

No. A-14015/1/2010-HM  
GOVERNMENT OF MIZORAM  
HOME DEPARTMENT

Dated Aizawl, the 14<sup>th</sup> Sept., 2012.

**OFFICE MEMORANDUM**

**Subject:** *Guidelines for issue of Residential Certificate.*

It has been observed that tribals and non-tribals who reside in Mizoram have often approached the Deputy Commissioner of their concerned District for Residential Certificate for some specific purposes. In the absence of any clear direction, regulation or Guidelines from the Government, the Deputy Commissioners were often necessitated to issue such Certificate without following any common procedure. The Government is aware of the need of the applicants to produce such documents and at the same time the sensitiveness of the matter as well as urgency of the need to have uniform procedure for this purpose. A uniform guidelines which shall be applicable all over the State is hereby notified to be followed by all Deputy Commissioners for issuance of such Residential Certificates.

*This issues with immediate effect and in supersession of this Department's previous Office Memorandum of even No dated 27.04.2011.*

**1. NATIONALITY OR DOMICILE CERTIFICATE TO BE ISSUED BY HOME DEPARTMENT :**

Although the words "Domicile" and "Residency" seem to convey the same literary meaning, the words connotes differently from legal angle. The term 'Domicile' is another name for citizenship in terms of Article 5 of the Constitution of India or the Citizenship Act of 1955 or the Citizenship Rules, 1965. The Constitution of India does not recognize any separate domicile in a State, as it does in some other Federal countries like USA. There is only one domicile, viz., domicile of India. Hence, the question of issue of a Domicile Certificate to the residents of the State of Mizoram does not arise. However, institutes across the country often demand resident of other State to produce document as proof of citizenship. To tide over this problem, Home Department has, in consultation with Law and Judicial Department, prepared a format for issue of Nationality Certificate. This Nationality Certificate is issued by Home Department in a prescribed format at Annexure - I to anyone desiring such Certificate on production of documents as proof of residency.

**2. RESIDENTIAL CERTIFICATE:**

A Residential Certificate, on the other hand, indicates the stay of an individual at a particular place where he/she decides to stay without an intention to immediately leave there-from. For the purpose of issue of Residential Certificate, the period of residence determines the type of certificate the applicant is entitled to.

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Residential Certificates are, therefore, classified into permanent and temporary.

- (a) **Permanent Residential Certificate:** A person may be deemed to be a permanent resident of the District, if he has been residing continuously therein for 20 (twenty) years or more in his own house or in a rented house and in possession of Ration Card or Telephone Bills or Water Bills or Electricity Bills, etc. in his or her own name.

Provided that in the case of student applicant/minor whose parents are not alive, Voter ID of Guardian may be accepted for the period of residency of his/her parent in that particular place as eligibility criteria.

- (b) **Temporary Residential Certificate:** Temporary Residential Certificate signifies the stay of an individual in a particular place for less than 20 (twenty) years and without any intention to stay permanently in that District.
- (c) **The Status of regular employees of the State/Central Government:** All persons other than Mizos serving in connection with the affairs of the Government of Mizoram, Central Government or semi-Government corporations and autonomous bodies who are not on contract service, contingency work and who are on regular employment including temporary employees may be treated as indigenous non-Mizo permanent residents for a limited purpose i.e. educational and employment facilities.

3. **The following categories of persons/residents will be eligible for Permanent Resident Certificates:**

- (i) A tribal whether Mizo or Non-Mizo who is a citizen of India and has continuously resided in Mizoram for a period of not less than 20 years and whose name appears in the Electoral Roll.
- (ii) All foreigners including Nepalis who had their domicile in any parts of India prior to 15. 8. 1947 and who have continuously resided in Mizoram since 26.1.1950 and their direct descendants.
- (iii) All non-Mizos including Gurkhas who had settled in Mizoram before 26. 1. 1950 and their direct descendants who have permanently stayed in Mizoram having landed properties in Mizoram continuously either from their parents or by themselves as notified in the Mizoram Gazette Extra-ordinary Issue Vol. - XX Aizawl, Thursday 12<sup>th</sup> February, 1991 (Megha 23<sup>rd</sup>, S.E. 1912 Issue No. 32).

