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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% ***Date of Decision: November 19th, 2026***

\# **CNR No. DLHC010181372023**

\+ **W.P.(C) 6316/2023 & CM APPL. 24798/2023, CM APPL. 27264/2023**

AMRIT WILSON .....Petitioner

Through: Mr. Trideep Pais, Sr. Adv. with Ms. Vrinda Bhandari, Ms. Pragya Barsaiyan & Ms. Saloni Ambastha, Advs.

versus

UNION OF INDIA THROUGH JOINT FOREIGN SECRETARY MINISTRY OF HOME AFFAIRS & ORS. .....Respondents

Through: Ms. Nidhi Raman, CGSC with Mr. Akash Mishra, Mr. Arnav Mittal, Advs. & Mr. Amit Acharya, GP for R-1 & R-2.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. *(Oral)*

1. The petitioner is aggrieved, *inter alia*, by the order dated 17.03.2023 (hereinafter '**impugned order**') passed by Respondent No.3, cancelling the Oversees Citizenship of India ('OCI') card of the petitioner.

2. Briefly stated, the petitioner was born in India and lived here until 1961, when she proceeded to the United Kingdom for higher studies. Eventually, the petitioner settled down in the United Kingdom and started working as a journalist and social activist. In the year

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2009, the petitioner gave up her Indian passport and took up a British Passport. Thereafter, on 03.10.2014, the petitioner was issued a PIO card by Respondent No. 3. Subsequently, pursuant to PIO cards being abolished, the petitioner applied for grant of OCI card and was granted the same on 20.12.2017.

3. The petitioner was thereafter issued a Show Cause Notice ('SCN') dated 23.11.2022 by Respondent No.3 alleging that the petitioner was *"engaged in detrimental propaganda against the Indian government and has been involved in multiple anti-India activities which are inimical to the interests of the sovereignty and integrity of India, the security of India and to the interests of general public"*

4. The petitioner was further directed to show cause, with 15 days of receipt of the SCN, exhibiting why the petitioner's OCI card should not be cancelled under Section 7(D)(e) of the Citizenship Act, 1955 (hereinafter '**the Act'**).

5. The petitioner replied to the aforesaid SCN *vide* reply dated 04.12.2022, denying her involvement in any anti-India activities and further pointing out that Respondent No.3 had failed to disclose any specific allegations against the petitioner. The petitioner further requested the petitioner to disclose the relevant material which forms the basis of the SCN, in order to enable her to present her case appropriately.

6. Respondent No.3, thereafter did not issue any further communication to the petitioner for the next 3 months and passed the impugned order dated 17.03.2023 cancelling the registration of the

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petitioner as an OCI cardholder under Section 7(D)(e) of the Act.

7. The learned counsel for the petitioner submits that Respondent No.3 has failed to disclose any specific incidents due to which the OCI card of the petitioner could have been cancelled. He submits that the respondents have not even disclosed the reasons for the cancellation of the petitioner in their Counter Affidavit filed before this Court, contending that the same could only be provided under a sealed cover to this Court and therefore the petitioner never had any opportunity to provide explanation of her actions or appropriately defend her case.

8. A perusal of the SCN and the impugned order indicates that the same is bereft of any specific details of Anti-India activities in which the petitioner was involved, thus, providing no opportunity to the petitioner to provide an explanation in respect of the same.

9. In the given facts, this Court is of the view that principles of natural justice have not been followed. It is trite law that a SCN must specifically indicate the case that a noticee has to meet. In the present case, it is apparent that in absence of any specific details, the petitioner has been deprived of an opportunity to submit an explanation.

10. No specific reasons have also been provided in the Counter Affidavit filed before this Court to illicit an appropriate reply by the petitioner. The rights of the petitioner under Section 7B of the Act cannot be taken without providing an appropriate opportunity to the petitioner to respond to the allegations against her.

11. In view of the above, Respondent No.3 is directed to issue a

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fresh SCN to the petitioner spelling out the specific reasons for cancellation of the petitioner's OCI card or in case it is considered that the reasons cannot be spelled out in a document, the petitioner shall be provided the gist of the material while redacting the sensitive part of the information or permitted to inspect the material which led to the cancellation of the petitioner's OCI card. The same shall be done within a period of one week from date, the petitioner shall file a reply to the same within a period of one week thereafter and the respondents shall pass a fresh order within a period of two weeks thereafter.

12. In the meantime, the impugned order shall remain operative for a period of 4 weeks or till a fresh order is passed by the respondents, whichever is earlier.

13. The present petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

NOVEMBER 19, 2026
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