

No. 25022/11/RTI/2022-F.IV  
Government of India  
Ministry of Home Affairs  
Foreigner Division

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1<sup>st</sup> Floor, Major Dhyan Chand National Stadium  
New Delhi, dated 22 April, 2022

To



**Subject: Information sought by Shri Shreehari under The RTI Act, 2005.**

Sir,

Please refer to your online RTI application bearing Registration No. MHOME/R/E/22/01086 dated 23-03-2022 transferred to the undersigned CPIO by Citizenship Wing, Foreigners Division, Ministry of Home Affairs vide letter No. 26027/82/2022-IC-I dated 30-03-2022 for providing information under The RTI Act, 2005.

2. The information is furnished as under:

Point No.	Information sought	Information
1.	How many Rohingya reside in India and how many have been given asylum as of March 2022?	The sought information is not available with the undersigned CPIO. However, it is submitted that India is not a signatory to the 1951 UN Convention relating to the Status of Refugees and the 1967 Protocol thereon. All foreign nationals (including refuge seekers) are governed by the provisions contained in The Foreigners Act, 1946, The Registration of Foreigners Act, 1939, The Passport (Entry into India) Act, 1920 and The Citizenship Act, 1955 and rules and orders made thereunder. Foreign nationals who enter into the country without valid travel documents are treated as illegal migrants. Since illegal migrants including Rohingyas enter into the country in clandestine and surreptitious manner, accurate data regarding number of such migrants living in the country is not centrally available. The powers for detention and deportation of a foreign national vested with the Central Government under section 3(2)(e)
2.	How many Rohingya are in detention facilities? How many men, women and children?	
3.	Are detained Rohingyas placed in jails or detention centres? State wise details of the same.	
4.	In detention centres, what procedure is followed to ensure welfare and well being of detained Rohingyas? If in jails, does the model jail manual 2016 apply? What is the alternative if not?	

5.	What is the government's position on deporting Rohingyas who are stateless? Details of the deportation process followed and procedures and documentation guidelines issues for the same.	and 3(2)(c) of the Foreigners Act, 1946, have also been entrusted under Article 258(1) of the Constitution of India to the State Governments. Further, under Article 239(1) of the Constitution of India, Administrators of all Union Territories, have also been directed to discharge the functions of the Central Government relating to the aforesaid powers. Necessary action in such matters is taken by the State Government/UT Administrations concerned under their delegated powers. In all cases where the foreigner is arrested and action is taken under the relevant Acts, the foreigner can be deported only after completion of the sentence/court proceedings. You may therefore approach the State Governments/ UT Administrations for getting the desired information. The RTI application is also being transferred to the Bureau of Immigration under Section 6(3) of the RTI Act, 2005, for providing the available information(if any).
6.	If Rohingyas are not recognised officially in Myanmar, how long are they detained without deportation? How many Rohingyas have been deported to Bangladesh and Myanmar since 2017?	
7.	Are Rohingyas entitled to Aadhaar cards? How many have been issued since 2017?	

3. As per Section 19 of RTI Act, 2005, the First Appellate Authority is Shri Sumant Singh, Joint Secretary (Foreigners), Ministry of Home Affairs, Major Dhyan Chand National Stadium, New Delhi- 110001, before whom First Appeal may be preferred within the time limit specified in the RTI Act, 2005.

**Encl: as above.**

Yours faithfully,



**(Ram Dayal Meena)**

Director (F) & CPIO

Tel: 011-23077508

Email Id: [dirf-mha@nic.in](mailto:dirf-mha@nic.in)

**Copy to:**

1. CPIO, Bureau of Immigration, R.K. Puram, New Delhi – along with the copy of the RTI application with the request to provide the available information under Section 6(3) of the RTI Act, 2005, directly to the applicant.
2. The PPS to Director (F), Foreigners Division, MHA, MDCNS, New Delhi.
3. The Section Officer, RTI Cell, Ministry of Home Affairs, North Block, New Delhi.