

Chief Justice's Court

Case :- P.I.L. CIVIL No. - 6491 of 2020

Petitioner :- Manvendra Pratap Singh

Respondent :- U.O.I.Ministry Of Home Affairs New Delhi & Anr.

Counsel for Petitioner :- Aftab Ahmad

Counsel for Respondent :- A.S.G.

Hon'ble Govind Mathur,Chief Justice

Hon'ble Chandra Dhari Singh,J.

Invoking the powers under the Citizenship (Registration of Citizens and Issue Of National Identity Cards) Rules, 2003, the Government of India has issued Instruction Manual for updation of National Population Register (NPR) 2020.

As per the Instruction Manual, the National Population Register of all the "usual residents" in the country was created in the year 2010. The field work of NPR data collection was undertaken along with Houselisting and Housing Census, 2010. The scheme for creation of National Population Register, which has been undertaken as per provisions of the Citizenship Act, 1955 and the Rules of 2003 shall contain the details of 'usual residents' of the country regardless of whether they are citizens or non-citizens of India. It is further provided that NPR is required to be created in the year 2020 and for that the government has decided to update the database along with houselisting and housing census of India 2021 during April-September, 2020.

During the process aforesaid, the Aadhaar number from each residents shall also be collected in addition to his/her mobile number, election photo identity cards or voter ID card number, Indian Passport number and driving license number, if available with the residents.

The case of the petitioner is that the data collected by the residents shall be foundation for National Register of Indian Citizens and, therefore, it would be necessary to have copy of the proforma in which all personal data is provided by a citizen.

It is stated by learned counsel that according to Rules 2003, no adverse decision can be taken by the respondents without providing an opportunity of hearing to the residents concerned and the term "heard" having large amplitude includes the supply of data collected.

It is asserted that an objective and fair hearing demands supply of all material on which respondents rely while taking any decision relating to placement of a resident in National Register of Indian Citizens.

Learned counsel appearing on behalf of the respondents wants some time to have instructions in the matter.

Time prayed for is allowed.

Let this petition for writ be listed on 6th March, 2020.

Order Date :- 4.3.2020

Bhaskar

(Chandra Dhari Singh, J.) (Govind Mathur, C.J.)