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CENTRE FOR
HEALTH LAW, ETHICS AND TECHNOLOGY
Jindal Global Law School

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In collaboration with:

India HIV/AIDS Alliance

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MARG
JUSTICE THROUGH LEGAL EMPOWERMENT

Multiple Action Research Group

icj

International Commission of Jurists

Handbook

Rights of Transgender and Gender Non-Conforming People in India

CENTRE FOR HEALTH LAW, ETHICS AND TECHNOLOGY

THE CENTRE FOR HEALTH LAW, ETHICS AND TECHNOLOGY conducts legal empirical research on contemporary questions of sexuality, gender, public policy and public health law. Our work is at the intersection of gender, power, sexuality, law and society with the vision to influence law and policy through research and consultations

CHLET seeks to foster informed dialogue among various stakeholders including policymakers, lawyers, activists, and the medical industry and profession.

Through this dialogue, CHLET is dedicated to advancing the entrenched constitutional right to health irrespective of race, caste, ethnicity, national origin, disability, gender or poverty. Implementation of the right to health has distinct challenges in the Indian context. In this and other areas, CHLET aims to use its position within JGLS to engage in global-domestic research, dialogue, negotiation and, when necessary, the judicial system to achieve systemic reforms that advance social justice and equity in the many dimensions of healthcare.

To address the distinct challenges and pressing issues faced by different areas of the large umbrella of health law, CHLET is composed of three research initiatives: 1) Gender, Law And Society Studies (GLASS), 2) Science, Technology and Law Research Initiative (STALRI), and 3) Public Health and the Law Research Initiative (PHALRI). GLASS predominantly focuses on the intersections and interrelationships amongst: gender, sexuality, power, law and society.

CHLET is in a unique position to tackle these complexities because it bridges the Global North and the Global South. Alliances are already being drawn for collaborations with research centers in India and globally to conduct joint research projects, enabling a unique transnational conversation on an issue that is unmistakably transnational in nature. Lastly, in order to find effective solutions to pressing health challenges, it is imperative to merge theory and practice. CHLET is in an exceptional position to focus on both theoretical as well as empirical study on global health law and sexuality issues by building an academic as well as a civil society network.

Faculty Supervisor:

DIPIKA JAIN

Gender, Law and Difference Clinic

Student Researchers:

Astha Singh Chauhan, Eshani Singh, Madhusruthi Neelakantan, Manan Shishodia, Mrinal Sharma, Nikita Kansal, Simran Sharma, Suhavi Arya, Vandita Khanna, Yashwaswini Venkatadri

In collaboration with

Abhina Aher & Simran Sheikh
India HIV/AIDS Alliance

Ambalika Roy
Multiple Action Research Group

Danish Sheikh & Ajita Banerjie
International Commission of Jurists

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HANDBOOK:
RIGHTS OF TRANSGENDER AND GENDER NON-CONFORMING PEOPLE IN INDIA

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GLOSSARY

GLOSSARY

- ***ARAVANIS**** – *Same as Hijra, regional word, used in Tamil Nadu.*
- ***ATTESTED*** – *Signed by a notary*
- ***BAILABLE OFFENCE*** – *An offence where, the accused is entitled to bail as of right. A bail bond needs to be filed. There is no need of sureties.*
- ***BROTHEL*** - *A place which houses 2 or more sex workers*
- ***COGNIZABLE OFFENCE*** – *It is one where the police can investigate without the Magistrate's approval. The police can also arrest without a warrant. Punishment is usually for more than 3 years.*
- ***CROSS-DRESSER:*** *An individual who dresses in clothing that is culturally associated with members of the "other" sex. Many cross-dressers are heterosexual and conduct their cross-dressing on a part-time basis. They cross-dress for a variety of reasons apart from work, including pleasure and a desire to express behaviours and aesthetics associated to the 'opposite' sex.*
- ***HIJRAS**** – *In the Indian subcontinent, a hijra is a physically male or intersex person who is considered a member of 'the third sex'. Hijras are usually born as biological/anatomical males who reject their 'masculine' identity in due course of time to identify either as women, or not-men, or in-between man and woman, or neither man nor woman.*
- ***INTERSEX*** – *A person born with no definite biological anatomy*
- ***KINNAR**** - *Same as Hijra, regional word, used in Delhi.*
- ***NON-BAILABLE OFFENCE*** – *A bail, in a non-bailable offence can be granted only by the court.*
- ***NON-COGNIZABLE OFFENCE*** – *The police can file an FIR with the approval of the Court. They need to write the complaint and sent it to the Magistrate and wait for the order.*
- ***NOTIFIED AREA*** – *A place which is declared to be "prostitution-free" by the State Government under the Act*
- ***PROFORMA*** – *from Latin (for the sake of form), implies that a decision was taken based not on the conviction that it was right, but to establish further proceedings*
- ***PUBLIC PLACE*** - *places of public religious worship, educational institutions, hostels, hospitals etc.*
- ***SHIV SHAKTIS**** – *Males who have a feminine gender expression, because they are attached to a female God. Shiv-Shaktis sometimes cross-dress.*
- ***TRANSGENDER (TG):*** *It is a broad term for all individuals whose sense of their own gender differs from their biological sex. For example, it could refer to individuals assigned male, who are actually women or non-binary, or to individuals assigned female, who are actually men or non-binary. A transgender person may or may not desire sex-reassignment surgery, and could have any sexual orientation*
- ***STALKING*** – *Any man who — Follows a woman and contacts, or attempts to contact such woman to foster personal interaction repeatedly (Section 354D of CrPC)*
- ***THIRUNANGI**** – *Same as Hijra, regional word, used in Tamil Nadu.*
- ***TRANSGENDER**** – *The Transgender community comprises of Hijras, eunuchs, Kothis, Aravanis, Jogappas, Shiv-Shakthis etc*
- ***TSO*** – *Taluk Supply Officer*
- ***VERIFICATION*** – *A method or a formula by which all statements or pleadings containing affirmative matter must conclude to be meaningfully true*

**As defined in NALSA v. Union of India, (2014) 5 SCC 438.*

ACRONYMS

ACRONYMS

- ***AC*** *– Assistant Commissioner*
- ***CRPC*** *– Criminal Procedure Code, 1973*
- ***DC*** *– Deputy Commissioner*
- ***IPC*** *– Indian Penal Code, 1860*

CHAPTER 1

CONSTITUTIONAL LAW

WHAT IS THE PURPOSE OF LAW?

TO DELIVER JUSTICE AND PROTECT THE RIGHTS OF PEOPLE

RULE OF LAW

What is a Fundamental Right?

The existence of a fundamental right of a person and/or citizen implies that there exists a corresponding duty upon the State to fulfill certain conditions that are necessary to lead a quality life.

> **"Fundamental rights include the right to life and personal liberty, the right to freedom of speech and expression, and the right to equality, amongst others."**

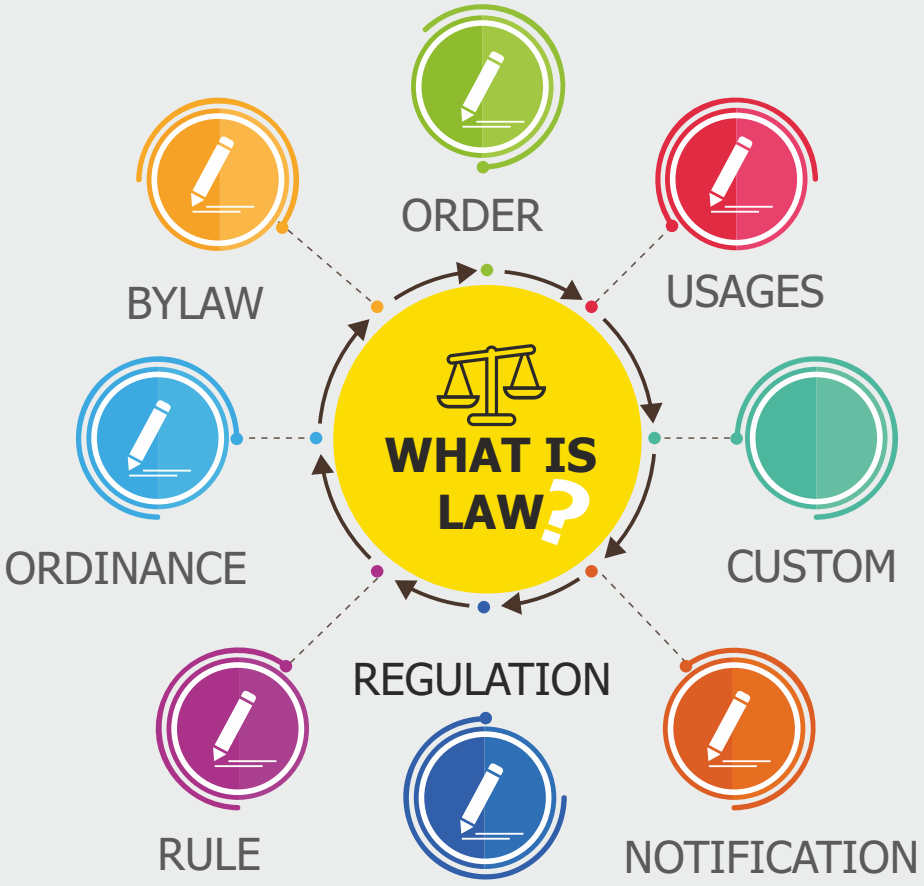
Who is a Fundamental Right Enforceable Against?

State Under Article 12

- Government and Parliament of India
- Government and Legislature of each State
- All local authorities within the territory of India
- Bodies under the control of the Government of India

WHAT IS LAW?

Article 13



This Is An Exhaustive List.

Article 14

The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

Article 15

Article 15(1) prohibits discrimination on grounds only of:

- Religion
- Sex
- Caste
- Place of birth
- Race

Article 15(2) prohibits subjection of citizens to restrictions on grounds only of religion, race, caste, sex, place of birth in:

- Access to shops, public restaurants, hotels and places of public entertainment
- Use of wells, tanks, bathing ghats, roads and places of public resort that are wholly or partly State-funded

Article 15(3) allows the State to make special provisions for women and children.

Article 15(4) allows the State to make special provisions for the advancement of socially and educationally backward classes of citizens (SEBC) or Scheduled Castes (SC) and Scheduled Tribes (ST).

Article 15(5) allows the State to make special provisions for the advancement of SEBC or SC and ST for admission to educational institutions, be it State-aided or private unaided.

Article 16

Article 16 provides for equality of opportunity in matters of public employment

- **16(1)** – protections under the Article only apply to citizens of India
- **16(2)** – no discrimination on the basis of religion, race, caste, sex, and place of birth
- **16(3)** – the State can lay down a requirement of residence as a criteria prior to employment or appointment
- **16(4)** – the State can make provisions for reservation in appointments for members of backward classes that are not adequately represented

Article 17

Abolition of "Untouchability" practiced in any form, and recognition of such practice as a punishable offence.

Article 19

- **Article 19(1)(a):**
  Freedom of speech and expression
- **Article 19(1)(b):**
  Freedom to assemble peaceably and without arms
- **Article 19(1)(c):**
  Freedom to form associations or unions
- **Article 19(1)(d):**
  Freedom to move freely throughout the territory of India
- **Article 19(1)(e):**
  Freedom to reside and settle in any part of the territory of India
- **Article 19(1)(g):**
  Freedom to practice any profession, or to carry on any occupation, trade or business

Article 21

The Supreme Court of India has interpreted the Right to Life and Personal Liberty to include the following non-exhaustive list of rights:

- Right against delayed executions and illegal detentions
- Right to be free from police abuse, harassment and extortion
- Right to be protected from arbitrary, unfair or unreasonable procedure established by law
- Right against torture and cruel, inhumane or degrading treatment in detention
- Right to privacy
- Right to education
- Right to social security
- Right to clean and healthy environment
- Right to safe drinking water
- Right to health and timely medical treatment
- Right to information
- Right to free legal aid
- Right to fair and speedy trial
- Right against defamation
- Right to livelihood
- Right to just and humane conditions
- Right to protection from harassment

Article 21A

"The State is mandated to provide free and compulsory education to all children of the age 6-14 years. This right applies to schools established by the government and extends a 25% reservation in private schools for children belonging to weaker sections and disadvantaged groups."

Article 22

Articles 22(1) and 22(2) of the Constitution of India confer four fundamental rights upon a person who is being arrested, which are as follows:

I. The person being arrested has the right to be informed, as soon as may be, of the grounds for such arrest.

II. The person being arrested has the right to consult and be defended by the lawyer of one's choice.

III. The person being arrested has the right to be produced before the nearest magistrate within 24 hours of arrest.

IV. Such person has the right not to be detained beyond 24 hours without the authority of the Magistrate.

Article 23

Prohibition on human trafficking, begar and other similar forms of forced labor. Violation of the right against exploitation is a punishable offence.

