

IN THE SUPREME COURT OF INDIA  
WRIT JURISDICTION

I.A. NO. 65534/2021

IN WRIT PETITION (C) NO. 1470 OF 2019  
& OTHER CONNECTED MATTERS

IN THE MATTER OF :

INDIAN UNION OF MUSLIM  
LEAGUE

... PETITIONER

VS.

UNION OF INDIA

... RESPONDENT

COUNTER AFFIDAVIT IN I.A. NO. 65534/2021

IN WRIT PETITION (C) NO. 1470 OF 2019

ON BEHALF OF THE UNION OF INDIA

I, Ashutosh Anand S/o Shri Ashok Kumar Pathak, aged 45 years presently working as Under Secretary in the Ministry of Home Affairs, Government of India, do hereby solemnly affirm and state as follows:

1. That in my official capacity I am acquainted with the facts of these cases, I have perused the record and am competent and authorized to swear this affidavit on behalf of the Union of India.

2. I state and submit that since I am filing this affidavit in reply as is necessary for the purpose of opposing, entertaining and grant of any interim order. I reserve liberty to file a further and a detailed affidavit hereinafter as and when I am so advised.

3. I hereby deny and dispute all the facts stated, contentions raised and grounds urged in the I.A. except those which are specifically and unequivocally admitted in this reply.

4. It is submitted that the WP(C) no. 1470/2019 was regarding a challenge to the validity of the Citizenship (Amendment) Act, 2019 (CAA). The instant IA No. 65534 of 2021 in Writ Petition 1470/2019, preferred by the Petitioner is concerning the notification dated 28 May 2021 which is concerning the mere delegation of power vested with the Central Government. It is submitted that the notification dated 28 May 2021 has no relation whatsoever with the CAA and it is inconceivable that the present IA can be moved in the W.P. 1470 of 2019.

5. It is submitted that the notification dated 28 May 2021 seeks to merely delegate the power of the Central Government to the local authorities in particular cases. The said notification does not provide for any relaxations to the foreigners and applies only to foreigner who have entered the country legally as the Central Government used its authority under Section 16 of the Citizenship Act and delegated its powers to grant citizenship by Registration or Naturalisation to District Collectors. It is submitted that it is merely an administrative delegation of power without any specific classification or relaxation.

6. It is submitted that a brief analysis of the historical issuances of delegation of power notifications, as has been done in the present case, would be relevant in the present context. It is submitted that the Citizenship Act, 1955 was enacted in December 1955. Sections 5 and 6 provided for grant of citizenship to foreigners by way of Registration and Naturalisation. In the Act of 1955, the citizenship by Registration was to be granted by the “prescribed

authority” whereas the citizenship by Naturalisation was to be granted by the “Central Government”. It is further submitted that the citizenship by Registration was to be granted to foreigners of following categories:-

- (i) Persons of Indian origin -under sections 5(1)(a) and 5(1)(b)
- (ii) Women married to Indian citizens -under section 5(1)(c)
- (iii) Minor children of Indian citizens -under section 5(1)(d).
- (iv) Person who is citizen of country specified in the First Schedule of the Act

A copy of the Section 5 and 6 of the Citizenship Act, 1955 is attached herewith and marked as **Annexure – R 1**.

7. It is submitted that as per the Citizenship Rules, 1956, the “prescribed authority” to grant citizenship by Registration to persons of Indian origin [under section 5(1)(a)] or to minor children under section 5(1)(d) was “**District Collector**”. For other categories under section 5 or all categories under Section 6, the granting authority was the Central Govt. A copy of the relevant pages of the Citizenship Rules, 1956 is attached herewith and marked as **Annexure – R 2**.

8. It is submitted that the said legal framework continued till the year 1985. It is submitted that consequent to the decisions taken in the Assam Accord of 1985, the Citizenship Rules, 1956 were amended through the notification dated 01/04/1986. A copy of the notification dated 01/04/1986 is attached herewith and marked as **Annexure – R 3**. In the amended rule 8, the authority to grant citizenship by Registration under sections 5(1) (a) and 5(1) (d) was prescribed as the Central Government (in place of the District Collector). Subsequently, through the Citizenship (Amendment) Act, 2003,

Section 5 was amended and the authority to grant citizenship was provided as the “Central Government” in place of the “prescribed authority”. A copy of the Citizenship (Amendment) Act, 2003 is attached herewith and marked as **Annexure – R 4**.

