

ITEM NO.301

COURT NO.2

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

ASSAM PUBLIC WORKS

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IA No.105327/2018-Appropriate orders/Directions
 IA No.86036/2018-Clarification/Direction
 IA No.86040/2018-Clarification/Direction
 IA No.105666/2018-Exemption from filing OT
 IA No.10/2013-Intervention Application
 IA No.103961/2018-Intervention Applications

WITH

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

IA No.1/2012-STAY APPLICATION

IA No.24/2017

IA No.25/2017

IA No.41036/2017-Intervention/Impleadment Application

IA No.92739/2018-Intervention Application

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

FOR [PERMISSION TO FILE ANNEXURES] ON IA 2/2015

FOR EXEMPTION FROM FILING O.T. ON IA 3/2015 and IA No.119677/2017-
impleading party)

IA No.1/2014-Stay Application

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

[IA No.1/2014-Stay Application]

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

(FOR ON IA 2/2015)

IA No.1/2015-Seeking Leave to file written arguments

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

(FOR ON IA 1/2015)

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

(FOR ON IA 1/2015)

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

IA No.1/2017-Intervention Application

W.P.(C) No.470/2018 (X)(FOR ADMISSION and I.R. and IA No.69948/2018-EXEMPTION FROM FILING
O.T.)

Diary No.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/TP)

Diary No.21214/2018 (XIV)

(IA No.84178/2018-Condonation of delay in filing)

Diary No.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/TP and IA No.82086/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

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/TP and IA No.92419/2018-CONDONATION OF DELAY IN REFILING)

Diary No.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/TP)

Date : 05-09-2018 These matters were called on for hearing today.

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HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

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

We have read and considered the report of the learned State Coordinator for National Registration (NRC), Assam with regard to preparation of the modalities of the Standard Operating Procedure for dealing with claims and objections. The said report has been submitted pursuant to our order dated 28.08.2018.

In the said report the learned State Coordinator has stated that the following ten documents out of List 'A' documents can be relied upon/introduced afresh by any claimant following his/her claim for inclusion in the NRC subject to the authenticity of the said documents being certified by the relevant issuing authority.

List 'A' contains of the following 15 documents :

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 [upto 24th March, 1971 (midnight)
4. Citizenship Certificate issued by competent authority (upto 24th March, 1971 (midnight)
5. Permanent Residential Certificate issued from outside the State upto 24th March, 1971 (midnight) (which all should be got verified from the issuing authority by the Registering authority)
6. Refugee registration certificate issued upto 24th March, 1971 (midnight)
7. Passport issued by the Government of India upto 24th March, 1971 (midnight)
8. Life Insurance Corporation of India Insurance Policy (LICI) of relevant period upto 24th March, 1971 (midnight)
9. Any license/certificate issued by any Government authority of relevant period i.e. upto 24th March, 1971 (midnight)
10. Document showing service/employment under Government/Public Sector Undertaking upto 24th March, 1971 (midnight)
11. Bank/Post Office Accounts of relevant period i.e. upto 24th March, 1971 (midnight)
12. Birth certificates issued by the competent authority upto 24th March, 1971 (midnight)
13. Educational certificate issued by Board/Universities upto 24th March, 1971 (midnight)
14. Records/processes pertaining to court upto 24th March, 1971 (midnight)

Supporting Documents

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

Out of the aforesaid 15 documents, according to

the learned State Coordinator, the following 10 documents subject to establishment of authenticity by certification from the concerned issuing authority can be permitted to be relied upon by a claimant in support of his/her claim for inclusion in the NRC.

- i. Land documents like Registered Sale Deed, Records of land rights upto 24th March, 1971 (midnight).
- ii. Permanent Residential Certificate issued from outside the State upto 24th March, 1971 (midnight)
- iii. Passport issued by the Government of India upto 24th March, 1971 (midnight)
- iv. Life Insurance Corporation of India Insurance Policy (LICI) of relevant period upto 24th March, 1971 (midnight)
- v. Any license/certificate issued by any Government authority of relevant period i.e. upto 24th March, 1971 (midnight)
- vi. Document showing service/employment under Government/Public Sector undertaking upto 24th March, 1971 (midnight)
- vii. Bank/Post Office Accounts of relevant period i.e. upto 24th March, 1971 (midnight)
- viii. Birth Certificates issued by the competent authority upto 24th March, 1971 (midnight)
- ix. Educational certificate issued by Board/Universities upto 24th March, 1971 (midnight)
- x. Records/processes pertaining to court upto 24th March, 1971 (midnight) provided they are part of a processing in a Judicial or Revenue Court.

The learned Attorney General for India has submitted, on instructions, that the Government of India seeks a copy of the report of the learned Project Coordinator.

Having considered the aforesaid statement made by the learned Attorney General, we are of the considered view that at this stage what has been set out above should be sufficient for the Union of India and the other stake-holders to indicate their views in the matter within two weeks, whereafter, orders as may be appropriate will be passed.

Naturally, until further orders, the date of commencement for receipt of applications of claims and objections shall stand deferred.

List the matter(s) on 19th September, 2018 at 2.00 p.m.

(NEETU KHAJURIA)
COURT MASTER

(ASHA SONI)
BRANCH OFFICER