Article 24

Prohibition on employment of any child below the age of 14 years to work in any factory, mine or engage in hazardous employment.

Article 25

Individual right to freedom of conscience, and the right to freely profess, practice and propagate religion.

Article 26

Right of religious denominations to establish and maintain institutions for religious and charitable purposes; manage own affairs in matters of religion; own, acquire and administer property.

Article 29(1)

Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same

Article 29(2)

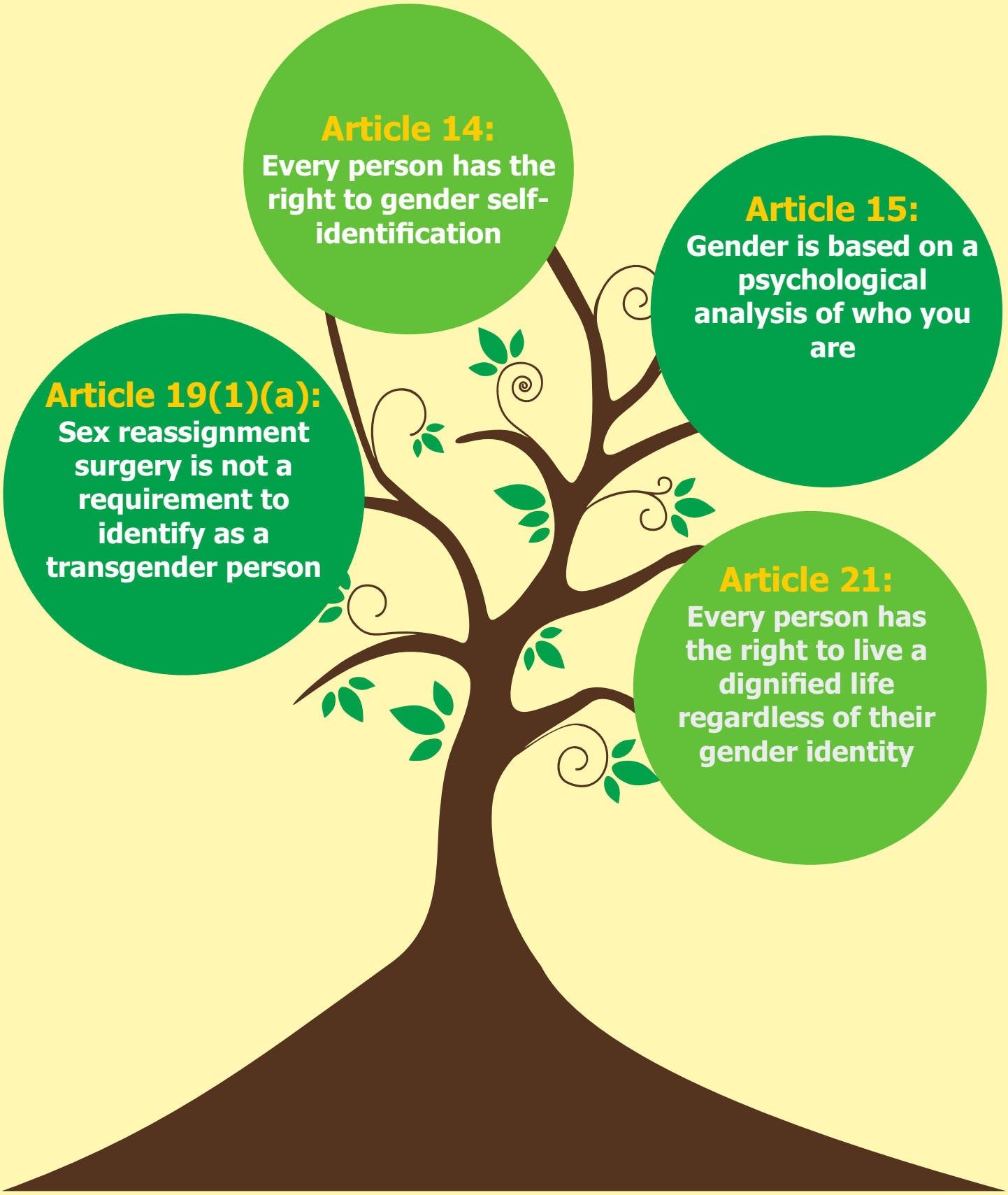
No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them.

Article 30

Right of all religious and linguistic minorities to establish and administer educational institutions of their choice.

NATIONAL LEGAL SERVICES AUTHORITY V. UNION OF INDIA & ORS.

What did the Supreme Court hold in this case?



Article 14

- Guarantees equality before the law and equal protection of the laws regardless of gender identity
- Protects against unfair, unjust and arbitray classification of persons and discrimination in public appointments and admissions based on gender identity

Article 15

- Article 15(1) prohibits the State from discriminating against any citizen only on the grounds of sex. The Supreme Court of India has interpreted "sex" to include "gender identity".
- According to NALSA v. Union of India, the term 'sex' not only includes biological sex, but also a psychological and emotional sense of sexual identity and character.
- The transgender community cannot be deprived of the right to access public spaces (shops, public restaurants, hotels etc.) under Article 15(2).
- The Supreme Court of India has declared transgender persons as Socially and Educationally Backward Classes of citizens under Article 15(4) because of the historical injustice meted out to them.

Article 16

Transgender persons cannot be discriminated against in respect of, any employment or office under the State based only on their "gender identity", which is read within the ambit of "sex" under Article 16(2).

The Supreme Court of India in NALSA v. Union of India has directed the Central and State governments to reserve seats for transgender persons in admissions to educational institutions and for public appointments under Article 16(4).

Right to access separate State and Center-run HIV Sero-Surveillance Centers

Right to access medical care in State and government hospitals

Right to access separate public toilers for persons identifying as third gender

Right to reservation in admission to educational institutes and public appointments

Hijras and transgender persons to be identified as socially and educationally backward classes of citizens

Article 19

- Article 19(1)(a) states that all citizens shall have the right to freedom of speech and expression. The Supreme Court of India has interpreted Article 19(1)(a) to include the right to expression of one's self-identified gender in NALSA v. Union of India.
- Under Article 19(1)(a), transgender people have the right to express their self-determined personality through behavior and presentation of their choice without any intervention.
- Article 19(1)(a) is subject to past, present, and future laws, which have been enacted by the State as reasonable restrictions on the freedom of speech and expression in interests of various factors, including (but not limited to) public order, decency or morality.

Article 21

ACCORDING TO NALSA v. UNION OF INDIA, ARTICLE 19(1)(a) FORMS THE CORE AND ESSENCE OF THE RIGHT TO GENDER SELF-IDENTIFICATION.

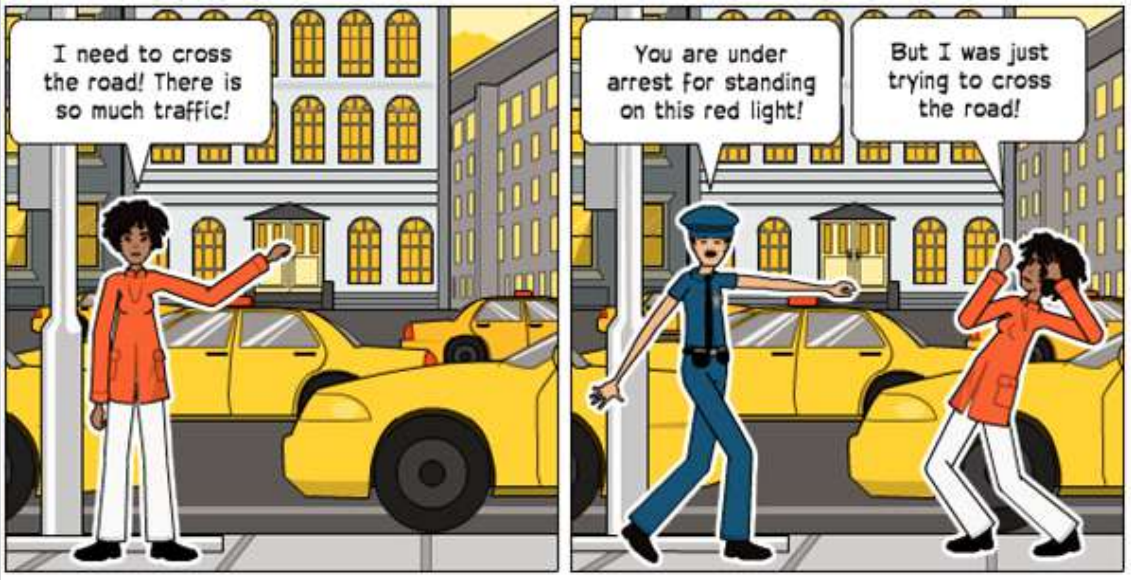
"NO PERSON SHALL BE DEPRIVED OF HIS LIFE OR PERSONAL LIBERTY EXCEPT ACCORDING TO PROCEDURE ESTABLISHED BY LAW."

Article 21 has been interpreted by the Supreme Court of India in NALSA v. Union of India to include rights, which were formerly only recognized as directive principles within the Constitution of India and unenforceable in a court of law. In so doing, the Supreme Court has widened the scope of Article 21.

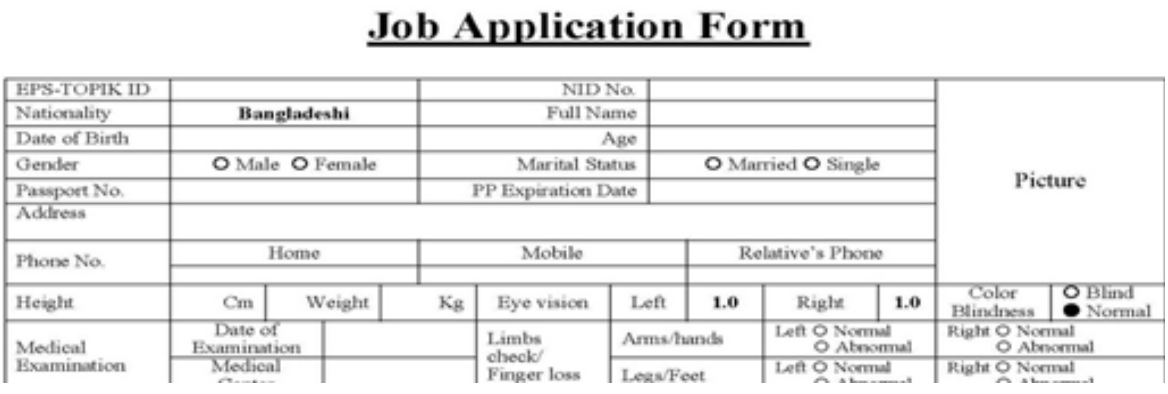
Constitutional Law Hypotheticals

1. Ramesh was enrolled in a co-ed school since the age of 9. After transitioning, Ramesh wanted to change her name to Rameshwari. She also wants to wear the girls' uniform to feel comfortable. However, the Principal of her school did not allow her to do so. She is constantly discriminated against and made fun of. Which legal provisions can help?

2. Afsana Meer, a transwoman, was walking on the road at 9:30pm. While waiting at a traffic intersection for the pedestrian signal to turn green, a police van stops near her. She tries to explain that she is waiting to cross the intersection. She is presumed to be a sex worker and is detained and tortured for 48 hours. Which legal provisions can help?



3. Manpreet, a transwoman, is sitting for a government job interview. When given the application form, she realizes that there is no other option except male or female when filling the applicant's gender. Which legal provisions can help?



