

RATAN SINGH, PETITIONER AND APPELLANT, VS. THE GOVERNMENT OF THE PHILIPPINE ISLANDS, OPPONENT AND APPELLEE.

G.R. No. 30685. July 29, 1929

Ponente: JOHNSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-30685/>

JOHNSON, J.:

On the 29th day of June, 1927, Ratan Singh filed an application for citizenship under Act No. 2927 in the Court of First Instance of the Province of Zambales, praying that he be naturalized as citizen of the Philippine Islands. He alleged that he was born at Sangtipur, Jullunder, Punjab, India, and was a subject of Great Britain; that he had all of the qualifications required by the Naturalization Law (Act No. 2927) as to age, residence, education, conduct; and that he did not have any of the disqualifications specified in said Act.

After due notice, the hearing was held on March 10, 1928. At the commencement of the hearing the provincial fiscal of Zambales moved that the application be dismissed on the ground that the petitioner was not possessed of the qualifications required by law, in order to be naturalized as citizen of the United States. The motion was denied.

After hearing the evidence presented by the petitioner the Honorable Leopoldo Rovira, judge, in a very carefully prepared opinion containing a full discussion of the facts and the law, arrived at the conclusion that the petitioner was not qualified to become a naturalized citizen of the Philippine Islands, under the provisions of section 1, paragraph (c) of Act No. 2927, in relation with section 3 of the Act of Congress of February 5, 1917; and rendered a judgment against the petitioner, dismissing his application. From that judgment the petitioner appealed.

Counsel for appellant now contends that the lower court erred:

- In holding that the Province of Baluchistan (India) is not included in the exceptions specified in section 3 of the Act of Congress of February 5, 1917; and
- In holding that the petitioner is not qualified to become a citizen of the Philippine Islands.

The evidence presented by the petitioner shows that he is a British subject; that he was born in Sangtipur, Jullunder, Province of Punjab, India; that his parents were natives and residents of Kohek, Province of Baluchistan, India; that before coming to the Philippine Islands on February 5, 1911, he was also a resident of said place; that he had all of the other qualifications required by Act No. 2927 as to age, education, moral conduct, etc., and that he did not have any of the disqualifications specified in said Act.

Section 1 of Act No. 2927, entitled "The Naturalization Law," enumerates the classes of persons who may acquire Philippine citizenship. They are:

- "(a) Natives of the Philippines who are not citizens thereof under the Jones Law;
- "(b) Natives of the other insular possessions of the United States;

"(c) Citizens of the United States, or foreigners who under the laws of the United States may become citizens of said country if residing therein."

It is evident that the petitioner does not come within the classes specified in paragraphs (a) and (b). The question therefore is, whether or not he is included in the class of persons mentioned in paragraph (c) of section 1 of Act No. 2927. Or, more specifically: Is the petitioner a foreigner who, under the laws of the United States, may become a citizen of that country if residing therein?

The law of the United States regulating the immigration of aliens to the United States and their residence therein, is found in the Act of Congress of February 5, 1917, which was expressly made applicable to the Philippine Islands. (Vol. 39, Part 1, U. S. Stat. at Large, pp. 874-876.) Section 3 of said Act excludes from admission into the United States various classes of persons, among which are the following:

" * * * natives of any country, province, or dependency situate on the Continent of Asia west of the one hundred and tenth (110th) meridian of longitude east from Greenwich and east of the fiftieth (50th) meridian of longitude east from Greenwich and south of the fiftieth (50th) parallel of latitude north, * * *."

Said section 3, however, establishes an exception in favor of persons who are natives of—

"That portion of said territory (Continent of Asia) situate between the fiftieth (50th) and the sixty-fourth (64th) meridians of longitude east from Greenwich and the twenty-fourth (24th) and thirty-eighth (38th) parallels of latitude north, * * *." (Vol. 39, Part 1, U. S. Stat. at Large, p. 876.)

From the above-quoted provisions of the Act of Congress of February 5, 1917, it clearly appears that natives of the Continent of Asia within specified limits are excluded from admission into the United States, with the exception of natives of that portion of said Continent "situate between the fiftieth (50th) and sixty-fourth (64th) meridians of longitude east from Greenwich and the twenty-fourth (24th) and thirty-eighth (38th) parallels of latitude north."

Counsel contends in his two assignments of error that the appellant is a native of Kohek, Province of Baluchistan, India, because his parents were natives of that place; that the Province of Baluchistan is found between the 50th and the 64th meridians of longitude east from Greenwich and the 24th and 38th parallels of latitude north; that, therefore, the appellant is a native of a territory whose residents are not excluded from admission into the United States under the provisions of the saving clause of section 3 of the Act of Congress of February 5, 1917, above quoted; and that, consequently, the appellant is qualified to become a citizen of the United States under said Act of Congress, and also of the Philippine Islands under the provisions of Act No. 2927 of the Philippine Legislature in relation with said Act of Congress.

There is absolutely no proof in the record to show that the town of Kohek, Province of Baluchistan, is found in that portion of the Asiatic Continent, whose natives are not excluded from admission into the United States. We have consulted the map of India, particularly the Province of Baluchistan (Vol. 14, Encyc. Britannica, 11th ed. between pp. 376 and 377) for the purpose of verifying the assertion of appellant's counsel. We found, however, that the Province of Baluchistan is inside the specified limits of Asia, whose natives are excluded from admission into the United States, and is outside of the "territory situate between the fiftieth (50th) and the sixty-fourth (64th) meridians of longitude east from Greenwich and the twenty-fourth (24th) and thirty-eighth (38th) parallels of latitude north" whose natives are not excluded from admission into the United States, with the exception of a very small portion thereof on the northwest. But neither in this portion nor in any other place of the Province of Baluchistan did we find a place called Kohek. The appellant has thus utterly failed to show that he is a native of a place whose residents may be admitted into the United States and may become citizens thereof.

And moreover, the petitioner being a British subject, we are of the opinion that the principle of jus soli, and not that of jus sanguinis, should be applied in his case. In England questions of citizenship are governed by the principle of jus soli. Therefore, in view of the fact that the appellant was born in the Province of Punjab, India, he is disqualified from becoming a citizen of the United States and consequently of the Philippine Islands. In the case of *United States vs. Bhagat Singh Thind* (261 U. S. Rep., 204) the Supreme Court of the United States held that natives of the Province of Punjab, India cannot be naturalized as citizens of the United States. The court said:

"A high caste Hindu, of full Indian blood, born at Amrit Sar, Punjab, India, is not a 'white person,' within the meaning of Rev. Stats., sec. 2169, relating to naturalization of aliens.

"The action of Congress in excluding from admission to this country all natives of Asia within designated limits including all of India, is evidence of a like attitude toward naturalization of Asians within those limits." (*United States vs. Bhagat Singh Thind*, 261 U. S. Rep., 204.)

The foregoing refutes conclusively the two assignments of error made by the appellant. The petitioner has failed entirely to establish his case and his application should be and is hereby denied.

The judgment appealed from is, therefore, hereby affirmed with costs. So ordered.

Avanceña, C. J., Street, Villamor, Johns, Romualdez, and Villa-Real, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.