9. It is submitted that Section 18 of The Citizenship Act, 1955 confers on Central Government powers to make appropriate rules to carry out the provisions of this Act. In the year 2004, the Central Government notified the Citizenship (Amendment) Rules, 2004. A copy of the Citizenship (Amendment) Rules, 2004 is attached herewith and marked as **Annexure – R 5**. The said Rules delegated the power to grant the citizenship by Registration under Section 5, in respect of *Pakistani nationals of minority Hindu community*, to four District Collectors of Gujarat and to the Home Secretary, Gujarat if such *Pakistani nationals of minority Hindu community* lived in other Districts of Gujarat. In the same notification, the Central Government also enabled Collectors of Barmer and Jaisalmer Districts to register as citizens of India “Pak nationals of minority Hindu community” displaced due to 1965 and 1971 wars. It may be noted that the same was also merely a delegation of the power for a specified community and not any relaxation in the requirements of citizenship.

10. It is submitted that such citizenship-granting power, in effect delegation of power, in respect of “minority Hindus with Pakistani citizenship” who had migrated to India five years back was also delegated to Collectors of all the Districts in the State of Rajasthan. It is submitted that initially, this delegation of powers of Central Government to District Collectors of Rajasthan, Gujarat and Home Secretary of Gujarat State was only for one year. It facilitated faster disposal of citizenship applications of

the specific community from Pakistan at the local level where they were residing.

11. It is submitted that on February 22, 2005 the Central Government extended the delegation of its power by another year. It is submitted that thereafter, vide Gazette notification dated 12<sup>th</sup> July, 2006, such powers were extended again by Central Government for one more year. A copy each of the Gazette notifications dated 22<sup>nd</sup> February, 2005 and 12<sup>th</sup> July, 2006 is attached herewith and marked as **Annexure – R 6**. The chronology, which is illustrative of the measures taken, which led to the amendment of the said rules in year 2004 is as under:-

TABLE ON 2004 AMENDMENT TO THE CITIZENSHIP RULES, 1956	
LETTER DATE	ISSUE/REQUEST
06.03.2002	After considering the representation of refugees/displaced persons belonging to minority communities of Pakistan, the then Chief Minister of Rajasthan requests the Deputy Prime Minister (who was also the Home Minister) to issue statutory instructions eg. delegation of powers to SDM etc. to resolve the difficulties faced by Pakistan Hindu minority migrants for grant of visa and citizenship The letter specifically deals with the issue that most of these hapless migrants belong to Scheduled Casts (SCs) of Hindus and that the National Commission for SCs and STs in its meeting held on 19 <sup>th</sup> July, 2001 had discussed this matter in detail so that these migrants can be granted Indian citizenship expeditiously .

04/02/2004	The Chief Minister of Rajasthan requests the Minister of State in MHA to resolve the issue of grant of Indian citizenship to migrants of minority communities (Hindu) of Pakistan who have migrated to India due to persecution on religious grounds.
01/03/2004	Vide Notification dated 28/02/2004 published on 01/03/2004, the Citizenship (Amendment) Rules, 2004 came into force delegating power to grant citizenship through registration mode to District Collectors of Rajasthan and 4 Districts Collectors of Gujarat and to the Government of Gujarat for other districts in Gujarat, in respect of Pakistan nationals of minority Hindu community.
13/07/2004	Shri Ashok Gehlot, the then MLA requests, the Minister of State in MHA to consider delegation of powers to collectors for speedy granting of citizenship to minority migrants from Pakistan who were forced to come to India due to persecution on religious grounds.
15/09/2004	Shri Ashok Gehlot, the then General Secretary, AICC requests the then Home Minister to implement the notification published on 1/03/2004 regarding delegation of powers to collectors for speedy grant of citizenship to Hindu minority migrants from Pakistan who were forced to come to India due to persecution on religious ground.
12.10.2004	The Minister of State in the MHA acknowledges letter dated 13 <sup>th</sup> September, 2004 of Shri Ashok Gehlot, MLA regarding delegation of special powers to the collectors of some