4. The following categories of persons/residents will be eligible for Temporary Residential Certificates:
- (i) Non-Mizos including Gurkhas who migrated into Mizoram after 26. 1. 1950 and who are continuously staying in the State for a period not less than 20 (twenty) years irrespective of whether such residents are in possession of landed property in Mizoram and their direct descendants.
  - (ii) Non-Mizos other than employees under the State Government, Central Government or Semi-Government Corporations and autonomous bodies who has been continuously residing in the State for a period not less than 5 (five) years in connection with profession or calling or investment in the State.
  - (iii) Non-Mizos serving in connection with the affairs of the Government of Mizoram, Government or Semi-Government Corporations and autonomous bodies who are not on contract service, contingency work regardless the period of their residence in Mizoram and their children will be treated as temporary residents for purpose of educational and employment facilities.
5. Notwithstanding anything contained in para 3 (ii) (iii) and 4 (i), (ii) and (iii) above non-tribals to whom bonafide residential certificates are issued cannot acquire the character of tribals and cannot be equated with tribal for any facility that any law provides to the tribal.
6. Residential Certificate should be issued to the applicant by the Deputy Commissioner or any other officer authorized by him only after due verification of period of residence and veracity of the claim. The onus to prove that he/she qualifies to be issued such a certificate will lie on the person applying for the same.
7. For applicant seeking enrolment in the Armed Forces of the Union, the photograph of the individual should be pasted on the permanent/temporary Residential Certificate which would be duly attested by the issuing authority without any other changes to the standardized format in Annexure - II & III respectively.
8. Such Permanent/Temporary Residential Certificate issued by the Deputy Commissioner or other officers authorized by him should be properly registered and issued under the seal and signature of the Deputy Commissioner or other authorized officers in a prescribed format at Annexure II & III respectively.
9. Prescribed application form for permanent/temporary residential certificate vide Annexure – IV should be used in all Deputy Commissioners' offices.

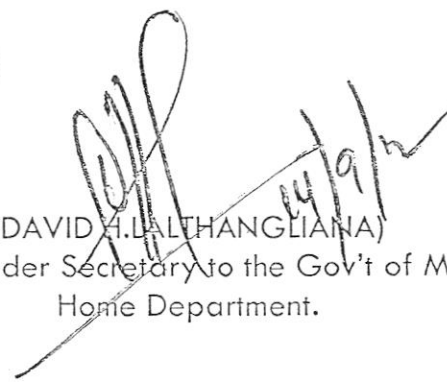
Sd/- K. RIACHHO  
Secretary to the Government of Mizoram,  
Home Department.

Memo No. A-14015/1/2010-HM:

Dated Aizawl, the 14<sup>th</sup> Sept., 2012.

Copy to:

1. Secretary to Governor, Mizoram.
2. Secretary to Chief Minister, Mizoram.
3. P.S. to Home Minister, Mizoram.
4. P.S. to Speaker, Mizoram Legislative Assembly, Mizoram.
5. P.S. to all Ministers, Mizoram.
6. P.S. to Ministers of State/Deputy Speaker/Deputy Chief Whip, Mizoram.
7. P.S. to all Parliamentary Secretaries, Mizoram.
8. Sr. P.P.S. to Chief Secretary, Government of Mizoram.
9. P.P.S. to Home Secretary, Government of Mizoram.
10. Director-General of Police, Mizoram
11. All Deputy Commissioners, Mizoram.
12. Controller, Printing & Stationary Department with 5 (five) spare copies for publication in Mizoram Gazette.
13. Director, Informations & Public Relations, Government of Mizoram for publicity.

  
(DAVID H. LALTHANGLIANA)

OSD-cum-Under Secretary to the Gov't of Mizoram,  
Home Department.



GOVERNMENT OF MIZORAM.  
HOME DEPARTMENT  
CIVIL SECRETARIAT

NATIONALITY CERTIFICATE

ANNEXURE-I

Passport size photo

Certified that Mr/Mrs/Miss .....  
S/o, D/o, Mr/Mrs ..... Village/Local council Area  
..... Post office/Postal Pin code ....., Police  
Station....., District....., Mizoram  
State, INDIA; whose date of birth is ..... According to  
his/her Birth Registration No ..... dated ..... *is*  
*a bonafied citizen of India* and his/her Electoral Roll Photo Identity Card (EPIC)  
Number is ..... His/Her father/Mother/Guardian Mr/Mrs  
..... Electoral Photo Identity Card number is .....

Regd. NC No. ....

Date .....

Round Seal

Under Secretary

Home Department.

Telephone No.....

Fax No.....

Guard file