

**GOVERNMENT OF PUDUCHERRY
DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT**

No. 5498/DRDM/C.2/2009

Pondicherry, the 21 JUL 2009

MEMORANDUM

Sub: Revenue-Nativity and Residence Certificates to Ex-Servicemen and wards of Ex-Servicemen- Clarifications- Issued.

Read: (i) G.O.Ms.No.48 dated 12.12.2002 of Revenue Department, Pondicherry.
(ii) Order No.6260/C2/Rev/2003 dated 06.10.2003 of Revenue Department, Pondicherry.

Instances have come to the notice of the undersigned that Ex-Servicemen of this Union Territory are facing difficulties in getting the Nativity and Residence Certificates for themselves and their children on the grounds that the period of residence in this U.T. is less than five years reckoning the period of residence from the date of discharge from service.

The term "Ordinarily residing", which is used in the G.O.dated 12.12.2002 is to be read carefully in the context of issuance of Nativity/Residence Certificates.

Section 20 (3), (6) and (8) of the Representation of the People Act, 1950 are reproduced below:

(3) Any person having a service qualification shall be deemed to be ordinarily resident on any date in the constituency in which, but for his having such service qualification, he would have been ordinarily resident on that date.

(6) The wife of any such person as is referred to in sub-section (3) or sub-section (4) shall if she be ordinarily residing with such person be deemed to be ordinarily resident in the constituency specified by such person under sub-section (5).

(8) In sub-sections (3) and (5) "Service qualification" means-

- (a) being a member of the armed forces of the Union ;or*
- (b) being a member of a force to which the provisions of the Army Act, 1950(46 of 1950), have been made applicable whether with or without modifications; or*
- (c) being a member of an armed police force of a state, who is serving outside that State; or*
- (d) being a person who is employed under the Government of India, in a post outside India.*

Therefore, in view of the above sub-sections, the Ex-Servicemen of Puducherry are deemed to be ordinarily resident of Puducherry on any date, while in service. The wife of an Ex-Serviceman of Puducherry also is deemed to be ordinarily resident of Puducherry if she has been ordinarily residing with such Ex-servicemen, during his service.