Siddhesh Shirish Kotwal, AOR  
Ms. Ana Upadhyay, Adv.  
Ms. Manya Hasija, Adv.  
Mr. Tejasvi Gupta, Adv.  
Mr. Pawan Upadhyay, Adv.  
Mr. T. Illayarasu, Adv.

Mr. Sumeer Sodhi, AOR  
Mr. Chaitanya Sharma, Adv.

Mr. V.K. Sidharthan, AOR

Mr. D.S. Mahra, AOR

Mr. Gopal Singh, AOR

Mr. Merusagar Samantaray, AOR

Ms. Deepanwita Priyanka, AOR  
Ms. Swati Ghildiyal, Adv.

Ms. Hemantika Wahi, AOR

Mr. Anuvrat Sharma, AOR



Mr. Barun Kumar Sinha, A.A.G.  
Mr. Rajiv Shankar Dvivedi, Adv.  
Mr. Anando Mukherjee, AOR  
Mr. Shwetank Singh, Adv.

Mr. C. K. Sasi, AOR  
Ms. Meena K Poullose, Adv.

Ms. Liz Mathew, AOR

Mr. Abhinav Mukerji, AOR  
Mrs. Bihu Sharma, Adv.  
Ms. Pratishtha Vij, Adv.  
Mr. Mohit Prasad, Adv.

Mr. Saurabh Mishra, A.A.G.  
Mr. Sunny Choudhary, AOR  
Mr. Mrigna Shekhar, Adv.  
Mr. Sandeep Sharma, Adv.

Mr. Tapesk Kumar Singh, A.A.G./AOR  
Mr. Aditya Pratap Singh, Adv.  
Mr. Priyanshu Malik, Adv.

Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya Aniruddha Pande, AOR  
Mr. Bharat Bagla, Adv.  
Mr. Sourav Singh, Adv.  
Mr. Aditya Krishna, Adv.  
Ms. Raavi Sharma, Adv.

M/S. K J John And Co, AOR

Mr. Pukhrambam Ramesh Kumar, AOR  
Mr. Karun Shrama, Adv.

Mr. Avijit Mani Tripathi, AOR  
Mr. Sandeep Kumar Jha, AOR

Mr. V. N. Raghupathy, AOR  
Mr. Manendra Pal Gupta, Adv.

Mr. K N Balgopal Adv. Gen. Nagaland/Sr. Adv.  
Ms. K. Enatoli Sema, AOR

Ms. Limayinla Jamir, Adv.  
Mr. Amit Kumar Singh, Adv.  
Ms. Chubalemla Chang, Adv.  
Mr. Prang Newmai, Adv.

Ms. Archana Pathak Dave, Adv.  
Ms. Deepanwita Priyanka, Adv.  
Ms. Swati Ghildiyal, AOR  
Ms. Devyani Bhatt, Adv.

Dr. Manish Singhvi, Sr. Adv.  
Mr. Apurv Singhvi, Adv.  
Ms. Shubhangi Agarwal, Adv.  
Mr. Rohan Darade, Adv.  
Mr. Milind Kumar, AOR

Ms. Ranjeeta Rohatgi, AOR  
Mr. Kuldip Singh, AOR

Mr. Gurminder Singh, Adv. Gen Punjab/Sr. Adv.  
Mr. Ajay Pal, AOR  
Mr. Mayank Dahiya, Adv.  
Ms. Sugandh Rathor, Adv.

Mr. Raghvendra Kumar, AOR  
Mr. Anand Kumar Dubey, Adv.  
Ms. Harsha Sharma, Adv.  
Mr. Simanta Kumar, Adv.  
Mr. Devvrat Singh, Adv.  
Mr. Jainendra Kumar, Adv.  
Mr. Maneesh Pathak, Adv.  
Mr. Nishant Verma, Adv.  
Mr. Kailas U More, Adv.  
Mrs. Nirmla D Borade, Adv.

Mr. Narendra Kumar, AOR

Mr. Amit Anand Tiwari, A.A.G.  
Mr. Sabarish Subramanian, AOR  
Ms. Devyani Gupta, Adv.  
Mr. C Kranthi Kumar, Adv.  
Mr. Vishnu Unnikrishnan, Adv.  
Mr. Naman Dwivedi, Adv.  
Mr. Danish Saifi, Adv.