Job Application Form

EPS-TOPIK ID				NID No.						Picture	
Nationality	**Bangladeshi**			Full Name							
Date of Birth				Age							
Gender	O Male O Female			Marital Status		O Married O Single					
Passport No.				PP Expiration Date							
Address											
Phone No.	Home			Mobile			Relative's Phone				
Height	Cm	Weight	Kg	Eye vision	Left	1.0	Right	1.0		Color Blindness	O Blind ● Normal
Medical Examination	Date of Examination			Limbs check/ Finger loss	Arms/hands		Left O Normal O Abnormal			Right O Normal O Abnormal	
	Medical				Legs/Feet		Left O Normal			Right O Normal	

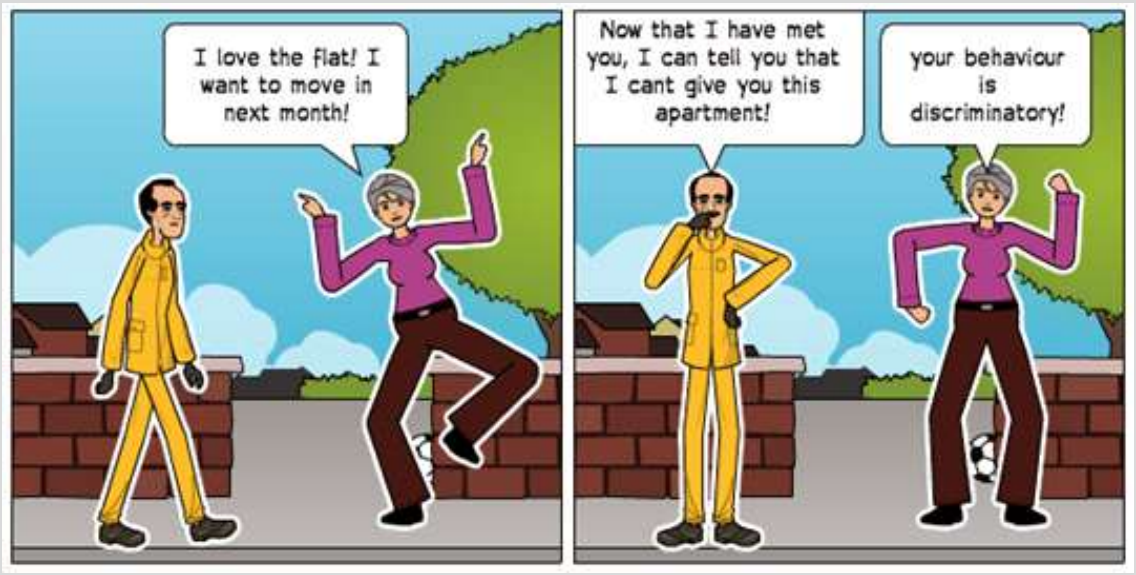
4. Sandra, a genderqueer person, wants to attend a formal cultural event which is being organized by the Residents Welfare Organization of her locality. The dress-code for the event was gowns and suits. They reaches the event wearing a beautiful purple gown, which was appropriate for the event. Yet they is refused entry despite conforming to the dress code. Which legal provisions can help?

5. Mohit, a transman, is not allowed to participate in a men's football game competition organized by a National university. Which legal provisions can help?

6. Ruheena, a transwoman, visits a public university to give a lecture and needs to use the bathroom. Note the resulting situation, as explained in the comic strip below: What remedies can Ruheena seek?

7. Lovely, a Hijra-identified trans rights activist, and Sumit, a transman, decide to spend the entire day at the mall to do some Diwali shopping. After entering the mall, they realise that they are being stared at, and finally they are asked to leave by the guard at a restaurant in the mall. Which right of Lovely and Sumit's is being violated here?

8. Arpit, as a transman, tries to seek his college admission through the reservation provisions for Socially and Educationally Backward Classes of citizens. However, he is put in the General category and is denied admission in ABC National University because he is told that he does not fall under the reserved categories. On what ground/s can Arpit challenge the State?



CHAPTER 2

CRIMINAL LAW

CRIMINAL LAW

CRIMINAL LAWS IN INDIA ARE COVERED PRIMARILY BY TWO STATUTES: THE INDIAN PENAL CODE, 1860 (IPC), WHICH DESCRIBES THE NATURE AND INGREDIENTS OF, AND PUNISHMENTS FOR AN OFFENCE; AND THE CODE OF CRIMINAL PROCEDURE, 1973 (CRPC), WHICH LAYS DOWN THE PROCEDURE TO BE FOLLOWED ONCE AN OFFENCE HAS BEEN COMMITTED TILL IT IS FINALLY DISPOSED OF.

The state bears all litigation expenses for criminal cases in india. This includes the expenditure on search, seizure, investigation and the trial. The aggrieved party is also provided the legal aid of the government legal counsel, namely the public prosecutor

BROAD STAGES IN A CRIMINAL CASE
Non-Cognizable Offence
Private Complaint to Magistrate
Cognizance Taken
Preliminary Enquiry and Summoning
Trial
Judgment
Conviction
Acquittal
SENTENCING
Cognizable Offence
First Information Report (FIR)
FIR Not Registered by the Police
FIR Registered
Investigation
Offence Not Made Out
Closure Report
Offence Made Out
Chargesheet
Arguments on Charge
Charges Not Framed - Discharge
Plead Guilty
Charges Framed
Plead Not Guilty
TRIAL

Filing a First Information Report (FIR)

What is the importance of an FIR?

- The FIR is an important document for initiating criminal proceedings. It is only after an FIR has been registered at the police station that the police may take up investigation of the case.
- Information may be given orally/in writing to the Station House Officer (SHO) at the local police station in whose jurisdiction the offence has been committed.
- The police, after registering the FIR will read out the contents of it to the complainant. Sign the FIR only if all the information given by you is recorded.
- A copy of the FIR will be given to you free of cost.
- Police failure to register an FIR regarding the commission of sexual offence is punishable with up to 6 months imprisonment under section 166A, CrPC.
- You do not have to produce evidence at the stage of lodging an FIR.

When can an FIR be filed?

- An FIR can only be filed for a cognizable offence.
- The FIR has to be registered at the earliest point of time after the incident. Any delay in registration has to be adequately explained. Delay in registration may cause a suspicion as to whether it was an afterthought or a concocted version.
- For a non-cognizable offence, the police would read the complaint and direct it to a magistrate.

Who can file an FIR?

- Anyone who is a victim of the crime
- Anyone who has witnessed the crime
- Anyone who has information of the crime

What to do when the FIR is not registered/ the police refuses to register the FIR?

According to section 166A introduced by the Criminal Law (Amendment) Act, 2013, if a police officer/public servant fails to register your complaints then he can go to jail for 6 months to 2 years and can also be fined.

If your FIR is not registered, you may take the following steps:

1. Submit a complaint to a higher ranking officer such as the Superintendent of Police (SP), the Deputy Inspector General (DIG) or the Inspector General of Police (IGP).

2. Submit a complaint to the nearest judicial magistrate who would order the police to register the FIR if deemed necessary. You must ensure that you have a receipt of the complaint so made and submitted.

3. Send a complaint in writing and by post to the Superintendent of Police concerned, who, if satisfied with the complaint, would investigate the case himself.

4. Submit a written complaint to the State Human Rights Commission or the National Human Rights Commission stating that the police are not performing their duty of enforcing the law or that they are being negligent, biased or corrupt.

5. You can file an online complaint, find relevant information and get the contact details of each state's Human Rights Commission office on the website of the National Human Rights Commission: http://nhrc.nic.in/http://nhrc.nic.in.[4]

- **An FIR has to be updated on the Police website or the State Government's website within 24 hours, and in case of sensitive cases, within 72 hours.**
- **FIRs with sensitive information should not be uploaded on public forums. This is to protect the identity of the victim/survivor in cases registered under the Protection of Children from Sexual Offences Act, 2012 and in cases of sexual harassment.**
- **According to the Supreme Court in the case of Harpal Singh v. State of Himachal Pradesh, an FIR can be filed late, as long as you have a justified reason.**

PROVISIONS RELATED TO ARREST

ARREST

- **Provisions of Arrest prescribed by the Supreme Court of India in the case of D.K. Basu v. State of West Bengal.**
- **These guidelines were framed due to rise in cases of exploitation against arrestee during the period.**
- **The Supreme Court of India framed these guidelines so that ill practices by the police could be curbed during arrest, investigation and search.**

1) *Such an arrested person has the right to be medically examined by a trained doctor during their detention every 48 hours.*
2) *A person under arrest has the right to meet a lawyer during interrogation, but not throughout the interrogation.*
3) *The police shall notify a friend or relative of the arrested person of: the time and place of arrest, and the venue of custody*
4) *In case of a women being arrested- the police cannot arrest her before sunrise and after sunset. Further, only a women officer can arrest her.*
5) *A person arrested or detained and held in custody in a police station or interrogation centre is entitled to have any person known to him be informed that he has been detained.*
6) *The methods of interrogation must be consistent with the right to life, dignity, and liberty, and the right against torture and cruel, inhumane or degrading treatment.*
7) *All the police offers should put a plate, with their name and designation clearly mentioned on it.*
8) *The names of all police officers conducting the investigation and inquiry are to be noted down in a register.*

REMAND

Police Remand

- *To continue an inquiry, the police may ask for police remand for the arrested person.*
- *The Court may accept such a demand and give an order in writing, only after which the police can keep the accused in police custody.*
- *The police cannot keep the accused in police custody for more than 15 days.*
- *Any form of violence against the arrestee is illegal during police custody.*
- *Such an aggrieved person may complain about it to the Magistrate in the next appearance.*

Judicial Remand

- *The Magistrate may direct the accused to be kept in judicial remand or judicial custody.*
- *Such an arrestee would then be presented before the court from jail itself.*
- *The arrestee is to be kept in judicial remand for 15 days at a time.*
- *Only after being presented before the Court may such person be kept in judicial custody again.*

Will the arrested person remain in custody till investigation continues?

- In the event that no bail has been granted, the accused will remain in jail till investigation has been completed.
- Every person has a right to a speedy trial. In the event that the time limit for investigation has expired, the accused would then have a right to be released on bail.

Time Limit of Investigation

- In respect of offences where the punishment is of a death sentence, or life imprisonment or of imprisonment for a minimum of 10 years, the chargesheet must be submitted to the Magistrate within 90 days, failing which the accused will have right to be released on bail.
- In other cases, the investigation must be completed and chargesheet filed within 60 days.

Interrogation of Accused

- Do not sign or give your thumb impression in police custody without properly knowing where are you signing.
- If you cannot read, then take the help of anyone else.
- Your confessions before the police do not make you a convict.
- If you feel that you are accused of a false offence, then you can refuse to give any response.

Enquiry of Witness

- Female witnesses can be questioned only in their homes.
- Male witnesses should be called to the police station for enquiry through a written request.

SEARCH

- *A woman cannot be searched by male police officers. If the police attempt to do so, she can refuse the search.*
- *If a female police officer is not present, then any other woman may search such woman accused.*
- *Search can be made only through a warrant.*
- *During search and recovery, two local eminent individuals must be present.*

Bailable And Non-Bailable Offenses

1) *Bailable Offence: An arrestee can get bail as a matter of right.*

2) *Non-Bailable Offence: The Court decides whether the person arrested should get bail or not.*

3) *Police should inform you about the nature of the offence while arresting you.*

4) *The law specifies whether or not an offence is bailable. This does not depend on the discretion of the police officer or the Court.*

5) *If the Court grants you bail, the police must release you immediately.*

6) *No cash money is required for bail.*

7) *Bail does not mean acquittal. If an accused on bail, threatens, or tries to influence any witness, or tries to tamper evidence of the case, or interfere with the investigation, the bail of such an accused may be cancelled and they may be arrested again.*

LAWS CRIMINALIZING SEXUAL HARASSMENT

Under the new Criminal Law (Amendment) Act, 2013, sexual harassment can be defined as making unwelcome overtures to a woman (physical contact and other advances)

- Unwanted sexual advances, request for sexual favours, and other verbal or physical conduct of a sexual nature
- Unwelcome behavior is a critical word; victims may agree or consent to certain kind of behavior, and thus sexual conduct is unwelcome whenever the person subjected to it considers it unwelcome
- Harassment could be verbal as well as physical

HARASSMENT SEXUAL

Forms of Sexual Harassment

- *Deliberate touching, leaning over, concerning or pinching*
- *Stalking*
- *Voyeurism (gaining sexual pleasure watching someone naked/involved in sexual activity)*
- *Making sexually colored remarks*
- *Making verbal remarks to transgender persons*
- *Whistling, catcalling, making sexual comments about physical appearance*
- *Sexual jokes, innuendos, kissing sounds, smacking lips*
- *Blocking someone's path*
- *Following someone*
- *Displaying sexually suggestive signals*
- *Sexual hand gestures*
- *Inappropriate touching of hair, body, clothing; rubbing oneself around another person.*

* *This is not an exhaustive list.*

Prevention of Sexual Harassment: IPC Provisions

- **Section 294- Singing lewd songs**
- **Section 354(A)- Demanding sexual favors despite disinterest.**
- **Section 354(C)- Watching, capturing or sharing images of the woman without her consent- An act of Voyeurism**
- **Section 354(D)- Following someone with/without their knowledge- Stalking**
- **Section 503- If refusal to sexual advance is met by threat, physical or to her reputation**
- **Section 509- Making sexually colored remarks against a woman.**

Abuse of Laws by the Police

A. Immoral Traffic (Prevention) Act, 1956 (ITPA):

Prostitution has been defined under ITPA as "taking sexual advantage of persons in exchange of money or any other form of payment."

