

FOREIGNERS (TRIBUNALS) ORDER, 1964

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FOREIGNERS (TRIBUNALS) ORDER, 1964

G.S.R. 1401, dated 23rd September, 1964.-In exercise of the powers conferred by Section 3 of the Foreigners Act, 1946 (31 of 1946), the Central Government hereby marks the following order, nomely:-

1. Short title :-

1(1)This Order may be called the Foreigners (Tribunals) Order, 1964.

2 (2)"This order shall apply to the whole of India except the State Of Assam."

In the FOREIGNERS (TRIBUNALS) ORDER, 1964 paragraph 1 shall be renumbered as sub-paragraph (1), by the FOREIGNERS (TRIBUNALS) AMEDMENT ORDER, 2006.

In the FOREIGNERS (TRIBUNALS) ORDER, 1964, after sub-paragraph 1 the following sub-paragraph shall be inserted as follows :- "(2) This order shall apply to the whole of India except t h e State Of Assam." by the FOREIGNERS (TRIBUNALS) AMEDMENT ORDER, 2006.

2. Constitution of Tribunals :-

(1) The Central Government may by order, refer the question as to whether a person is or 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.

1 [

(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 1957).

]

(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.

1. Inserted by G.S.R. 203(E), dated 5.1.1986 (w.e.f. 14.2.1986).

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 be produced after hearing such persons as may deserve to be heard. the Tribunal shall submit its opinion to the officer or authority specified in this behalf in the order of reference.

4 [(1A) [***]

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

In the FOREIGNERS (TRIBUNALS) ORDER, 1964, paragraph 3, sub-paragraph (1A) shall be Omitted as follows :- "[(1A) The Tribunal shall, before giving its opinion on the question referred to in sub-paragraph (1-A) of Paragraph 2, give the person in respect of whom the opinion is sought, a reasonable opportunity to represent his case.]" by the FOREIGNERS (TRIBUNALS) AMENDMENT ORDER, 2006.

4. Powers of Tribunals :-

The Tribunal shall have the power 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.