Ms. Tanvi Anand, Adv.  
Ms. V Keerthana, Adv.

Mr. B. Balaji, AOR

Mr. Sri Harsha Peechara, Adv.  
Mr. Duvvuri Subrahmanya Bhanu, Adv.  
Ms. Pallavi, Adv.  
Ms. Kriti Sinha, Adv.  
Mr. Akshat Kulshreshtha, Adv.  
Mr. Rajiv Kumar Choudhry, AOR

Dr. Joseph Aristotle S., AOR  
Mrs. Swarupama Chaturvedi, AOR  
Mr. Siddharth Sangal, AOR  
Mr. Parijat Sinha, AOR

Mr. Sanjay R Hegde, Sr. Adv.  
Mr. Adeel Ahmed, AOR  
Mr. Abdur Rehman Sikdar, Adv.  
Mr. Raja Chatterjee, Adv.  
Ms. Taqdees Fatima, Adv.  
Mr. Anas Tanwir, Adv.  
Mr. Piyush Sachdev, Adv.  
Mr. Md Sharuk Ali, Adv.  
Ms. Anupama Gupta, Adv.  
Ms. Riya Dutta, Adv.  
Ms. Sana Parveen, Adv.  
Ms. Lilly Biswas, Adv.

Mr. Sandeep Kumar Jha, AOR  
Mr. Partha Sil, AOR  
Mr. Shibashish Misra, AOR

Mr. Anupam Lal Das, Sr. Adv.  
Mr. Rahul Pratap, AOR

Mr. G. N. Reddy, AOR

Mr. Satish Kumar, AOR  
Mr. Mehmood Pracha, Adv.  
Mr. Syed Ali Ahmad, Adv.  
Mr. Syed Tanweer Ahmad, Adv.  
Mr. Syed Miran Ahmad, Adv.

Mr. S S Bandyopadhyay, Adv.  
Mr. Ankit Verma, Adv.  
Mr. S Kundu, Adv.  
Mr. Abhaya Nath Das, Adv.  
Mrs. Barnali Basak, Adv.  
Ms. Riya Soni, Adv.  
Mr. V K Shukla, Adv.  
Mr. B C Bhatt, Adv.  
Mr. Rahul Singh, Adv.

Mr. Pashupathi Nath Razdan, AOR  
Ms. Maitreyee Jagat Joshi, Adv.  
Mr. Astik Gupta, Adv.  
Ms. Akanksha Tomar, Adv.  
Mr. Argha Roy, Adv.  
Mr. Gaurav Kumar, Adv.

Mr. Ajay Tewari, Sr. Adv.  
Mr. Abhimanyu Tewari, AOR  
Ms. Eliza Bar, Adv.

Mr. Somesh Chandra Jha, AOR

Mr. Harsh Parashar, AOR

Mr. Mohit Chaudhary, AOR

Mrs. Swarupama Chaturvedi, AOR

Ms. Sneha Kalita, AOR

Mr. Anjani Kumar Mishra, AOR  
Dr. P.N. Mishra, Adv.  
Mrs. Hardeep Kaur Mishra, Adv.  
Mr. Praveen Mishra, Adv.

Mr. Sanand Ramakrishnan, AOR

Ms. Rashmi Singhanian, AOR

Ms. Bharti Tyagi, AOR  
Mr. Chandra Shekhar, Adv.  
Mr. Vikash Kumar, Adv.

Ms. Rashmi Nandakumar, AOR  
Mr. Dhawal Uniyal , AOR

Mr. Saurabh Mishra, A.A.G.  
Mr. Sunny Choudhary, AOR  
Mr. Mrigna Shekhar, Adv.  
Mr. Sandeep Sharma, Adv.

Mr. Ashwini Kumar Upadhyay, Adv.  
Mr. Ashwani Kumar Dubey, AOR  
Mr. Chandra Shekhar, Adv.