	Districts in Rajasthan and Gujarat for grant of Indian citizenship to Hindu migrants of Indo-Pak wars living illegally in those areas since decades. The Minister replies that appropriate notifications to amend the Citizenship Rules, 1956 have been issued.
10/12/2004	Shri Ashok Gehlot, the General Secretary, AICC requests the Home Minister to waive all kind of fees for visa extension and grant of citizenship in respect of migrants of Hindu minority community of Pakistan most of whom belong to the lower strata of society.
22/02/2005	The Citizenship (Amendment) Rules, 2005 come into force extending the provisions of the Citizenship (Amendment) Rules, 2004 notified on 01/03/2004 to two years instead of one year.
12/07/2006	The Citizenship (Amendment) Rules, 2006 come into force extending the provisions of the Citizenship (Amendment) Rules, 2004 notified on 01/03/2004 to three years instead of one year.
08.04.2009	Shri Ashok Gehlot, the Chief Minister of Rajasthan writes to the Home Minister regarding “outstanding issues of large number of Pak oustees from Hindu/Sikh communities”. He argues that delegation of authority once again to grant citizenship, as done by aforementioned notifications could be considered for addressing the problems of the remaining Pak oustees who are illiterate and belong to SCs/STs and weaker sections of society.

A copy of the documents mentioned in the above table regarding amendment of Citizenship Rules is attached herewith and marked as **Annexure – R 7**

12. It is submitted that Section 16 of The Citizenship Act, 1955 confers powers on Central Government to delegate some of its citizenship – granting powers to such officer or authority as may be specified. In year 2016, Central Government used its authority under Section 16 of the Citizenship Act and delegated its powers to grant citizenship by Registration or Naturalisation to District Collectors of 16 districts and Home Secretaries of Governments of 7 States in respect of migrants belonging to six specified minority communities of Afghanistan, Pakistan and Bangladesh, for a period of two years. A copy of the 2016 notification is attached herewith and marked as **Annexure – R 8**. It is submitted that this was done to fast track the decision on citizenship applications of this category of foreigners. In 2018, this delegation of power was extended until further orders. A copy of the 2018 notification is attached herewith and marked as **Annexure – R 9**.

13. It is also submitted that in the meantime Central Government received several representations to delegate its power to grant citizenship in respect of the aforesaid legal migrants to some more districts/ States also where sizeable population of such migrants has been residing. Therefore, Central Government has by notification dated 28/05/2021 further delegated its power to grant citizenship in such cases to the Collectors of 13 more districts i.e. Morbi, Rajkot, Patan and Vadodara in Gujarat, Jalore, Udaipur, Pali, Barmer and Sirohi in Rajasthan, Durg and Balodabazar in Chhattisgarh, Faridabad in Haryana and Jalandhar in Punjab and to The Home Secretaries of two more



States i.e. Haryana and Punjab. Therefore, now District Collectors of 29 districts and Home Secretaries of 9 States will exercise powers of Central Government to grant citizenship to the specified category of foreigners. The Central Government has also retained its right to simultaneously use these powers any time. A copy of the notification dated 28/05/2021 is attached herewith and marked as **Annexure – R 10**.

14. It is submitted that the said measure has been taken on numerous occasion previously and is largely a function of the administrative exigencies of the situation. The delegation of power vide notification dated 28/05/2021 is in respect of those foreign applicants who fulfil the eligibility criteria and who are in possession of valid documents like passports and Indian visa. These documents are mandatory as per provisions of sections 5, 6 and 2(1)(b) of the Citizenship Act, 1955. The statutory Form II to Form VIII appended to the Schedule-I of the Citizenship Rules, 2009 prescribed in rules 4 to 10 of the Citizenship Rules, 2009 require that copies of valid passport and valid residential permit are needed to be submitted alongwith the citizenship application Forms. It is submitted that the same would not be relatable to the legislative steps taken through the CAA which provide for a classification with a rational nexus and intelligible differentia as has been explained in detailed in the Counter Affidavit of the Central Government.

15. It is submitted that the notification dated 28 may 2021 is merely a process of decentralisation of decision making aimed at speedy disposal of the citizenship applications of such foreigners as the decision will now be taken at the District or State level itself after examining each case. It is submitted that no relaxation whatsoever has been made in respect of the eligibility criteria between different foreign nationals which are laid down in

the Citizenship Act, 1955 and rules made thereunder. Hence, the question of violation of Article 14 in making the certain classification does not arise.

16. It is further submitted that the existing law and procedure for acquiring citizenship of India is in no way sought to be amended through the impugned notification. It is submitted that any foreigner of any faith can apply for citizenship of India at any time. The Central Government shall decide that application as per law and rules.

