POLITY & CONSTITUTION 13 July 2026

Fair, reasoned process must decide citizenship: Supreme Court

Supreme Court set aside 27 Gauhati High Court judgments on foreigners, mandating fair adjudication for citizenship.

The Supreme Court's directive emphasizing a fair, lawful, and reasoned process for determining citizenship and foreigner status.

KEY EXAM POINTS

- The **Supreme Court** mandated a "fair, lawful and reasoned" process for the determination of **citizenship** and foreigner status.
- It **set aside** a batch of **27 judgments** previously issued by the **Gauhati High Court**.
- These judgments had declared the **appellants** in those cases to be **foreigners**.
- The cases were remanded to the **Foreigners Tribunals** concerned for **fresh adjudication**.
- The Court stated that such declarations are **unsustainable** if the "procedure adopted is **mechanical, one-sided, or devoid of application of mind**."
- The ruling was delivered on **Monday**, **July 13, 2026**.

DID YOU KNOW..!?

Citizenship is dealt with in **Part II** of the **Indian Constitution**.

Articles 5 to 11 of the Constitution address various aspects of **citizenship**.

Article 11 empowers the **Parliament** to regulate the right of citizenship by law.

The **Citizenship Act** was enacted in **1955** to provide for the **acquisition and termination** of Indian citizenship.

Indian citizenship can be acquired by **birth**, **descent**, **registration**, **naturalization**, or **incorporation of territory**.

Citizenship can be lost through **renunciation**, **termination**, or **deprivation**.

Foreigners Tribunals are **quasi-judicial bodies** established under the **Foreigners Act, 1946**.

These **tribunals** determine whether a person is a "**foreigner**" as per the **Foreigners Act, 1946**.

REVISION FLASHCARD

Supreme Court mandates fair process for citizenship determination, setting aside Gauhati HC judgments.

Syllabus Relevance: High

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