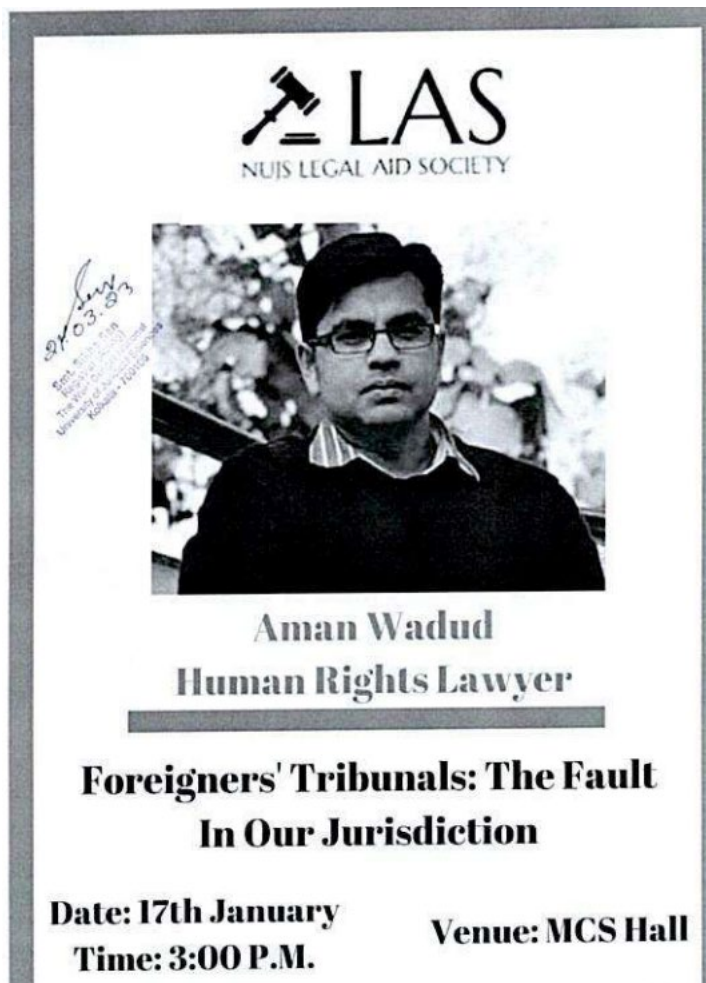




The West Bengal National University of Judicial Sciences
Report on Foreigners' Tribunals: The Fault In Our Jurisdiction

17th January 2023



The Legal Aid Society WBNUJS successfully Organised a Lecture on the topic Foreigner' Tribunals: The Fault in Our Jurisdiction, on 17th January 2023 at 3:00 P.M. at MCS Hall WBNUJS. Mr. Aman Wadud, Human Rights Lawyer was Pleased to make his presence for the event as the speaker.

Insights from the Lecture: -

Foreigners Tribunals in India are quasi-judicial bodies that adjudicate cases related to the citizenship of individuals. These tribunals primarily deal with cases where there are doubts about a person's citizenship status, especially in the context of illegal immigration. The primary purpose of Foreigners Tribunals is to identify and expel individuals who are residing in India illegally.

Key points regarding Foreigners Tribunals and Indian jurisdiction:

Formation and Functioning: Foreigners Tribunals were initially set up in the state of Assam to address the issue of illegal immigration, particularly from Bangladesh. Over time, the concept has been extended to other states as well to handle cases of individuals suspected to be staying illegally in India.

Jurisdiction: Foreigners Tribunals have jurisdiction over cases related to the determination of the citizenship status of individuals. They operate under the provisions of the Foreigners Act, 1946, and the Foreigners (Tribunals) Order, 1964.

Appeals: Individuals declared as foreigners by the Foreigners Tribunals have the right to appeal their cases in higher courts, such as the High Court and the Supreme Court of India.

Legal Framework: The legal framework for the functioning of Foreigners Tribunals is provided by the Foreigners Act, 1946, which empowers the government to regulate the entry, stay, and departure of foreigners in India.

Assam NRC (National Register of Citizens): The Foreigners Tribunals gained prominence in the context of the Assam NRC, a process to identify illegal immigrants in the state of Assam. Individuals whose names were excluded from the NRC had the option to appeal their cases in the Foreigners Tribunals.

Challenges and Criticisms: The functioning of Foreigners Tribunals has faced criticism for issues such as lack of transparency, delays in processing cases, and concerns about the fairness of the proceedings.