17. It is submitted that the delegation of power vide notification dated 28/05/2021 is in respect of those foreign applicants who fulfil the eligibility criteria and who are in possession of valid documents like passports and Indian visa. As brought out in earlier paragraphs, similar delegation of power has been permitted by Central Government in 2004, 2005, 2006, 2016 and 2018 also. It is submitted that the notification dated 28/05/2021 does not relate to the Citizenship (Amendment) Act, 2019 (CAA) which has been inserted into the Act as section 6B.


18. It is submitted that the notification dated 28 May 2021 is about extending the delegation of power to grant citizenship to collectors of more districts and Home Secretaries of more States. It is submitted that similar notifications dated 23 Dec 2016, 23 Oct 2018, 28 Feb 2004, 22 Feb 2005 and 12 July 2006 regarding delegation of power to grant citizenship have been brought out in this Ministry's counter affidavit dated 11 March 2020 submitted in Hon'ble Supreme Court in WP(C) no. 1470/2019. The present notification is similar to above notifications which have been already brought out by this Ministry in the counter affidavit which is available with the petitioner since March 2020. Hence, it is submitted that there is no urgency in the instant IA as has been pleaded by the Applicant.

19. In light of the above, it is submitted that the applications are liable to be dismissed by this Hon'ble Court. I further submit that the Union of India reserves the right to file a more detailed affidavit with the leave of this Hon'ble Court, if necessary, at a later stage.


20. The present affidavit is bona fide and in the interest of justice.

### VERIFICATON

Verified at New Delhi on this 14<sup>th</sup> day of June, 2021, that the contents of the above affidavit are true and correct to my knowledge and belief derived from the official records. No part of the above affidavit is false and nothing material has been concealed there from.



**DEPONENT**  
 (आशुतोष आनन्द)  
 (ASHUTOSH ANAND)  
 अवर सचिव/Under Secretary  
 गृह मंत्रालय  
 Ministry of Home Affairs  
 भारत सरकार/GOVT. OF INDIA



**DEPONENT**  
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 गृह मंत्रालय  
 Ministry of Home Affairs  
 भारत सरकार/GOVT. OF INDIA

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OF 1955]

Citizenship

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(2) Notwithstanding such repeal, anything done or any action taken (including any appointment or delegation made, order, instrument or direction issued, rule or regulation made under that Act) shall be deemed to have been done or taken under the corresponding provisions of this Act and shall continue in force accordingly unless and until superseded by anything done or any action taken under the relevant provisions of this Act.

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46. The Court of the Judicial Commissioner established under section 3 is hereby declared to be a High Court for the purposes of articles 132, 133 and 134 of the Constitution; and the provisions of the Judicial Commissioners' Courts (Declaration as High Courts) Act, 1950, shall apply to that Court as they apply to a Judicial Commissioner's Court in existence at the commencement of this Act.

Declaration of the judicial Commissioner's Court as a High Court for certain purposes.

XV of 1950.

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*See India Code, Volume II.* **THE CITIZENSHIP ACT, 1955**  
ACT No. 57 OF 1955

[30th December, 1955]

An act to provide for the acquisition and termination of Indian citizenship.

BE it enacted by Parliament in the Sixth Year of the Republic of India as follows:—

- 1. This Act may be called the Citizenship Act, 1955. Short title.
- 2. (1) In this Act, unless the context otherwise requires,— Interpreta-  
tion.
  - (a) "a Government in India" means the Central Government or a State Government;
  - (b) "citizen", in relation to a country specified in the First Schedule, means a person who, under the citizenship or nationality law for the time being in force in that country, is a citizen or national of that country;
  - (c) "citizenship or nationality law", in relation to a country specified in the First Schedule, means an enactment of the legislature of that country which, at the request of the Government of that country, the Central Government may, by notification in the Official Gazette, have declared to be an enactment making provision for the citizenship or nationality of that country:

Provided that no such notification shall be issued in relation to the Union of South Africa except with the previous approval of both Houses of Parliament;

*omitted by Act 81 of 1974, s. 76 & sch. IX (w.e.f. 21-1-1974)*

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(d) "Indian consulate" means the office of any consular officer of the Government of India where a register of births is kept, or where there is no such office, such office as may be prescribed;

(e) "minor" means a person who has not attained the age of eighteen years;

(f) "person" does not include any company or association or body of individuals, whether incorporated or not;

(g) "prescribed" means prescribed by rules made under this Act;

(h) "undivided India" means India as defined in the Government of India Act, 1935, as originally enacted.