- *Sex work related activities like **soliciting, owning/managing a brothel are illegal** - this includes publishing phone numbers with an intent to solicit for the purpose of sex work.*
- ***Section 3(1)** - Punishment for keeping a Brothel can be punished with imprisonment up to 6 months or/and fine.*
- ***Section 3(2) - Being a Landlord:***
    - *First Offence: 1 to 3 years imprisonment*
- ***Sex work in hotels** is also illegal*
- *If the sex worker is above 18: Imprisonment of up to 3 months*
- *If the sex worker is below 18: From 7 to 10 years of imprisonment*
- ***Section 4** - **Babus and Pimps:** Presumption of being guilty of being a pimp if a male person is found to be living with sex workers, unless there is evidence to prove otherwise.*
    - *Punishable by imprisonment up to 2 years or/and fine*
- ***Sections 5A, 5B, 5C** - **Human Trafficking:** Any person moving another person from one place to another for the purposes of introducing them to sex work.*
    - ***First Offence**: 1 to 3 years imprisonment*
- ***Section 6** - Forceful detention of sex worker for exploitation: Imprisonment exceeding 7 years.*
- ***Section 7** - Sex work in public places or notified areas is illegal*
    - *This can be punished with imprisonment up to 3 months or/and fine.*
    - *Sex work cannot be carried out within 200 yards of a public/notified area. In case one is caught, the client may be guilty of **"consorting with prostitutes"**.*
- ***Section 10A** - **Rescued Women:** The government is legally obligated to provide rescue and rehabilitation in a "protective home" for any sex worker requesting assistance. In the case of Budhadev Karmaskar v. State of West[14] Bengal, the Supreme Court declared that this rehabilitation has to be voluntary, and cannot be forced upon a sex worker who wants to continue working.*

B. IPC Provisions Implicating Sex Workers:

- *The police use these provisions routinely against sex workers and transgender persons who may not even be engaged in sex work.*
- ***Section 377**: This section was a threat to transgender sex workers since it effectively criminalises anal intercourse.*
- *However, the 2018 Supreme Court judgment in the case of Navtej Johar v. Union of India read down Section 377 to decriminalize private consensual homosexual intercourse*
- ***Imprisonment for life***
    - *Section 268, 290: sex workers are often charged with "creating public nuisance".*
    - *Fine of up to Rs. 200*
- ***Section 294**: sex workers may also be charged with "obscene acts and songs"*
    - *Imprisonment up to 3 months or/and fine*
- ***Section 366A, 366B** - procuring minor girls; importing minor girl from a foreign country*
    - *Procuring or Importing: Imprisonment up to 10 year or/and fine*
- ***Section 372, 373**: Selling, buying, or hiring minors for prostitution.*

C. State Police Acts

There are various State Police Acts which have provisions regarding transgender persons

1. *Karnataka State Police Act, 1963 - Section 36A (added into the Act in 2011) gave power to the Police of the state to monitor the activities of "eunuchs". It empowers the commissioner to pass orders, maintain a register of names and addresses of all transgender persons, who are "reasonably suspected of kidnapping or emasculating boys, committing unnatural offences, or any other offences". A PIL filed by the Karnataka Sexual Minorities Forum demanding Section 36A to be repealed is currently pending before the Karnataka High Court.*
2. *Bombay Police Act, 1951 - Section 110 of this Act does not allow "indecent exposure" and indecent behavior. Section 80 of the same Act allows the Police to arrest people (without warrant) for the offences under Section 110. While this section does not specify 'transgender', but in 2013, the Bombay police raided a 'gay' party. Among the 22 people arrested, 6 were transgender persons. Each one of them was charged with Section 33 for failing to get permission for a party in a public space and Section 110.*
3. *The Andhra Pradesh (Telangana) Eunuch's Act, 1919- For the purposes of this Act, 'eunuchs' are those who are male but either impotent or appear to be impotent on medical inspection. There has to be a registry of such eunuchs. Every eunuch who publicly wears feminine clothes and/or ornaments can be arrested without a warrant. They will also be fined and imprisonment can be up to 2 years.*

D. Begging Laws

a) **Bombay Prevention of Begging Act, 1959** (Adopted by Delhi and NCR in 1960)

This Act gives discretionary powers to the police to arrest anyone on a suspicion that a person is a beggar or a destitute with no means of fending for themselves, so that the suspected beggar can be trained to be employed somewhere. Punishment for this is – 1 to 10 years in jail. The court can also sentence those people who are dependent on the beggar.

The case of Harsh Mander and Anr. v. Union of India struck down various portions of the Bombay Act as extended to Delhi by holding them to be unconstitutional. The Act continues to apply in the State of Maharashtra as is

Begging includes doing the following things in furtherance of alms or begging for money:

a. Entering a private place with a motive

b. Displaying an injury, infirmity, a disease on one's body or on an animal

c. Having no clear means of survival and roaming around

d. Singing, dancing, performing in public places

b) For Delhi, in the case of **Ram Lakhan v. State**, Delhi High Court held that unreasonable prohibitions on begging are unconstitutional under Article 19(1)(a) and Article 21, Constitution of India. This case did however, uphold the constitutionality of the Bombay Prevention of Begging Act, 1959.

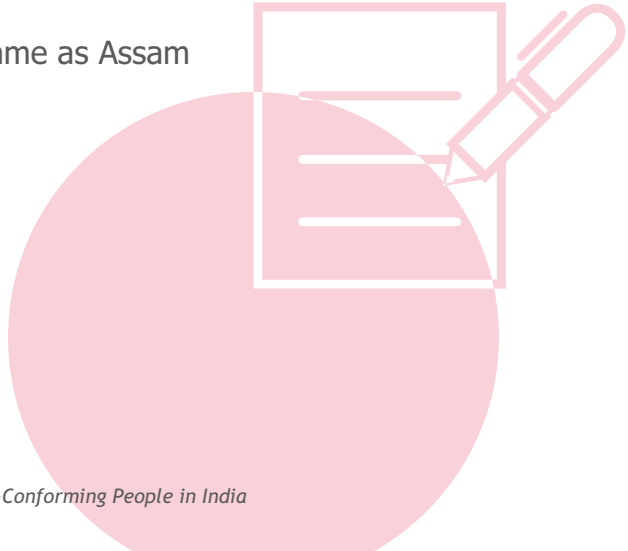
c) **Assam Prevention of Begging Act, 1964**

a. Soliciting or receiving alms in a public place by any person including children

b. Allowing oneself to be used as an exhibit for the purpose of soliciting or receiving alms

c. Entering private premises for receiving alms; exporting or exhibiting for the purpose of obtaining alms

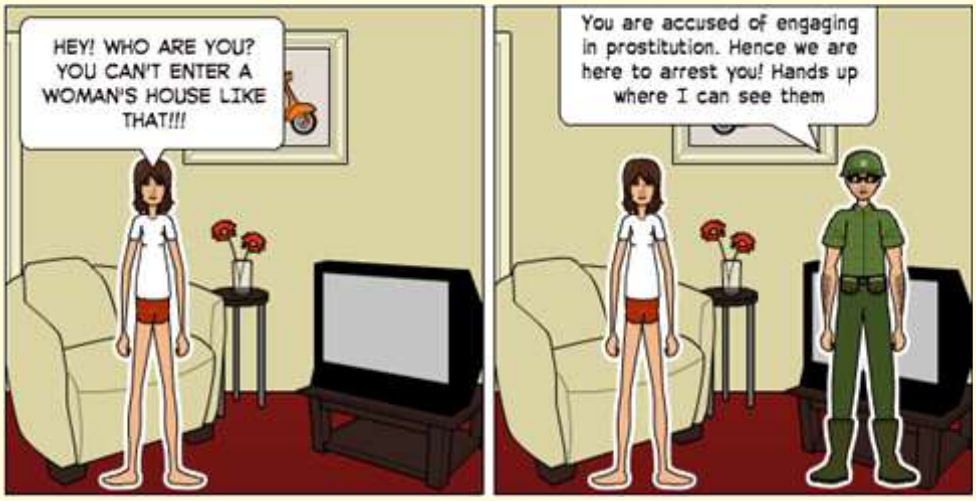
d) **Madras Prevention of Begging Act, 1945** – same as Assam



CRIMINAL LAW HYPOTHETICALS

Hypotheticals on Provisions of Arrest:

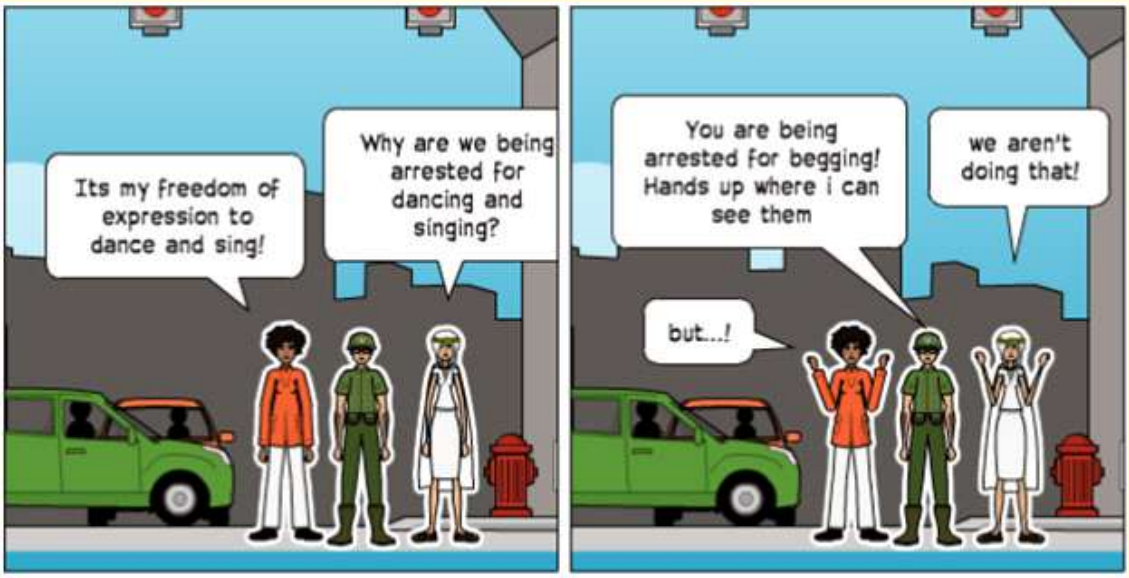
1. Sita, a transwoman, is accused of allegedly engaging in sex work at a traffic light intersection. Three policemen barge into her house at 7:30pm to arrest her. Do the police officers have the authority to arrest Sita in this manner? If not, what guidelines can come to Sita's aid?



2. Sabina Khan and Zara Ahmed, two transwomen, have been detained for 24 hours in the police lock-up for a false charge of soliciting clients on the street. Neither have they been allowed to inform their relatives and/or friends, nor have they been given access to drinking water in the past 24 hours. What provisions can come to their aid?

3. Cyrus, a transman, has been arrested by the police on allegedly trespassing someone's house for the act of begging. 50 hours (more than 3 days) have passed, and police officers have physically tortured him to obtain information regarding the crime. What are the guidelines that come to his aid to protect him?

4. Gayatri Jain, a transwoman, has been arrested on the suspicion of begging and asking for money in the city of Mumbai because she was singing and dancing at a traffic light intersection. Which provisions from the Indian Penal Code, 1860 and the Constitution of India can come to her aid?



Hypotheticals on First Information Report:

1. Elizabeth, a transwoman, has faced sexual harassment by some goons in her locality. She visits the nearest police station to file an F.I.R, however, the police officer refuses to register her complaint. What is the next step that she can take?

Hypotheticals on Sexual Harassment:

1. Geetha Prabhaswamy, a transwoman, is crossing an intersection when she sees three boys whistling and catcalling her. They start by making kissing sounds, and then smack their lips at her. Are these boys criminally liable for sexual harassment?

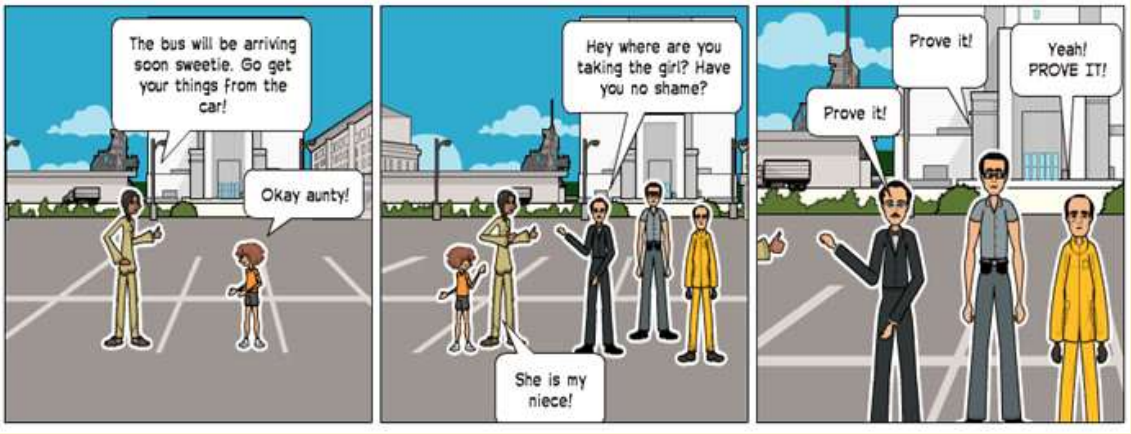
2. Faaiza, a transwoman, has just entered a national university as a law student. Since the first day, she has caught the eye of a professor, who has been around her every time she is alone. Further, he has sent her a lewd image of himself, asking her to return the favor. Which provisions of the Indian Penal Code, 1860 can come to Faaiza's aid?

