

AS INTRODUCED IN LOK SABHA

**Bill No. 34 of 2020**

**THE DOUBTFUL VOTERS IN THE STATE OF ASSAM  
(SPECIAL PROVISIONS) BILL, 2020**

By

SHRI ABDUL KHALEQUE, M.P.

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**BILL**

*to make eligible such doubtful voters in the State of Assam whose names appear in the Assam National Register of Citizens (NRC) final list to contest any election and cast vote at such elections and for matters connected therewith.*

BE it enacted by Parliament in the Seventy-first Year of the Republic of India as follows:—

**1. (1)** This Act may be called as the Doubtful Voters in the State of Assam (Special Provisions) Act, 2020.

Short title and commencement.

**5 (2)** It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

**2.** In this Act, unless the context otherwise requires "doubtful voter" means a voter in Assam who could not provide evidence in favour of his Indian nationality and was marked with 'D' in the electoral roll to indicate doubtful status of his Indian nationality.

Definition.

Doubtful voters in the State of Assam to be eligible to contest and cast vote in elections.	<b>3. Every voter,—</b>	
	(i) who has been categorised as a doubtful voter in the State of Assam; and	
	(ii) whose name appears in the Assam National Register of Citizens (NRC) final list published on 31 August, 2019,	5
	shall be eligible to contest any election and cast vote at such election, notwithstanding anything contained to the contrary in any other law, judgment, decree, rule or order in force in the State of Assam.	
Establishment of Seva Kendras.	<b>4. (1) The Central Government shall establish a Seva Kendra in every district in the State of Assam to settle cases where the name of a person does not appear in the Assam NRC final list published on 31st August, 2019 but names of his family members do appear in such list.</b>	10
	<b>(2) The Seva Kendra shall be presided over by the such Officer, not below the rank of Joint Secretary, as the Central Government may decide.</b>	
	<b>(3) The Central Government shall appoint such numbers of Officers and Staff to the Seva Kendra as it deem necessary for carrying out the purposes of this Act.</b>	15
	<b>(4) The salary and allowances payable to and other terms and conditions of service of Officers and Staff of the Seva Kendra shall be such as may be prescribed by rules made under this Act.</b>	
Power to make rules.	<b>5. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.</b>	20
	(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.	25
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## STATEMENT OF OBJECTS AND REASONS

The Government has released the final list of National Register of Citizens (NRC) in the State of Assam on 31st August, 2019. From the final list, it is observed that a number of citizens who were included in the doubtful voters section of the voters list in the State of Assam are appearing in the final NRC. The inclusion of such voters in the final NRC confirms that such voters are citizens of India and they are eligible for voting rights at elections. Therefore, it is necessary that such voters who are disenfranchised in the existing voters list should have their voters' right. Further, it is also observed that a large number of citizens whose family members have been included in the final NRC do not find a place in the list. Such persons whose family members are included in the final NRC should be given a chance to appeal before a Seva Kendras in the Districts where they can make their representations rather than referring their cases to the Foreigners Tribunal set up in the State.

The Bill, therefore, seeks to abolish the doubtful voters list in relation to those citizens whose names are appearing in the National Register of Citizens final list issued on 31st August, 2019. Further establishing Seva Kendras for such persons the names of whose family members are appearing in the NRC will save trouble to a lot of persons who are genuinely citizens of India but for some reason or other are left out from the NRC.

Hence this Bill.

NEW DELHI;  
*December 12, 2019.*

ABDUL KHALEQUE

#### FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for establishment of Seva Kendra in every district of State of Assam to settle cases where the name of a person does not appear in the Assam NRC final list published on 31 August, 2019 but names of his family members do appear in such list. It also provides for appointment of Officers and Staff to the Seva Kendra. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees seventy five crore will be involved per annum from the Consolidated Fund of India.

No non-recurring expenditure is likely to be involved.

#### **MEMORANDUM REGARDING DELEGATED LEGISLATION**

Clause 5 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Bill. As the rules will relate to matters of detail only the delegation of legislative power is of normal character.

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*(Shri Abdul Khaleque, M.P.)*