(2) For the purposes of this Act, a person born aboard a registered ship or aircraft, or aboard an unregistered ship or aircraft of the Government of any country, shall be deemed to have been born in the place in which the ship or aircraft was registered or, as the case may be, in that country.

(3) Any reference in this Act to the status or description of the father of a person at the time of that person's birth shall, in relation to a person born after the death of his father, be construed as a reference to the status or description of the father at the time of the father's death; and where that death occurred before, and the birth occurs after, the commencement of this Act, the status or description which would have been applicable to the father had he died after the commencement of this Act shall be deemed to be the status or description applicable to him at the time of his death.

(4) For the purposes of this Act, a person shall be deemed to be of full age if he is not a minor, and of full capacity if he is not of unsound mind.

#### ACQUISITION OF CITIZENSHIP

Citizenship  
by birth.

3. (1) Except as provided in sub-section (2) of this section, every person born in India on or after the 26th January, 1950, shall be a citizen of India by birth.

(2) A person shall not be such a citizen by virtue of this section if at the time of his birth—

(a) his father possesses such immunity from suits and legal process as is accorded to an envoy of a foreign sovereign power accredited to the President of India and is not a citizen of India;  
or

(b) his father is an enemy alien and the birth occurs in a place then under occupation by the enemy.

4. (1) A person born outside India on or after the 26th January, 1950, shall be a citizen of India by descent if his father is a citizen of India at the time of his birth: Citizenship  
by descent.

Provided that if the father of such a person was a citizen of India by descent only, that person shall not be a citizen of India by virtue of this section unless—

(a) his birth is registered at an Indian consulate within one year of its occurrence or the commencement of this Act, whichever is later, or, with the permission of the Central Government, after the expiry of the said period; or

(b) his father is, at the time of his birth, in service under a Government in India.

(2) If the Central Government so directs, a birth shall be deemed for the purposes of this section to have been registered with its permission, notwithstanding that its permission was not obtained before the registration.

(3) For the purposes of the proviso to sub-section (1), any male person born outside undivided India who was, or was deemed to be, a citizen of India at the commencement of the Constitution shall be deemed to be a citizen of India by descent only.

5. (1) Subject to the provisions of this section and such conditions and restrictions as may be prescribed, the prescribed authority may, on application made in this behalf, register as a citizen of India any person who is not already such citizen by virtue of the Constitution or by virtue of any of the other provisions of this Act and belongs to any of the following categories:— Citizenship  
by registra-  
tion.

(a) persons of Indian origin who are ordinarily resident in India and have been so resident for six months immediately before making an application for registration;

(b) persons of Indian origin who are ordinarily resident in any country or place outside undivided India;

(c) women who are, or have been, married to citizens of India;

(d) minor children of persons who are citizens of India; and

(e) persons of full age and capacity who are citizens of a country specified in the First Schedule:

Provided that in prescribing the conditions and restrictions subject to which persons of any such country may be registered as citizens of India under this clause, the Central Government shall have due regard to the conditions subject to which citizens of India may, by law or practice of that country, become citizens of that country by registration.

*Explanation.*—For the purposes of this sub-section, a person shall be deemed to be of Indian origin if he, or either of his parents, or any of his grand-parents, was born in undivided India.

(2) No person being of full age shall be registered as a citizen of India under sub-section (1) until he has taken the oath of allegiance in the form specified in the Second Schedule.

(3) No person who has renounced, or has been deprived of, his Indian citizenship, or whose Indian citizenship has terminated, under this Act shall be registered as a citizen of India under sub-section (1) except by order of the Central Government.

(4) The Central Government may, if satisfied that there are special circumstances justifying such registration, cause any minor to be registered as a citizen of India.

(5) A person registered under this section shall be a citizen of India by registration as from the date on which he is so registered; and a person registered under the provisions of clause (b) (ii) of article 6 or article 8 of the Constitution shall be deemed to be a citizen of India by registration as from the commencement of the Constitution or the date on which he was so registered, whichever may be later.

Citizenship  
by naturalisation.