Hypotheticals on ITPA, 1956

1. Noor, a genderqueer person and a crossdresser, enters a hotel where sex workers regularly engage their clients. A police raid occurs and they are accused of operating a brothel and being a sex worker. They are charged under Section 3(1) and 4 of the Immoral Traffic (Prevention) Act, 1956. What legal remedies can be of use here?

1. Chameli is a transwoman. Rohit, a friendly acquaintance, on the pretext of getting Chameli a job, makes her move to Delhi, where he forces her to engage in sex work. Under what provisions of the Immoral Traffic (Prevention) Act, 1956 (ITPA), can Rohit be held guilty?

2. Manmeet, a transwoman, is travelling with her relative's thirteen-year-old daughter in a public bus from Chandigarh to Delhi. She is stopped by the police, and presumed to be trafficking the girl with the aim of forcing her into sex work. Manmeet is charged under Section 5A, 5B, and 5C of the Immoral Traffic (Prevention) Act, 1956 (ITPA). What legal remedies are available?



3. Amira, a transwoman, has been recently rescued by an International NGO from a brothel. As she does not have any source of income, she wants to seek assistance from the Government to provide her with a protective house. On what legal basis can she ask the Government to do so?

Hypotheticals on Section 377, Indian Penal Code, 1860

1. Kavita, a transwoman, is married to Avinash. She and her husband are sitting in a car hand-in-hand, when she is spotted by a police man. He asks Kavita demeaning questions about her gender and sexuality, and asks her to prove that she is a woman. He presumes that she is engaging in carnal intercourse against the order of nature, as per Section 377, and arrests her. What are the constitutional provisions that can possibly come to her aid?

Hypotheticals on Cognizable v. Non-Cognizable Offences:

1. Amrit is a transman. Pammi falsely alleges that Amrit has assaulted her. A police officer records an F.I.R against him immediately on the complaint. Classify the offence and determine whether the procedure undertaken by the police is correct?

2. Shara, a transwoman, was raped by Rohit. The police does not arrest him since they allege that they require a warrant to arrest him. Classify the offence committed by Rohit, and determine whether the policeman requires a warrant to arrest Rohit for this offence?

Hypotheticals on Bailable v. Non-Bailable Offences

1. A religious procession is passing through the street, when Saba, a transwoman, and her friends decide to peacefully join the procession. They are not allowed to do so on the pretext that they are interrupting and causing a ruckus for money (Badhai). The police officers are informed, and Saba and her friends are arrested and subsequently denied bail. Classify the offence, and determine whether Saba and her friends are entitled to bail as of right or not??

Hypotheticals on Bailable v. Non-Bailable Offences

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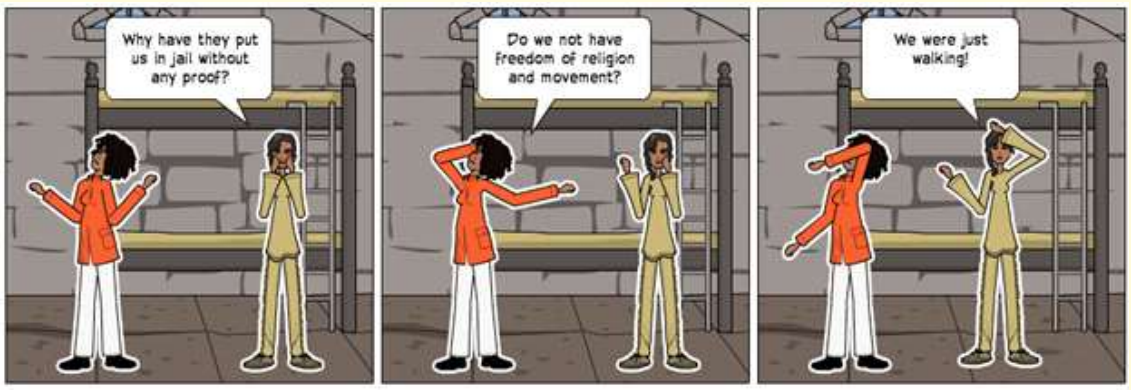


CHAPTER 3

GETTING GOVERNMENT IDENTIFICATION

Steps to take when one has NO DOCUMENTS for government identification?

AADHAAR Card

- **AADHAAR card is a 12-digit unique identity number issued by the Unique Identification Authority of India (UIDAI) to each resident in the country. It serves as a proof of identity and address and enrolment is free of cost.**
- **AADHAAR number can also be linked to services like banking, mobile phone connections and other Government and Non-Government services.**

How to apply?

- Locate your nearest AADHAAR Card Centre
- Fill in the AADHAAR Enrolment Form
- At the AADHAAR card center your photo, fingerprints and iris scan will be taken as a part of the enrollment
- Keep the acknowledgment slip which contains a temporary enrollment number
- On successful verification, you will first receive an SMS and/or email notification and later after a few days your AADHAAR number will be printed and sent to your address through post in 2-3 months.

Documents Required:-

1) *Proof of Identity (PAN Card/ Kissan Card)*
2) *Proof of Address (Electricity Bill/ Water Bill/ Phone Bill/ Passport/ Driving License/ Ration Card)*
3) *Proof of Date of Birth (Birth Certificate, School Leaving Certificate, 10th Standard Certificate)*

Explanation: There can be just one document to prove all 3. e.g. passport, voter ID etc.

AADHAAR

PASSPORT

Why do you need it?

Passport serves as a definite and bona-fide ID proof of the holder including his citizenship. However, it is not the exclusive document serving that purpose. Passports are needed primarily for the purpose of travelling to places outside the borders of the countries/unions/confederations.

How to apply for a Passport?

- Print out the form from the website: www.passportindia.gov.in and fill it manually
- Submit at the District Passport Centre/Speed Post Centre/Citizen Service Centre
- Attach photograph and required documents (original and self-attested photocopies)

Documents Required:-

1) *Proof of Identity (PAN Card/ Kissan Card)*
2) *Proof of Address (Electricity Bill/ Water Bill/ Phone Bill/ Passport/ Driving License/ Ration Card)*
3) *Proof of Date of Birth (Birth Certificate, School Leaving Certificate, 10th Standard Certificate)*
4) *Photograph for the application form*

Explanation: There can be just one document to prove all 3. e.g. passport, voter ID etc.

BIRTH CERTIFICATE

Why do you need it?

A Birth Certificate serves to establish the date and fact of one's birth for a whole range of purposes, like acquiring the right to vote, admission to schools and to the Government Service, claiming the right to marry at the legally permissible age, settlement of inheritance and property rights, and obtaining Government-issued identity documents.

How to apply?

- The birth has to be registered with the concerned local authorities within 21 days of its occurrence by filling up the form prescribed by the registrar
- Birth Certificate is then issued after verification with the actual records of the concerned hospital.
- In case the birth has not been registered within the specified time of its occurrence, the certificate is issued after due police verification ordered by the revenue authorities.

Documents Required

1) *Proof of Identity (PAN Card/ Kissan Card)*
2) *Proof of Address (Electricity Bill/ Water Bill/ Phone Bill/ Passport/ Driving License/ Ration Card)*
3) *School Leaving Certificate/10th Standard Certificate*
4) *Photograph for the application form*
5) *Affidavit of mother/ father/ uncle/ aunty/ elder brother/ sister/ guru, stating your birth place, date and year.*

Legal Framework

- In India, it is mandatory under the law **(as per the Registration of Births & Deaths Act, 1969)** to register every birth/stillbirth with the concerned State/UT Government within 21 days of its occurrence.
- The Government has provided for a well-defined system for registration of Birth, with the Registrar General at the Centre and the Chief Registrars in the States, running through district registrars to the village and town registrars at the periphery.

VOTER IDENTITY CARD

Why do you need it?

This is an Identity Document which allows Indian citizens above the age of 18 the right to vote for district, state and national elections. It also serves as identity, address, and age proof.

How to apply?

- Go to *http://www.eci.nic.in/ and click "Forms for registration"* in E-Roll and download Form 6 which is available both in Hindi and English
- Attach the necessary documents and fill it according to the instructions given. You can also request for the form at the electoral office near your residence.
- Send it by post to VREC (Voters' Registration and EPIC Centre) of your Assembly Constituency, or drop it personally. You can also submit your documents to a Booth Level Officer ("BLO").
- After submission of the form, you will receive a reference number, which can be used for tracking your application.
- A BLO will visit your residence to confirm the details mentioned in the form.
- Once the verification has been completed, the electoral office will send you the voter ID card via post.

OR

♣ You can apply online here *http://www.nvsp.in/Forms/Forms/form6.*

Documents Required:-

1) ***Proof of Identity (PAN Card/ Kissan Card)***
2) ***Proof of Address (Electricity Bill/ Water Bill/ Phone Bill/ Passport/ Driving License/ Ration Card)***
3) ***Proof of Age (Birth Certificate, School Leaving Certificate, 10th Standard Certificate)***
4) ***Two recent passport-sized photographs***

RATION CARD

What is a Ration Card?

A ration card is a document issued under an Order of the state government under the Public Distribution System for the purchase of essential commodities from fair price shops. State governments issue ration cards and conduct periodical reviews of ration cards. Families living below the poverty line are entitled to Blue Cards, under which they can avail special subsidies.

Ashish Kumar Misra (Advocate) v. Bharat Sarkar Thru. Sachiv Khadhya & Prasanskam Mantralaya

Section 13 of the National Food Security Act, 2013 gives the right of head of household (for the purpose of holding a ration card) to a woman above the age of 18 and to a man, only if there is no woman in the household, above the age of 18. The Court recognised the role of a woman in a household and the need for food security which is an indispensable part of the fundamental rights under the Constitution.

Food security is necessary for transgender persons also, as NALSA v. Union of India has recognised their equal legal rights as citizens. The right to food is an integral part of Article 21 of the Constitution.

Therefore, the form for ration cards, when it asks for the name of the oldest woman of the household - this does not exclude transgender. Also, 'no. 12' of the form, which asks for gender, means male, female or other.

Types of Ration Cards

State governments issue different types of Ration Cards according to income groups divided. The three types of Ration Cards provided in India are:

1 Antyodaya Anna Yojana Ration Card

The Antyodaya Anna Yojana Ration Card is issued to the poorest families having no stable income. Old people, unemployed people, laborers come under this category.

2 Below Poverty Line Ration Card

The Below Poverty Line (BPL) Ration Card is issued to the families falling under 'Below Poverty Line'. Families having the annual income less than 10,000 (may vary from state to state), can apply for BPL Ration Card.*

3 Above Poverty Line Ration Card

The Above Poverty Line (APL) Ration Card is issued by state government to the people falling 'Above Poverty Line'. Everybody can apply for this Ration card, there is no limit of annual income under this category.

Following are the State-wise specific procedures for obtaining a Ration Card:

How to apply for a Ration Card in HARYANA?

An application form in the D-1 format has to be collected either from the office of the District Food and Supplies Officer/Assistant Food and Supplies Officer/Inspector of Food and Supplies, in whose jurisdiction one's residence falls and has to be submitted in any of the given offices.

Head Department for Ration Card in Haryana: Food and Supplies Department

Address: 30 Bays Building, 2nd Floor, Sector 17-B, Chandigarh- 160017

Documents Required:-

1) *Application Form*
2) *Two attested passport-sized photographs of the head of your family*
3) *An affidavit providing proof of members of your family and declaring that you have prepared no other ration care anywhere in India earlier*
4) *Proof of permanent residence and disclosure of place of residence during the last five years*

Verification

- *You will get a slip indicating the date as to when you should contact the concerned office for getting the ration card.*
- *The Sub Inspector or Inspector will verify the particulars provided by you and make necessary enquiries, by physically visiting your residence. He will also consult the voter list or census record for making a recommendation.*
- *After considering the recommendation, the District Food Supplies Officer or Assistant Food Supplies Officer or the Inspector of Food and Supplies will issue the ration card and paste one copy of the family photograph on the same.*
- *The ration card can be collected from the Office of District Food and Supplies Controller/ Assistant Food and Supplies Officer/Inspector Food and Supplies where you submitted your application.*

How to apply for a Ration Card in MANIPUR?

- The application form for ration card is available at the District Rationing Office controlled by the District Supply Officer and the Rationing Office at the Tehsil level controlled by the Tehsildar.
- The application form must be filled and submitted by the head of the family. Every application would be duly acknowledged at the time of submission of forms and will be given a registration number.
- On the date mentioned in the acknowledgement slip, the applicant must collect the Ration Card.

Documents Required:-

1) *Application form*
2) *Two attested passport-sized photographs of the head of your family*
3) *Necessary/related documents*

How to apply for a Ration Card in TAMILNADU?

What is the eligibility criteria to apply for a Ration Card/Family Card?

