

60. *Foreigners Registration Act, s.5(1) - non-renewal of certificate - Union Citizenship Act, s.4(2) - not incumbent to produce certificate under s.6 (2).*

Held : There seems to be considerable confusion in the minds of some magistrates regarding the certificates granted under s.6(2) of the Union Citizenship Act, to persons who are deemed to be citizens under s.4(2) thereof.

It is not incumbent on a person claiming to be a citizen under s.4(2) to ask for the issue of such a citizenship certificate. If he can prove that he comes under s.4(2) in any proceeding against him, he is not bound to produce the certificate under s.6(2).

Held also : In such a serious matter involving the question of citizenship the recording of evidence by a Magistrate should not be so cryptic. The case against the applicant should be retried carefully by another magistrate.

PEER MOHAMED V. UNION OF BURMA.

1965 B.L.R. (C.C.) 51.