6. (1) Where an application is made in the prescribed manner by any person of full age and capacity who is not a citizen of a country specified in the First Schedule for the grant of a certificate of naturalisation to him, the Central Government may, if satisfied that the applicant is qualified for naturalisation under the provisions of the Third Schedule, grant to him a certificate of naturalisation:

Provided that, if in the opinion of the Central Government, the applicant is a person who has rendered distinguished service to the cause of science, philosophy, art, literature, world peace or human progress generally, it may waive all or any of the conditions specified in the Third Schedule.

(2) The person to whom a certificate of naturalisation is granted under sub-section (1) shall, on taking the oath of allegiance in the form specified in the Second Schedule, be a citizen of India by naturalisation as from the date on which that certificate is granted.

Citizenship  
by incorporation  
of territory.

7. If any territory becomes a part of India, the Central Government may, by order notified in the Official Gazette, specify the persons who shall be citizens of India by reason of their connection with that territory; and those persons shall be citizens of India as from the date to be specified in the order.

F/A

# The Gazette of India



EXTRAORDINARY

PART II—Section 3

PUBLISHED BY AUTHORITY

No. 204] NEW DELHI, SATURDAY, JULY 7, 1956

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 7th July 1956

THE CITIZENSHIP RULES, 1956

S.R.O. 1574.—In exercise of the powers conferred by section 18 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby makes the following rules, namely:—

PART I—PRELIMINARY

1. **Short title and commencement.**—(1) These rules may be called the Citizenship Rules, 1956.

(2) They shall come into force at once.

2. **Definitions.**—In these rules, unless the context otherwise requires,—

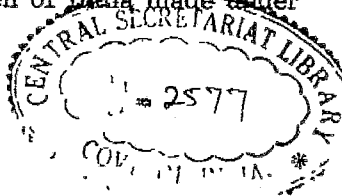
- (a) the "Act" means the Citizenship Act, 1955 (57 of 1955);
- (b) "Collector" means in the Presidency-town of Bombay, Calcutta or Madras, the Collector thereof, and elsewhere the chief officer-in-charge of the revenue-administration of a district, and includes such other officer as the Central Government may, by notification in the Official Gazette, appoint to perform the functions of the Collector under these Rules in respect of any area;
- (c) "Form" means a form in Schedule I;
- (d) "Schedule" means a Schedule to these Rules;
- (e) "Secretary" means the Secretary or a Joint Secretary to the Government of India in the Ministry of Home Affairs;
- (f) "section" means a section of the Act.

PART II—CITIZENSHIP OF INDIA BY REGISTRATION

3. **Form of application for registration under section 5(1)(a).**—

(1) An application for registration as a citizen of India made under section 5(1)(a) shall be in Form I.

( 1597 )



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(2) The oath of allegiance given at the end of the Form shall be affirmed (or sworn), subscribed and attested before making the application.

**4. Form of application for registration under section 5(1)(c).—**

(1) An application by a woman for registration as a citizen of India made under section 5(1)(c) shall be in Form II and shall be accompanied by documentary evidence to show that the applicant has renounced or lost the citizenship of her country in accordance with the law in force therein or by an undertaking in writing that she will renounce that citizenship in the event of her application being sanctioned.

(2) The oath of allegiance given at the end of the Form shall be affirmed (or sworn), subscribed and attested before making the application.

(3) An application under sub-rule (1) shall not lie unless for one year immediately before the date of application, the applicant—

(a) has resided in India; or

(b) has been in the service of a Government in India.

*Explanation.*—In computing the period of one year, broken periods of residence and service under clauses (a) and (b) may be taken into account.

**5. Form of application for registration under section 5(1)(d).—**

An application for the registration of a minor child of a citizen of India as a citizen thereof made under section 5(1)(d) shall be in Form III and shall include the following particulars, that is to say—

(a) a statement whether the applicant is a parent or guardian of the child, and, if he is a guardian, how he became a guardian;

(b) a statement showing that each of the parents of the child is, or, if deceased, was at the time of death, a citizen of India;

(c) a statement of the reasons for which it is desired that the child should be registered as a citizen of India.

**6. Form of application for registration under section 5(4).—**

An application for the registration of a minor child as a citizen of India made under section 5(4) shall be in Form IV and shall include the particulars specified in clauses (a) and (c) of rule 5.

**7. Authority to which application is to be made.**—An application for registration shall be made to the Collector within whose jurisdiction the applicant is ordinarily resident.

**8. Authority to register as citizens.**—The authority to register a person as a citizen of India under section 5(1)(a) or section 5(1)(d) shall be the Collector, and in any other case under these Rules, the Central Government.