- The applicant and the family of the applicant must be Indian citizens.
- The applicant and the family of the applicant must be living and cooking separately
- The applicant and the family of the applicant must be ordinarily resident in Tamil Nadu
- The applicant and the family members must not possess any family card in any State in India
- The applicant or any of the family members must not be a member in any other family card in Tamil Nadu
- The applicant and members of the family must be close relatives

Ration Card Department:
Civil Supplies & Consumer Protection Department

Address:
Civil Supplies and Consumer Protection Department, Ezhilagam, Chennai -600005

Phone No:
044- 28583222 - 209

What is the procedure to apply for a RATION CARD?

In Chennai and neighbouring areas, complete applications with documents must be filed with Assistant Commissioner of Civil Supplies of the zone in which the applicant lives. In districts other than Chennai, Taluk Supply Officers of the Civil Supplies and Consumer Protection Department or Assistant Rationing Officers (in Coimbatore city) concerned of the area in which the applicant lives is competent to receive applications for family cards.

After submission of applications, an acknowledgment slip will be given by the authorities to the applicants and this acknowledgment slip will contain the date and time of the application, serial number and date of final disposal and office seal. After that the application form will be sent for the

What is the procedure of verification?

- Concerned officer or inspector will inspect the information filled by the applicant. Inspection will be carried out within the 30 days of the submission of applications. In case it is not done within the stipulated time so applicant can talk to Assistant Commissioner or Taluk Supply Officer on this matter.
- If the verification report found true, then the application will be approved and card will be sent for the printing. Government of Tamilnadu has fixed the time limit for passing orders on applications for new ration as 60 days from the date of application. After the printing of the ration Card, a post card will be sent to the applicant requesting, to collect the card from the respective office within 15 days.
- Applicant needs to carry Acknowledgement slip while collecting the Ration Card or in case of the information found false at the time of verification, a post card specifying rejection reasons will be delivered to the applicant's address.
- If the detail in application form found fake/false, then under the section 7 of Essential Commodities Act, the applicant would be liable for criminal prosecution and consequent punishment.

What documents must be provided?

- Duly filled application form with a signature or thumb-impression. Incomplete forms are liable for rejection.
- Proof of applicant's current residence in Tamil Nadu
  (copy of original document)
    - Election Photo Identity Card (EPIC), OR
    - Property tax payment receipt in case of own house (current year), OR
    - Electricity Bill (last month), OR
    - Telephone Bill (last month) , OR
    - Front Page of Bank Pass Book, OR
    - Allotment orders in respect of persons residing at houses allotted by Slum Clearance Board, OR
    - Passport, OR
    - Currently valid tenancy agreement (in case of rented house), AND
- Surrender Certificate along with relevant family card issued by the card issuing authority if any card is issued in the previous address, **OR**
- Name Deletion Certificate from the parent or guardian family card or Non-inclusion of name Certificate issued by the card issuing authority in the previous address, **OR**
- No card certificate issued by the card issuing authority, if there is no family card in the previous address, **AND**
- Particulars regarding earlier application for family card, including registration number and details of rejection, if any? **AND**
- Details of LPG connection, if any, with details of name of consumer in whose name it is registered, consumer number, LPG agency and Oil Company name. **AND**
- Mobile Number or Email addresses may be filled up in the format to enable this department to send an automated message (to be activated by end 2008) to the applicant on the status of the application. **AND**
- A self-addressed and stamped postal cover or postcard to enable the office to communicate the results to the applicant.

Is there any FEE for a new ration card?

Government of Tamil Nadu has prescribed Rs 5 as the fee for a new ration card. This amount has to be paid to the AC or TSO office concerned.

What can applicants do if there is delay beyond 60 days from the application date?

- Applicants may contact the Assistant Commissioner or Taluk Supply Officer concerned and find out the reasons for the delay.
- Officers and staff of the department are liable for action if they wantonly delay applications.
- Applicants may speak to Deputy Commissioner, North or Deputy Commissioner, South if within the city of Chennai and its belt area.
- Applicants may speak to the District Supply and Consumer Protection Officers of the district concerned.
- If the AC or DC offices do not respond, applicants may also, if needed, also report the same by email or telephone to the Commissioner, Civil Supplies and Consumer Protection.
- Online Application Form In Tamil- *http://www.tn.gov.in/tamiltngov/appforms/ration_t.pdf*
- Online Application Form In English- *http://cms.tn.gov.in/sites/default/files/forms/ration_0.pdf*

Permanent Account Number (PAN) Card

How to Apply for a PAN Card?

The fee for a PAN Card application
= Rs. 107/- (Application fee Rs. 93.00 + 15.00% service tax)

The payment can be made by:

- *Demand Draft*
- *Credit Card/Debit Card*
- *Net Banking*

Process:

- Download Form 49A from *https://www.tin-nsdl.com/downloads/pan/download/Form49A_NSDL%20e-Gov_01.06.16.pdf and fill the form.*
- Affix a passport-sized photograph.
- Attach all the required documents with the form.
- Submit the form along with the documents, photograph, and application fee at the nearest TIN facilitation office.

OR

- Go to *https://www.onlineservices.nsdl.com/paam/endUserRegisterContact.html and fill Form 49A.*
- After filling all the information, submit the form.
- Upload all the required documents and the photograph.
- On completion, you will receive a 15-digit acknowledgment number. Print that acknowledgment and save it for your own records.
- Once the verification process is completed, the PAN Card will be sent to you at the address mentioned in the form.

Documents Required:-

1) ***Proof of identity (AADHAAR Card/Voter ID/Driver's License)***
2) ***Proof of Address (Electricity Bill/ Water Bill/ Phone Bill/ Driving License/ Ration Card)***
3) ***Proof of Date of Birth (Birth Certificate, School Leaving Certificate, 10th Standard Certificate)***

   Explanation: There can be just one document to prove all 3. e.g. Passport, Voter ID etc.
4) ***Photograph for the application form***

PAN

PERMANENT ACCOUNT NUMBER

Checklist For Different Documents

Name of Document	Proof of Identity	Proof of Address	Proof of Date of Birth	Photograph	School Leaving Certificate/ 10th Standard Certificate	Affidavit
AADHAAR	✓	✓	✓	✗	✗	✗
PASSPORT	✓	✓	✓	✓	✗	✗
BIRTH CERTIFICATE	✓	✓	–	✗	✓	✓ (of mother/ father/ uncle/aunt/ guru stating your date of birth and year)
VOTER ID	✓	✓	✓	✓	✗	✗
RATION CARD	✗	✓ Permanent residence for the last 5 years	✗	✓	✗	✓ proof of members of a family declaring that you have prepared no other ration card anywhere
PAN CARD	✓	✓	✓	✓	✗	✗

CHAPTER 4

RIGHT TO INFORMATION

How to File an RTI Application?

Facility for online filing of RTI application is available at:
http://www.rtifoundationofindia.com/rti-web-portal-launched-citizens-can-file-rti-appl-3393- .VUBWtdKqqko

Essential Requirements for Filing an RTI

a) The applicant should be a citizen of India.

b) The application should contain the particulars of the information sought.

c) The evidence of payment of application fee should be enclosed.

c) The address of the applicant should be available for sending a reply.

Step I: Draft the application mentioning the specifics of the information sought

The RTI may be filed in English, Hindi or the official language of the area in which it is being filed.

a) The applicant is not required to submit reasons for filing the RTI unless the submitting of a reason would strengthen the case.

b) If it is filed under the life and liberty provision under Section 7(1) of the RTI Act, 2005 – the person will then have to submit the reason as to why that person's life and liberty is at risk.

Suggestions to Keep in Mind while Drafting an RTI Application[14]

a) The application should be in a simple and easy language.

b) Avoid using too technical terms or legal jargon.

c) The application must be legible – either typed or neatly handwritten.

d) The queries must be specific and to the point, leaving no room for ambiguity. Vague questions may confuse the PIO and lead to vague answers. Further, some PIOs may use it as an excuse to avoid giving specific information.

e) If the applicant is not certain regarding which specific documents are required, he may first seek inspection of the record so as to identify the same.

f) The length of the application should not be too long.

g) The number of questions and sub-questions should be limited.

h) As no additional information can be sought at the appellate level, all requisite information should be sought at the time of making the initial application.

I) The applicant should emphatically establish an overriding public interest in the event that the applicant seeks exempted or protected information.

j) Unsubstantiated allegations or use of abusive language should not form a part of the application.

Step II: Submit the evidence/receipt of payment of application fee with the application

a) No fee is chargeable under the RTI Act if persons seeking information fall into the BPL category. The PIO may demand for a certificate in regard of the same.

b) There are two types of fees –

- Application fee for the application to be considered an RTI application; and
- Further fee – the cost of providing information, as calculated by the PIO, only once the application has been accepted.

c) A dated acknowledgment should be obtained from the receipt counter of the public authority. If the applications have been sent by post, proof of such postage should be retained.

Step III: Send the application to the concerned Public Information Officer/Assistant Public Information Officer

a) The application should be filed to the Public Information Officer (PIO) of the concerned office[15].

b) The applicant should try to locate the concerned organization and file an application.

c) If the information is available with more than one public authority, separate applications should be filed addressed to different PIOs. proof of such postage should be retained.

RTI

ANNEXURE

CRIMINAL LAW

A. Proforma for Reporting the First Information (FIR) of a Cognizable Offence

(Under Section 154 of the Criminal Procedure Code)

AN FIR MUST INCLUDE THE FOLLOWING:

1. Personal details of the Complainant / Informant:

(a) Name
(b) Father's / Husband's Name
(c) Address
(d) Phone number & Fax
(e) Email

2. Place of Occurrence:

(a) Distance from the police station
(b) Direction from the police station

3. Date and Hour of Occurrence:

4. Offence:

(a) Nature of the offence (e.g. murder, theft, rape, etc. to be decided/written by Office only)
(b) Particulars of the property (in case one has got stolen):

5. Description of the accused:

6. Details of witnesses (if any):

7. Complaint: Briefly lay down the facts regarding the incident reported in an accurate way.

Note:
At the end of the complaint, the complainant's/informant's signature or thumb impression should be there.

ANNEXTURE

B. Letter for Registration of FIR:

From,

[Applicant's Name], Father's/Husband's Name

[Applicant's contact address]

[Applicant's contact mobile number/Phone number] Applicant's e-mail id. (If any)

[Date]

To,

The Police Officer In-charge

Address [Name of Local Police station]

Sub. : [Mention subject e.g. your lost document/phone name and Number]

Through, Proctor, AMU, Aligarh

Respected Sir,

I would like to bring the following facts to your kind notice:

[Include details/contents 1-7 as given in Proforma]

..... I seek your help and request you to kindly register my F.I.R in the subject matter.

For your ready reference I enclose herewith

(a) Copy of [Complainant/Informant] I.D. proof.

Hope you will do the needful favourably at the earliest.

Thanks and regards

Yours Sincerely

[Complainant/Informant Signature]

Note:
You should make 2 copies of the Application: 1 copy for police station record, 1 copy for your own record.

Aadhaar Enrolment Form- Hindi

आधार नामांकन / संशोधन फार्म

AADHAAR ENROLMENT / CORRECTION FORM

Aadhaar Enrolment is free and voluntary. Correction within 96 hours of enrolment is also free. No charges are applicable for Form and Aadhaar Enrolment. In case of Correction provide your EID, Name and only that field which needs correction.

संशोधन हेतु अपनी नामांकन संख्या यहां लिखें :
In case of correction provide your EID No. here :

कृपया फार्म भरते समय दिए गए निर्देशों का पालन करें। बड़े स्पष्ट अक्षरों का प्रयोग करें।
Please follow the instructions overleaf while filling up the form. Use capital letter only.

1 पंजीयन (पूर्व संख्या) :
Pre-enrolment ID :

2 एन पी आर रसीद/टी आई एन संख्या :
NPR Receipt / TIN Number :

3 पूरा नाम :
Full Name :

4 लिंग पेटी : पुरुष ( ) स्त्री ( ) अन्य ( )
Gender : Male ( ) / Female ( ) Transgender ( )

5 उम्र / जन्म तारीख/जन्म तिथि :
Age / Yrs OR Date of Birth :
घोषित Declared सत्यापित Verified

6 पता : के पति पत्र ( ) पत्नी ( ) पुत्र ( ) पत्नी ( ) पति ( )
Address : C/o ( ) / D/o ( ) / S/o ( ) / W/o ( ) / H/o ( )

घर/इमारत/मकान नं
House No./Bldg./Apt.

