

15 documents fail to prove citizenship, rules Gauhati HC



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GUWAHATI, July 5, 2026 — The Gauhati High Court has upheld a Foreigners Tribunal order declaring an Assam man a foreigner, ruling that he failed to prove his Indian citizenship despite producing 15 documents.

A Division Bench of Justice Kalyan Rai Surana and Justice Shamima Jahan dismissed the writ petition filed by Aminul Hoque against the opinion of Foreigners Tribunal No. 4, Kamrup (Metro), Guwahati.

The Bench observed that "though the petitioner had exhibited 15 (fifteen) documents as exhibits, the same does not appear to help the petitioner to establish that he has been able to discharge his burden as required under Section 9 of the Foreigners Act, 1946 to prove that he is not a foreigner but an Indian citizen."

The Court held that the petitioner failed to establish a continuous documentary link with his projected ancestors. It noted that the claim that the family shifted between villages due to erosion was unsupported by documentary evidence.

The Bench also ruled that computer-generated NRC legacy documents were inadmissible without the certificate required under Section 65B of the Evidence Act.

Reiterating settled law, the Court said PAN cards and EPICs are not proof of citizenship, while the school certificate relied upon by the petitioner could not be accepted as it was not proved in accordance with law.

It further held that the oral testimony of the petitioner's father could not substitute for documentary evidence establishing citizenship.

Dismissing the petition, the Bench said it found "no material to hold that the opinion assailed in this writ petition is bad on facts or in law", adding that the challenge failed and the Foreigners Tribunal's opinion would stand.

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Assam Times Staff. editor@assamtimes.org

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