**9. Collector to make inquiries before registration.**—The Collector shall, before registering a person under section 5(1) (a), satisfy himself that the person—

- (a) is of Indian origin and has been actually resident in India for six months immediately preceding the date of application;
- (b) has close connections in India;
- (c) has an intention to make India his permanent home;
- (d) has signed the oath of allegiance as prescribed in the form of application;
- (e) is of good character and is otherwise a fit and proper person to be registered as a citizen of India.

**10. Certificate of registration to be granted to persons registered.**—(1) Every person who is registered as a citizen of India under section 5(1) (a) or section 5(1) (d) shall be issued a certificate of registration in Form V.

(2) Every person who is registered as a citizen of India under section 5(1) (c) or section 5(4) shall be issued a certificate of registration in Form VI.

(3) When a certificate of citizenship is issued under sub-rule (1) or sub-rule (2), a duplicate copy thereof shall be prepared and preserved for record by the issuing authority.

**11. Register of persons registered under section 5(1)(a), to be kept by each Collector.**—There shall be kept by each Collector—

- (a) a register containing the names of persons registered as citizens of India under section 5(1) (a), in Form VII—PART I;
- (b) a register containing the names of minor children registered as citizens of India under section 5(1) (d), in Form VIII—PART I;
- (c) a register containing the names of persons whose applications for registration as citizens of India under section 5(1) (a) have been rejected in Form VII—Part II;
- (d) a register containing the names of the minor children whose applications for registration as citizens of India under section 5(1) (d) have been rejected, in Form VIII—PART II.

**12. Register of persons registered under sections 5(1)(c) and 5(4).**—There shall be kept by the Central Government in the Ministry of Home Affairs:—

- (a) a register containing the names of the women registered as citizens of India under section 5(1) (c) in Form IX;
- (b) a register containing the names of the children registered as citizens of India under section 5(4) in Form X.

**13. Manner of making entries in register.**—All entries made in the registers kept under rule 11 and rule 12 shall be numbered consecutively, and each entry shall relate to one person only.



# भारत का राजपत्र The Gazette of India

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असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (I)  
PART II—Section 3—Sub-section (I)

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं० 163]  
No. 163]

नई दिल्ली, मंगलवार, अप्रैल 1, 1986/चैत्र 11, 1908  
NEW DELHI, TUESDAY, APRIL 1, 1986/CHAITRA 11, 1908

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में  
रखा जा सके  
Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

## गृह मंत्रालय

नई दिल्ली, 1 अप्रैल, 1986

### अधिसूचना

सा. का. नि. 567(अ)—केन्द्रीय सरकार, नागरिकता अधिनियम, 1955 (1955 का 57) की धारा 18 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नागरिकता नियम, 1956 में और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:—

1. (1) इन नियमों का नाम नागरिकता (दूसरा संशोधन) नियम, 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. नागरिकता नियम, 1956 (जिसे हमें इसके पश्चात् उक्त नियम कहा गया है) में नियम 8 और 9 के स्थान पर निम्नलिखित नियम रखे जाएंगे अर्थात्:—

"8—नागरिक के रूप में रजिस्ट्रीकृत करने के लिए प्राधिकारी—  
इन नियमों के अधीन किसी व्यक्ति को भारत का नागरिक के रूप में रजिस्ट्रीकृत करने के लिए प्राधिकारी केन्द्रीय सरकार होगी।

9. कलक्टर द्वारा सभी आवेदनों को रिपोर्ट के साथ केन्द्रीय सरकार को संप्रेषित करना: कलक्टर धारा 5(1)(क) के अधीन उसे प्राप्त हुए आवेदनों को इस रिपोर्ट के साथ, यथास्थिति, राज्य

सरकार या संघ राज्य क्षेत्र प्रशासन के माध्यम से केन्द्रीय सरकार को संप्रेषित करेगा कि:—

(क) क्या अभ्यर्थी भारतीय उद्भव का है और आवेदन की तारीख से अव्यवहित छह मास से पूर्व वस्तुतः भारत का निवासी रहा है;

(ख) क्या अभ्यर्थी के भारत में गहरे संबंध हैं;

(ग) क्या अभ्यर्थी का भारत को अपना स्थायी निवास बनाने का आशय है;

(घ) क्या अभ्यर्थी ने अधिनियम की द्वितीय अनुसूची में विनिर्दिष्ट राजनिष्ठा की शपथ पर हस्ताक्षर कर दिए हैं; और