गली/मुहल्ला/ग्राम
Street/Road/Lane

भूमि चिह्न
Landmark

क्षेत्र/परिसर/सेक्टर
Area/Locality/Sector

ग्राम/शहर/कस्बा
Village/Town/City

डाकघर
Post Office

जिला District | उप जिला Sub-District | राज्य State

ई-मेल Email | मोबाईल संख्या/Mobile No. | पिन कोड Pin Code

7 संबंध है पिता ( ) माता ( ) अभिभावक ( ) पति ( ) पत्नी ( ) अभिभावक विवरण का जानकारी ( )
Details of : Father ( ) Mother ( ) Guardian ( ) Husband ( ) Wife ( ) Not Compulsory ( )
5 वर्ष से कम उम्र के बच्चों के पिता/माता/अभिभावक का नाम अनिवार्य है। यदि आवेदक यह जानकारी नहीं बताता है या नहीं देना चाहता है तो यह एक जानकारी न देने का विकल्प चुन सकता है।
For children below 5 years Father/Mother/Guardian's details are mandatory. Adults can opt to not specify this information, if they consent/do not want to disclose.

एनपीआर संख्या :
NPR Number :

पंजीयक संख्या/आधार संख्या :
EID/Aadhaar No. :

8 मेरी पूरा आधार विशिष्ट पहचान प्राधिकरण को सूचना की सभी जानकारी उन संगठनों के साथ साझा की जा सकती है जो जनसेवाओं के वितरण पहुँचाती हैं और इसमें कल्याण संबंधी सेवाएं शामिल हैं।
I have no objection to the UIDAI sharing information provided by me to the UIDAI with agencies engaged in delivery of public services including welfare services. (✓) / (×)

9 नीचे दिये गए विकल्पों में से कोई एक चिह्नांकन करें (ये जानकारी नामांकन के बाद बदली नहीं जा सकती)।
Select One of the Below (OPTIONAL) (This data cannot be Corrected after Enrolment)

☐ मैं चाहता हूँ की भारतीय विशिष्ट पहचान प्राधिकरण मेरा बैंक/पोस्ट आफिस आधार संख्या से जुड़ा हुआ खाता खुलवाने में मेरी मदद करे। आधार संख्या के जुड़ी हुई जानकारी साझा करने में मुझे कोई आपत्ति नहीं है।
I want the UIDAI to facilitate opening of a new Bank/Post Office Account linked to my Aadhaar Number and have no objection to sharing my information for this purpose

☐ मैं घोषणा बैंक खाते को दिये आधार संख्या से जोड़ने में मुझे कोई आपत्ति नहीं है।
I have no objection in linking my primary bank account provided here to my Aadhaar number

राज्य : State | आई एफ एस सी कोड : IFSC Code | बैंक का नाम /शाखा : Bank Name/Branch | आधार संख्या : Account No.

सत्यापन प्रकार : दस्तावेज आधारित ( ) पहचानकर्ता आधारित ( ) परिवार के मुखिया आधारित ( )
Verification Type : Document Based ( ) Introducer Based ( ) Head of Family ( )

उपरा दिये गये विकल्पों में कोई एक चुनिए पहचान और/या आवास प्रमाणपत्र दस्तावेज का होने पर पहचानकर्ता या परिवार के मुखिया संबंधी की चुनिए। दस्तावेज आधारित सत्यापन करने वाला पहचानकर्ता और/या परिवार के मुखिया की जानकारी अपेक्षी नहीं है।
Select only one of the above. Select Introducer or Head of Family only if you do not possess any documentary proof of identity and/or address. Introducer and Head of Family details are not required in case of Document based Verification.

10 दस्तावेज आधारित के लिए (उपलब्ध दस्तावेज के नाम लिखें। मान्य दस्तावेजों की सूची अंत के दी गई है।)
For Document Based (Write Names of the documents produced. Refer backside of this form for list of valid documents).

क. पहचान प्रमाण दस्तावेज A. POI | ख. पता प्रमाण दस्तावेज B. POA

ग. जन्म तिथि प्रमाण दस्तावेज C. POB | घ. जन्म तिथि के दस्तावेज D. DOB (जन्मतिथि घोषित जन्म तिथि के लिए अनिवार्य) (Mandatory in case of Verified Date of Birth)

11 पहचानकर्ता आधारित :
For Introducer Based :

पहचानकर्ता का आधार संख्या :
Introducer's Aadhaar No.

परिवार के मुखिया आधारित : लिंग ( ) भगत ( ) अभिभावक ( ) पति ( ) पत्नी ( ) की जानकारी
For HoF Based : Details of : Father ( ) Mother ( ) Guardian ( ) Husband ( ) Wife ( )

परिवार के मुखिया की नामांकन/आधार संख्या :
HoF's EID/Aadhaar No. :

मैं पुष्टि करता/करती हूँ की _____ का नाम और पता सत्य, सही और यथार्थ है।
I hereby confirm the name(s) and address of _____ as being true, correct and accurate.

पहचानकर्ता/परिवार के मुखिया का नाम,
Introducer/HoF's Name :

पहचानकर्ता/परिवार के मुखिया के हस्ताक्षर
Signature of Introducer/HoF

सहमति / Consent

मैं इसलिए करता/करती हूँ कि मेरी पूरा आधार विशिष्ट पहचान प्राधिकरण को दी गयी जानकारी (बायोमेट्रिक्स सहित) मेरी, अपनी है, सत्य, सही और यथार्थ है।
I confirm that information (including biometrics) provided by me to the UIDAI and the information contained herein is my own and is true, correct and accurate.

सत्यापनकर्ता की मोहर और हस्ताक्षर
Verifier's Stamp and Signature
(मोहर न होने पर सत्यापनकर्ता अधिकार पत्र लिखें।)
(Verifier must put his/her Name, if stamp is not available)

आवेदक के हस्ताक्षर/अंगूठे का निशान
Applicant's Signature/Thumbprint

इस केवल नामांकन एजेंसी को भरना है _____
To be filled by the Enrolment Agency only

नामांकन दिनांक और समय : _____
Date & Time of Enrolment : _____

[illegible Hindi] Instructions to follow while filling up the enrolment form

Field 1 NPR Number	[illegible Hindi] Resident may bring his/her National Population Register Survey Slip (if available) and fill up the column.
Field 2 Name	[illegible Hindi] Write full name without salutation/titles. Please bring the original Proof of Identity (PoI) document (See list A below). [illegible]
Field 4 Date of Birth	[illegible Hindi] Fill in Date of Birth in DD/MM/YYYY format. If exact Date of Birth is not known, approximate age in years may be filled in the space provided. Please bring the original Proof of Date of Birth (DoB), if available. (See list D below). [illegible]
Field 6 Address	[illegible Hindi] • Write complete address. Please bring the original Proof of Address (PoA) document. (See list B below). Please note that the Aadhaar letter will be delivered at the given address only. • To include Parent/Guardian/Spouse name as part of the address, select the appropriate box and enter the name of the person. • Minor corrections/enhancements are permissible to make the address complete without altering the base address as mentioned in the POA document.
Field 7 Relationship	• [illegible Hindi] • In case of children below 5 years, it is mandatory to provide Father/mother/guardian details with their Aadhaar or EID number. • If the resident is not holding a Proof of Identity & using the Proof of the Family identity for enrolment, it is mandatory to provide Head of the Family's details with his/her Aadhaar or EID number. Please refer illustration on page 4 for filling EID. Please bring the original Proof of Relationship (PoR) document. (See list C below). • For other cases, it is optional for the resident to fill up the relationship details.
Field 8 Consent	[illegible Hindi] Resident may specifically express willingness/unwillingness by selecting the relevant box.
Field 9 Bank Account	[illegible Hindi] Resident may choose to open a new Aadhaar enabled bank (POSB) account or can link existing bank account to Aadhaar number. [illegible] This is an optional field.
Field 10 Documents	[illegible Hindi] Write the name of Documents for PoI and PoA. In case of proof of date of birth is available, then write the name of Date of Birth document. If the resident is not holding a proof of identity & using the Proof of Family head enrolment, then write the name of Proof of Relationship documents. For valid list of documents, Please refer list C/documents below.
Field 11 Introducer/HoF	[illegible Hindi] Resident who does not have PoI and PoA may get enrolled through an Introducer/Head of Family. [illegible] enrolment centre or your Registrar for further details.

List A PoI Documents [illegible Hindi]

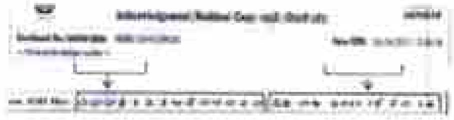
1. [Hindi] Passport
2. [Hindi] PAN Card
3. [Hindi] Ration / PDS Photo Card
4. [Hindi] Voter ID
5. [Hindi] Driving License
6. [Hindi] Government Photo ID Card/ Service Photo Identity card issued by PSU.
7. [Hindi] NREGS Job card
8. [Hindi] Photo ID issued by Recognized Educational Institution.
9. [Hindi] Arms License
10. [Hindi] Photo Bank ATM Card.
11. [Hindi] Photo Credit Card.
12. [Hindi] Pensioner Photo Card.
13. [Hindi] Freedom Fighter Photo Card.
14. [Hindi] Kissan Photo Passbook.
15. [Hindi] CGHS/ECHS Photo Card.
16. [Hindi] Address Card having Name and Photo issued by Department of Posts.
17. [Hindi] Certificate of Identity having photo issued by any Gazetted officer or Tehsildar on letter head.
18. [Hindi] Disability ID card /handicapped medical certificate issued by the respect State/UT Government/ Administration.

List C PoR Documents [illegible Hindi]

1. [Hindi] PDS Card
2. [Hindi] MNREGA Job Card
3. [Hindi] CGHS/State Government/ ECHS/ESIC Medical Card.
4. [Hindi] Pension Card
5. [Hindi] Army Canteen Card
6. [Hindi] Passport
7. [Hindi] Birth Certificate issued by Registrar of Birth, Municipal Corporation and other notified local government bodies like Taluk, Tehsil etc. Any other Central/State Government issued family entitlement document.

List D DoB Documents [illegible Hindi]

1. [Hindi] Birth Certificate
2. [Hindi] SSLC Book/Certificate
3. [Hindi] Passport
4. [Hindi] Certificate of Date of Birth issued by Group A Gazetted Officer on Letterhead.



List B PoA Documents [illegible Hindi]

1. [Hindi] Passport
2. [Hindi] Bank Statement / Passbook
3. [Hindi] Post Office Account Statement/Passbook
4. [Hindi] Ration Card
5. [Hindi] Voter Card
6. [Hindi] Driving License
7. [Hindi] Government Photo ID Cards/Service photo identity card issued by PSU.
8. [Hindi] Electricity Bill (not older than 3 months)
9. [Hindi] Water Bill (not older than 3 months)
10. [Hindi] Telephone Landline Bill (not older than 3 months)
11. [Hindi] Property Tax Receipt (not older than 3 months)
12. [Hindi] Credit Card Statement (not older than 3 months)
13. [Hindi] Insurance Policy
14. [Hindi] Signed Letter having Photo From Bank on letterhead
15. [Hindi] Signed Letter having Photo issued by registered Company on letterhead.
16. [Hindi] Signed Letter having Photo issued by Recognized Educational instruction on letterhead.
17. [Hindi] NREGS Job Card
18. [Hindi] Arms License
19. [Hindi] Pensioner Card
20. [Hindi] Freedom Fighter Card
21. [Hindi] Kissan Passbook
22. [Hindi] CGHS/ECHS Card
23. [Hindi] Certificate of Address having photo issued by MP or MLA or Gazetted Officer or Tehsildar on letterhead.
24. [Hindi] Certificate of Address issued by Village Panchayat head or its equivalent authority (for rural areas)
25. [Hindi] Income Tax Assessment Order
26. [Hindi] Vehicle Registration Certificate
27. [Hindi] Registered Sale/Lease/Rent Agreement
28. [Hindi] Address card having Photo issued by Department of Posts.
29. [Hindi] Caste and Domicile Certificate having Photo issued by State Govt.
30. [Hindi] Disability ID Card/handicapped medical certificate issued by the respective State/UT Governments/Administrations.
31. [Hindi] Gas Connection Bill (not older than 3 months)
32. [Hindi] Passport of Spouse
33. [Hindi] Passport of Parents (in case of minors).

AADHAAR ENROLMENT-ENGLISH

AADHAAR ENROLMENT / CORRECTION FORM

Aadhaar Enrolment is free and voluntary. Correction within 96 hours of enrolment is also free. **No charges are applicable for Form and Aadhaar Enrolment. In case of Correction provide your EID, Name and only that field which needs Correction.**

In case of Correction provide your EID No here: | | | | | | | | | | | | | | | | dd | mm | yyyy | hh: mm: ss |

Please follow the instructions overleaf while filling up the form. Use capital letters only.

