

(Amended upto 31-3-1987)

FOREIGNERS (TRIBUNAL) ORDER, 1964

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

ORDER

New Delhi, the 23rd September, 1964

G.S.R. 1401. - In exercise of the powers conferred by Section 3 of the Foreigners Act, 1946 (31 of 1946), the Central Government hereby makes the following order, namely: -

1. Short title. -

This order may be called the Foreigners (Tribunals) Order, 1964.

2. Constitution of Tribunals: -

(1) The Central Government may by order, refer the question as to whether a person is not a foreigner within the meaning of the Foreigners Act, 1946 (31 of 1946) to a Tribunal to be constituted for the purpose, for its opinion.

(1A) The registering authority appointed under sub-rule (1) of rule 16F of the Citizenship Rules, 1956 may also refer to the Tribunal the question whether a person of

Indian Origin, complies with any of the requirements under sub-section (3) of Section 6A of the Citizenship Act, 1955 (57 of 1955).

- (2) The Tribunal shall consist of such number of persons having judicial experience as the Central Government may think fit to appoint.
- (3) Where the Tribunal consists of two or more members, one of them shall be appointed as the Chairman thereof.

3. Procedure for disposal of questions: -

- (1) The Tribunal shall serve on the person, to whom the question relates, a copy of the main grounds on which he is alleged to be a foreigner and give him a reasonable opportunity of making a representation and producing evidence in support of his case and after considering such evidence as may produced and after hearing such persons as may desire to be heard, the Tribunal shall submit its opinion to the officer or authority specified in this behalf in the order of reference.
- (1A) The Tribunal shall, before giving its opinion on the question referred to in sub-paragraph (1A) of paragraph 2, give the person in respect of whom the

opinion is sought, a reasonable opportunity to represent his case.

- (2) Subject to the provisions of this Order, the Tribunal shall have power to regulate its own procedure.

4. Power of Tribunals: -

The Tribunal shall have the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908 in respect of the following matters, namely: -

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) issuing commissions for the examination of any witness

(No. 1/1/64-F. III)

Amendment Notifications

No. 1/24/65-F. III. Dated 30-9-1965

No. 14011/35/85-F. III. Dated 15-1-1986