News: Questions about a person’s place and date of birth, his parents’ names and their place of birth are meant to ascertain citizenship, the Supreme Court has held.

Background

- The court, in a 2005 judgment on a writ petition filed by present Assam Chief Minister Sarbananda Sonowal, has clearly held that these personal questions are directly associated with “establishing citizenship”.
- “In order to establish one’s citizenship, normally he may be required to give evidence of (i) his date of birth (ii) place of birth (iii) name of his parents (iv) their place of birth and citizenship,” the judgment, authored by Justice G.P. Mathur for a threejudge Bench of the court, on July 12, 2005 held.
- Moreover, the court explained that these facts figured specially in the context of establishing citizenship because they “would necessarily be within the personal knowledge of the person concerned and not of the authorities of the State”. In case of doubts about a person’s citizenship, the burden of proving that these facts were true was on the person concerned.

NPR-NRC link

- The government has so far denied any link between the National Population Register (NPR), which is to establish usual residency, and the National Register of Citizens (NRC), meant to establish citizenship. In fact, the NPR takes into account foreign citizens too.
- However, if the NPR form of 2020 carries these personal questions highlighted in the judgment, apprehensions raised in the public mind that the NPR is a stepping stone for a nationwide NRC become justified.

What does the Citizenship Rules of 2003 say?

- The 2005 judgment came just over a year after the Citizenship
(Registration of Citizens and Issue of National Identity Cards) Rules of 2003 was notified in December 2003. The Rules clearly linked the NPR and the NRC.

- **Rule 4(3) of the Citizenship Rules** states that personal details collected for the ‘Population Register’ would be used in the preparation of the National Register of Indian Citizens.
- The Citizenship Rules define ‘Population Register’ as a “register containing details of persons usually residing in a village or rural area or town or ward or demarcated area [demarcated by the Registrar General of Citizen Registration] within a ward in a town or urban area”.
- **Rule 4(3) mandates** that for “preparation and inclusion in the Local Register of Indian Citizens, the particulars collected of every family and individual in the Population Register shall be **verified and scrutinised by the Local Registrar**, who may be assisted by one or more persons as specified by the Registrar General of Citizen Registration.”