Agency Name: Vayam Technologies Limited Agency Code: 1308

1	Pre-Enrolment ID :	2	NPR Receipt/TIN Number :
3	Full Name:		
4	Gender: Male (√) Female ( ) Transgender ( )	5	Age: Yrs OR Date of Birth: | | | ☐ Declared ☐ Verified
6	Address: C/o ( ) D/o ( ) S/o (√) W/o ( ) H/o ( )		
	House No/ Bldg./Apt.	Street/Road/Lane:	
	Landmark:	Area/locality/sector:	
	Village/Town/City:	Post Office:	
	District:	Sub-District:	State:
	E Mail:	Mobile No: ||||||||||	PIN CODE ||||||||
7	Details of : Father ( ) Mother ( ) Guardian ( ) Husband ( ) Wife ( ) *For children below 5 years Father/Mother/Guardian's details are mandatory. Adults can opt to not specify this information, if they cannot/do not want to disclose.*		
	Name		
	EID/ Aadhaar No.: | | | | | | | | | | | | | | dd | mm | yyyy | hh: mm: ss |		
8	I have no objection to the UIDAI sharing information provided by me to the UIDAI with agencies engaged in delivery of public services including welfare services.	(√) Yes / ( ) No	
9	Select one of the below (OPTIONAL) (This data cannot be Corrected after Enrolment) I want the UIDAI to facilitate opening of a new Bank/Post Office Account linked to my Aadhaar Number and have no objection to sharing my information for this purpose I have no objection to linking my present bank account provided here to my Aadhaar number State: Bank Name/Branch: IFSC Code: Account No.:		

Verification Type : Document Based (√) Introducer Based ( ) Head of Family ( )
Select only one of the above. Select Introducer or Head of Family only if you do not possess any documentary proof of identity and/or address. Introducer and Head of Family details are not required in case of Document based Verification.

10	**For Document Based** (Write Names of the documents produced. Refer back side of this form for list of valid documents)	
a. POI:		b. POA:
c. DOB: (Mandatory in case of Verified Date of Birth)		d. POR:
11	**For Introducer Based** – Introducer's Aadhaar No. | | | | | | | | | | | |	**For HoF Based** – Details of : Father ( ) Mother ( ) Guardian ( ) Husband ( ) Wife ( ) HoF's EId/Aadhaar No.: | | | | | | | | | | | | | dd | mm | yyyy | hh: mm: ss |

I hereby confirm the identity and address of _____ as being true, correct and accurate.

Introducer/HoF's Name: Signature of Introducer/HOF

Consent

I confirm that information (including biometrics) provided by me to the UIDAI and the information contained herein is my own and is true, correct and accurate.

Verifier's Stamp and Signature:

(Verifier must put his/her Name, if stamp is not available)

Applicant's signature/Thumbprint

To be filled by the Enrolment Agency only : Date & time of Enrolment: _____

Birth Registration Form

Applicant should fill all the required birth details below

Birth Registration Form

Applicant should fill all the required birth details below

1. Date of Birth:

2. Sex:

3. Name of the Child:

4. Name of Father:

5. Name of the Mother:

6. Place of Birth:

   1. Hospital - Name :

   Address :

   2. Home :

   3. Other Places :

7. Informer Name and Address:

8. Mother's residing place City or Village:

   a) Name of City/Village :

   b) Select place:

   1. City 2. Village

   c) Name of Taluk :

   d) Name of Town :

9. Religion :

10. Education of Father :

11. Education of Mother:

12. Occupation of Father:

13. Occupation of Mother:

14. At the time of Marriage Age of Mother:

15. At the time of Delivery Age of Mother:

16. Number of Children born to Mother (Including the newly born):

17. Place of Delivery :

   1. Government Hospital

   2. Private Hospital

   3. Clinic

   4. Others

18. Way or Process of Delivery

19. At the time of Birth Weight of Child :

20. Period of Pregnancy (in weeks):

Date: Applicant name and signature

For Office Use Only		For Office Use Only		
Registration Place:	Registration Date:	Name:	Date of Birth:	Registration Place:
Registration No:				Registration No:
		Taluk:	Gender:	
Town:	District:			Registration Date:
		City/Village:	Place of Birth:	
Registrar name and signature		**Registrar name and signature**		**Registrar name and signature**

Registration Form

Birth Registration Form Birth

Applicant should fill all the required birth details below

Applicant should fill all the required birth details below

7. Date of Birth: 8. Sex: 9. Name of the Child: 10. Name of Father: 11. Name of the Mother: 12. Place of Birth: 1. Hospital - Name : Address : 4. Home : 5. Other Places : 8. Informer Name and Address:	9. Mother's residing place City or Village: a) Name of City/Village : b) Select place: 1. City 2. Village e) Name of Taluk : f) Name of Town : 14. Religion : 15. Education of Father : 16. Education of Mother: 17. Occupation of Father: 18. Occupation of Mother:	21. At the time of Marriage Age of Mother: 22. At the time of Delivery Age of Mother: 23. Number of Children born to Mother (Including the newly born): 24. Place of Delivery : 1. Government Hospital 2. Private Hospital 3. Clinic 4. Others 25. Way or Process of Delivery 26. At the time of Birth Weight of Child : 27. Period of Pregnancy (in weeks):

Date: Applicant name and signature

For Office Use Only		For Office Use Only		
Registration Place:	Registration Date:	Name:	Date of Birth:	Registration Place:
Registration No:				Registration No:
		Taluk:	Gender:	
Town:	District:			Registration Date:
		City/Village:	Place of Birth:	
Registrar name and signature		**Registrar name and signature**		**Registrar name and signature**

Birth Registration Form

Applicant should fill all the required birth details below

13. Date of Birth:

14. Sex:

15. Name of the Child:

16. Name of Father:

17. Name of the Mother:

18. Place of Birth:

1. Hospital - Name :

Address :

6. Home :

7. Other Places :

9. Informer Name and Address:

Birth Registration Form

Applicant should fill all the required birth details below

10. Mother's residing place City or Village:

a) Name of City/Village :

b) Select place:

1. City 2. Village

g) Name of Taluk :

h) Name of Town :

19. Religion :

20. Education of Father :

21. Education of Mother:

22. Occupation of Father:

23. Occupation of Mother:

28. At the time of Marriage Age of Mother:

29. At the time of Delivery Age of Mother:

30. Number of Children born to Mother (Including the newly born):

31. Place of Delivery :

1. Government Hospital

2. Private Hospital

3. Clinic

4. Others

32. Way or Process of Delivery

33. At the time of Birth Weight of Child :

34. Period of Pregnancy (in weeks):

Date: Applicant name and signature

For Office Use Only		For Office Use Only		
Registration Place:	Registration Date:	Name:	Date of Birth:	Registration Place:
Registration No:				Registration No:
		Taluk:	Gender:	
Town:	District:			Registration Date:
		City/Village:	Place of Birth:	
Registrar name and signature		**Registrar name and signature**		**Registrar name and signature**

PASSPORT APPLICATION FORM

Government of India, Ministry of External Affairs

Please read the Passport Information Booklet carefully before filling the form. Furnishing of incorrect information/ suppression of information would lead to rejection of application and would attract penal provisions as prescribed under the Passports Act, 1967. Please produce your original documents at the time of submission of the form. All fields marked with (*) are mandatory to fill.

Service Required

Applying for *

Type of Application * Normal Tatkaal

Type of Passport Booklet * 36 Pages 60 Pages

Validity Required (For minors between 15 and 18) 10 years Up to age 18 Not Applicable

Applicant Details

Applicant's Given Name (Given Name means First Name followed by middle Name (if any)) *

Surname

Are you known by any other names(aliases)? * Yes No

Have you ever changed your name ? * Yes No

Date of Birth (DD/MM/YYYY) *

Place Of Birth

Village or Town or City *

Country (If abroad)* Select

State (If in India)* Select **District (If in India)***

If born before 15/08/1947 in a place now in Pakistan or Bangladesh, select "Undivided India".

Gender * **Marital Status *** **Citizenship of India by ***

PAN (If available) **Voter ID (If available)**

Employment Type *

Is either of your parent (in case of minor)/ spouse, a government servant? *

Educational Qualification * **Are you eligible for Non-ECR category? ***

Visible Distinguishing Mark

Family Details (You have to provide atleast one Father/Mother/Legal Guardian details.)

Father's Given Name (Given Name means First Name followed by Middle Name (If any))

Surname

Legal Guardian's Given Name (if applicable)

Surname

Mother's Given Name (Given Name means First Name followed by Middle Name (If any))

Surname

Present Residential Address details (where applicant presently resides)

Yes No

Yes No

Is your present address out of India? *

Is permanent address same as present address? *

Emergency Contact Details *

Name and Address *

Mobile Number

Telephone Number

E-mail ID

References in your Village or Town or City

First Reference Name and Address *

Mobile Number

Telephone Number

Second Reference Name and Address *

Mobile Number

Telephone Number

Previous Passport/ Application Details

Have you held/ hold any diplomatic/ official passport?

Passport Number

Date of Issue(DD/MM/YYYY)

Date of Expiry (DD/MM/YYYY)

Place of Issue

Have you ever applied for passport, but not issued? * Yes No

Other Details

1) Have you ever been charged with criminal proceedings or any arrest warrant/ summon pending before a court of India? *	Yes	No
2) Have you at any time during the period of 5 years immediately preceding the date of this application been convicted by a court in India for any criminal offence and sentenced to imprisonment for two years or more? *	○	○
3) Have you ever been refused or denied passport? *	○ Yes	○ No
4) Has your Passport ever been impounded or Revoked? *	Yes	No
	○	○
5) Have you ever applied for/ been granted political asylum to/ by any foreign country? *	○ Yes	○ No
6) Have you ever returned to India on Emergency Certificate (EC) or were ever deported or repatriated? *	○	○
	○ Yes	○ No

Self Declaration

I owe allegiance to the sovereignty , unity & integrity of India, and have not voluntarily acquired citizenship or travel document of any other country. I have not lost, surrendered or been deprived of the the citizenship of India and I affirm that the information given by me in this form and the enclosures is true and I solely responsible for its accuracy, and I am liable to be penalized or prosecuted if found otherwise. I am aware that under the Passport Act, 1967 it is a criminal offence to furnish any false information or to suppress any material information with a view to obtaining passport or travel document.

☐ I Agree

Place * Date (DD/MM/YYYY) *

VALIDATE & SAVE

ELECTION COMMISSION OF INDIA

FORM-6

Acknowledgement No._____

(See Rules 13(1) and 26) of Registration of Electors Rule-1960

(To be filled by office)

Application for Inclusion of Name in Electoral Roll for First time Voter OR on Shifting from One Constituency to Another Constituency.

To, The Electoral Registration Officer, ……..Assembly / Parliamentary Consitituency

I request that my name be included in the electoral roll for the above Constituency. (Tick appropriate box)

As a first time voter ☐ **or due to shifting from another constituency** ☐

Particulars in support of my claim for inclusion in the electoral roll are given below:-

SPACE FOR PASTING ONE RECENT PASSPORT SIZE PHOTOGRAPH (3.5 CM X 3.5 CM) SHOWING FRONTAL VIEW OF FULL FACE WITHIN THIS BOX

Mandatory Particulars

(a) Name	
19. Surname(if any)	
20. Name and surname of Relative of Applicant [see item (d)]	

(d) Type of Relation (Tick appropriate box)	Father	☐	Mother	☐	Husband	☐	Wife	☐	Other ☐

(e) Age [as on 1st January of current calendar year……..]	Years	☐☐	Months	☐☐
(f) Date of Birth (in DD/MM/YYYY format)(if known)	☐☐ ☐☐ ☐☐☐☐			

(g) Gender of Applicant (Tick appropriate box)	Male	☐	Female	☐	Third Gender	☐

(h)Current address where applicant is ordinarily resident	House No.		
Street/Area/Locality			
Town/Village			
Post Office		Pin Code	☐☐☐☐☐☐

District		State/UT	
(i) Permanent address of applicant	House No.		
Street/Area/Locality			
Town/Village			
Post Office		Pin Code	
District		State/UT	
(j)EPIC No. (if issued)			

Optional Particulars

(k) Disability (if any) (Tick appropriate box)	Visual impairment		Speech & hearing disability		Locomotor disability		Other _____
(l) Email id (optional)						
(m) Mobile No. (optional)						

DECLARATION - *I hereby declare that to the best of knowledge and belief –*

2 I am a citizen of India and place of my birth is Village/Town……District……State……

3 I am ordinarily resident at the address given at (h) above since ……(date, month, year).

(iii)I have not applied for the inclusion of my name in the electoral roll for any other constituency.

**(iv)My name has not already been included in the electoral roll for this or any other assembly/* parliamentary *constituency*

OR

**My name may have been included in the electoral roll for_____ Constituency in _____*

State in which I was ordinarily resident earlier at the address mentioned below and if so, I request that the same may be deleted from that electoral roll.

** strike off the option not appropriate*

Address of earlier place of ordinary residence (if applying due to shifting from another constituency)

House No.		Street/Area/Locality	
Town/Village			
Post Office		Pin Code	
District		State/UT	

I am aware that making a statement or declaration which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of th

Note

In collaboration with:

India HIV/AIDS Alliance

Multiple Action Research Group

International Commission of Jurists

Jindal Global Law School

O.P. Jindal Global University
Sonipat, Narela Road
Near Jagdishpur village Sonipat,
Haryana-131001, NCR of Delhi, India.