Mr. Praveen Swarup, AOR  
Mr. Avijit Roy, AOR

Mr. Vivek Sharma, AOR

Ms. Krishna Sarma, Adv.  
Mr. Navnit Kumar, Adv.  
Mr. Pradeep Kumar, Adv.  
Mr. Mr. Pradeep Kumar, Adv.  
For M/S. Corporate Law Group, AOR

Mr. Colin Gonsalves, Sr. Adv.  
Ms. Hetvi Patel, Adv.  
Mr. Satya Mitra, AOR

Mr. Abhishek, AOR

Mr. Rameshwar Prasad Goyal, AOR

Mr. Shadan Farasat, AOR

Mr. Krishna Dev Jagarlamudi, AOR  
Mr. Mohan Pandey, AOR

**UPON hearing the counsel the Court made the following  
O R D E R**

- 1 The provisions of Section 6A of the Citizenship Act 1955 can broadly be bifurcated in three time periods:
  - (i) The period prior to 1 January 1966 (Sub-section 2);

- (ii) The period between 1 January 1966 and 25 March 1971 (Sub-section 3);  
and
  - (iii) The period from 26 March 1971.
- 2 Section 6A has provided for the grant of citizenship to persons of Indian origin, originating in the specified territory who have entered Assam between the statutory time periods (set out in (i) and (ii) above) and who have been ordinarily residents of Assam after the date of entry.
  - 3 The distinction between sub-section (2) and sub-section (3) of Section 6A is that the grant of citizenship under sub-section (3) is contingent on additional condition, namely, detection by the Foreigners Tribunal under the Foreigners (Tribunal) Order 1964 and registration. Upon being detected as a foreigner, sub-section (3) contemplates that such an individual must be registered in accordance with the rules made by the Central Government under Section 18. Sub-section (4) of Section 6A stipulates that such an individual would be entitled to the same rights and obligations as a citizen of India, but would not be entitled to entry in the electoral roll for a period of ten years. Upon the expiry of ten years, the person registered under sub-section (3) would be deemed to be a citizen of India for all purposes.
  - 4 The third period is after 26 March 1971. The provisions of Section 6A make it abundantly clear that the conferment of deemed citizenship does not extend to such persons who have entered on or after 26 March 1971.
  - 5 This Court is in the process of hearing arguments assailing the constitutional validity of Section 6A of the Citizenship Act 1955. While the arguments raising the constitutional challenge form the core of the controversy, submissions have been urged before this Court in regard to the impact of illegal immigration into Assam, *inter alia*, on the demographics and the cultural fabric of the State. Other submissions have been urged, including the validity of the provision on the anvil of Articles 14, 21, 29 and 355 of the

Constitution of India.

6 At this stage, it is necessary to have certain data based disclosures by the Union Government in the Ministry of Home Affairs. Where a specific aspects of the data which has been sought by this order implicates the functions of the State Government, the data shall be shared by the Government of Assam with the Ministry of Home Affairs. However, the learned Solicitor General has indicated that a common affidavit shall be filed both on behalf of the Union of India and the State of Assam since both the entities are represented by him. An affidavit shall be filed before this Court on or before 11 December 2023 on the following aspects:

- (i) The number of persons to whom citizenship has been granted under the provisions of Section 6A(2), namely, persons who came into Assam between 1 January 1966 and 25 March 1971;
- (ii) How many persons have been detected to be foreigners by an order of the Foreigners Tribunal under the Foreigners (Tribunal) Order 1964 with reference to the above period of 1966 - 1971;
- (iii) The estimated inflow of illegal migrants into India, including but not confined to the State of Assam after 25 March 1971;
- (iv) In respect of persons who are alleged to have entered India, including the State of Assam, after 25 March 1971:
  - (a) The total number of Foreigners Tribunals which have been set up by the Union/State Government(s) and how many are functioning at present;
  - (b) The total number of cases which have been disposed of;
  - (c) The number of cases which are pending as of date;

- (d) The average time taken for the disposal of cases; and
  - (e) The number of cases which are pending before the Gauhati High Court arising from orders of the Foreigners' Tribunals.
  - (v) The steps which have been taken by the Union Government at the administrative level to deal with illegal immigration into the territory of India including the North-Eastern States, particularly, the State of Assam; and
  - (vi) The extent of border fencing which has been carried out; the steps which the Union Government intends to take to complete the exercise of border fencing; and the estimated time lines to complete the exercise of border fencing.
- 7 Soft copies of the affidavit shall be served on the counsel for the contesting parties.
- 8 Arguments heard in-part.
- 9 Put up for further hearing on 12 December 2023 as a part heard matter.

**(CHETAN KUMAR)**  
A.R.-cum-P.S.

**(SAROJ KUMARI GAUR)**  
Assistant Registrar