

Doubtful (D) Voters in Assam

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Doubtful (D) Voters in Assam: Legal Status and Challenges

Context

- The issue of **Doubtful (D) voters** is a major concern in **Assam**, where citizenship verification is linked to electoral rights and illegal immigration.
- The **Opposition has raised concerns** over the **plight of D voters**, demanding:
 - **Closure of detention centers.**
 - **Tabling of the National Register of Citizens (NRC) report in the Assembly.**
- The classification of D voters has led to **legal and humanitarian challenges**, affecting thousands of individuals.

Who Are 'D' (Doubtful) Voters?

- **Definition:**
 - Individuals marked as **Doubtful (D) voters** during electoral roll revision.
 - Their cases are either **pending before the Foreigners Tribunal** or they have been **declared foreigners.**
- **Introduced by: Election Commission of India (ECI) in 1997.**
- **Legal Status:**
 - **Not defined under the Citizenship Act, 1955, or the Citizenship Rules, 2003.**
 - Exists only in electoral law and administrative procedures.

Legal Process & Citizenship Verification

- **Identification & Notification:**
 - During verification, families or individuals **suspected of being foreigners** are notified under a **pro forma.**
 - The **local registrar records their status in the Population Register** for further investigation.
- **Right to Appeal:**
 - Individuals can **challenge their classification** before the **Foreigners Tribunal.**
 - The **Taluk or Sub-district Registrar of Citizenship** ensures **due process** and provides a **hearing opportunity.**
- **Investigation Timeline:**
 - The **Registrar must complete investigations within 90 days** and submit findings.
- **Consequences of Foreign Status:**
 - If found to be **illegal immigrants or foreign nationals**, they may face:

- **Deportation.**
 - **Detention in designated centers.**
 - **Impact on Voting Rights:**
 - **D voters cannot vote or contest elections** until their status is cleared.
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D Voters and NRC

- **Can D Voters Be Included in NRC?**
 - **Yes, they can apply** for inclusion in the **updated NRC**.
 - However, their names will be added **only after getting clearance from the Foreigners Tribunal** and their removal from the **D voter list in the Electoral Roll**.
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Challenges and Concerns

- **Detention Centers:** Criticized for **poor conditions** and **human rights violations**.
 - **Legal Uncertainty:** The **absence of a clear definition** in citizenship laws creates confusion.
 - **Impact on Genuine Citizens:** Some **legitimate citizens face wrongful classification**, leading to legal struggles.
 - **Electoral Exclusion:** Thousands remain **disenfranchised** due to pending cases.
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Conclusion

- The **D Voter issue in Assam remains a complex challenge**, involving **legal, electoral, and humanitarian concerns**.
- Ensuring **transparent verification, timely tribunal decisions, and safeguarding genuine citizens' rights** is crucial for a **fair and just resolution**.

