

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A. No. of 2020

IN

WRIT PETITION (CIVIL) NO. 1470 of 2019

IN THE MATTER OF:-

Indian Union Muslim
League & Ors.

...Petitioners

Versus

Union of India & Ors.

...Respondents

PAPER - BOOK

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(Application for Directions)

Advocate for the Petitioner: Pallavi Pratap

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APPLICATION FOR DIRECTIONS

1. That the Petitioner has preferred the present writ petition to issue a writ of certiorari or any other appropriate writ to declare the Citizenship (Amendment) Act, 2019 (hereinafter referred to as the "Amendment Act" / "CA, Act 2019") as void, for being in violation of Articles 14, 15 and 21 and the basic structure of the Constitution for discriminating among persons on the basis of their faith and religion.

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2. The Present Applicant raises questions against the Amendment Act and the effect of granting citizenship to illegal migrants once the process as provided under the Amendment Act is set in motion.
 3. The Respondent Union issued the notification on 10.1.2020 bringing the said Amendment Act into force from 10.1.2020. A True Copy of the notification dated 10.1.2020 bringing the Amendment Act into force is annexed herewith and marked as **Annexure A-1 (pages 7)**.
 4. Immediately the State of Uttar Pradesh on 13.1.2020 sent a list of around 40,000 illegal migrants to the Centre who can be granted citizenship under the Amendment Act. A True Copy of the newspaper report dated 13.1.2020 is annexed herewith and marked as **Annexure A-2 (pages 8)**.
 5. Therefore, it would be in the interest of justice to stay the operation of the Amendment Act, since the same has now come into force. And as seen from the

prompt action taken by the State of UP in collecting the data of non-muslim illegal migrants in the State, it can be clearly seen that the process of giving citizenship under the Amendment Act to illegal migrants is already underway. If the Amendment Act, especially section 6B, is not stayed, the issue will become '*fait accompli*'. Since, once such citizenship is given to these persons under the Amendment Act, the same cannot be taken away.

6. Therefore since the Amendment Act is pending adjudication before this Hon'ble Court, it would be in the interest of justice, that the operation of the Amendment Act, including such procedures under the Amendment Act for granting citizenship to illegal migrants be stayed until the matter is decided by this Hon'ble Court.
7. This application is bona fide and made in the interest of justice.

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PRAYER

It is therefore most respectfully prayed that this Hon'ble Court may be pleased to:

- (a) Pass orders staying the operation of the notification dated 10.1.2020 issued by the Union of India directing the coming into force of the provisions of the Citizenship Amendment Act, 2019 from 10.1.2020 till such time the present writ is pending before this Hon'ble Court;
- (b) Pass any other order/s as deem fit and proper to meet the ends of justice.

AND FOR THIS ACT OF KINDNESS, THE PETITIONER AS IN DUTY BOUND SHALL EVER PRAY.

Filed by:

(Pallavi Pratap)

Dated: 16.1.2020

Advocate for the Petitioner

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AFFIDAVIT

I,

1. That I am the Applicant in the present Application for directions and as such, am competent to swear this affidavit and am well conversant with the facts and circumstances of the case.
2. I state that the contents of the Application for seeking directions are true to my knowledge and information derived from the records of the case made is true as per the legal advice received and believed by me.

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3. I say that the annexure A-1 to A-2 at pages 7 to 8 annexed along with the Writ Petition are true copies of its respective originals.

DEPONENT

Verification

Verified at New Delhi on this the 14th day of January, 2019 that the contents of paragraphs. 1 to 3 of my above affidavit are true and correct to my knowledge and believe, that no part of it is false and nothing material has been concealed there from

DEPONENT