(ङ) क्या अभ्यर्थी अच्छे चरित्र का है और भारत के नागरिक के रूप में रजिस्ट्रीकृत किए जाने के लिए ठीक और उचित व्यक्ति है।"

3. उक्त नियमों के नियम 11 में शीर्षक और प्रारंभिक पैरा के स्थान पर निम्नलिखित रखा जाएगा अर्थात्:—

"धारा 5(1)(क) के अधीन रजिस्ट्रीकृत किए गए व्यक्तियों का रजिस्टर—

केन्द्रीय सरकार का गृह मंत्रालय रजिस्टर रखेगा।"

4. उक्त नियमों के नियम 14 और नियम 16 का लोप किया जाएगा।

5. उक्त नियमों को अनुसूची 1 में,—

(क) प्ररूप 1 और 3 में "पूरा हो जाने पर यह प्ररूप दो प्रतियों में स्थानीय रजिस्ट्रीकरण प्राधिकारी को (उस स्थान के जहाँ आवेदक निवास कर रहा है) भेजा जाना चाहिए" शब्दों और कोष्ठकों के स्थान पर जो कि प्रारम्भ में आए हैं, निम्नलिखित रखा जाएगा, अर्थात्:—

"पूरा हो जाने पर यह प्ररूप 3 प्रतियों में उस कलक्टर को भेजा जाना चाहिए, जिसकी अधिकारिता में आवेदक मामूली तौर से निवासी है जिससे कि कलक्टर उसे यथास्थिति, राज्य सरकार या संघ राज्य क्षेत्र प्रशासन के माध्यम से केंद्रीय सरकार को संप्रेषित कर दे।

(ख) प्ररूप 5 के स्थान पर निम्नलिखित प्ररूप रखा जाएगा, अर्थात्:—

"प्ररूप 5

"नियम 10 देखिए)

रजिस्ट्रेशन प्रमाण पत्र

सं. \_\_\_\_\_

यह प्रामाणित किया जाता है कि वह व्यक्ति जिसकी विशिष्टियां नीचे दी गई हैं, नागरिकता अधिनियम, 1956 की धारा 5(1)(क)/(घ) के उपबंधों के अधीन भारत के नागरिक के रूप में रजिस्ट्रीकृत किया गया है।

1. नाम

2. पिता/माता या पति का नाम

3. जन्म स्थान

4. आयु

5. वर्तमान पता

6. विलक्षणताएं और विशेष पहचान चिह्न

7. व्यवसाय

फोटो

प्राप्तकर्ता के हस्ताक्षर  
जारी करने की तारीख  
और स्थान

जारी करने वाले प्राधिकारी  
के हस्ताक्षर और पदनाम

(ग) प्ररूप 7 में, भाग 1 और 2 में "स्थान" तथा "रजिस्ट्रीकरण प्राधिकारी" के निर्देशों का, जो तत्सम शीर्षों के पूर्व आते हैं, लोप किया जायेगा;

(घ) प्ररूप 11 का लोप किया जाएगा।

[सं. 26011/10/80-आर. सी.]

अरुण कुमार, संयुक्त सचिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 1st April, 1986

NOTIFICATION

G.S.R. 567(E).—In exercise of the powers conferred by section 18 of the Citizenship Act, 1955 (57 of 1955), the

Central Government hereby makes the following rules further to amend the Citizenship Rules, 1956, namely

1. (1) These rules may be called the Citizenship (Second Amendment) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Citizenship Rules, 1956 (hereinafter referred to as the said rules), for rules 8 and 9, the following rules shall be substituted, namely :—

"8. Authority to register as Citizens.—The authority to register a person as a citizen of India under these rules shall be the Central Government.

9. Collector to transmit all applications to the Central Government with a report.—The Collector shall transmit every application under section 5(1)(a) received by him to the Central Government through the State Government or the Union territory Administration, as the case may be, alongwith a report as to whether the applicant.—

(a) is of Indian origin and has been actually resident in India for six months immediately preceding the date of application;

(b) has close connections in India;

(c) has an intention to make India his permanent home;

(d) has signed the oath of allegiance specified in the Second Schedule to the Act; and

(e) is of good character and is otherwise a fit and proper person to be registered as a citizen of India."

3. In rule 11 of the said rules, for the heading and the opening paragraph, the following shall be substituted, namely :—

"Register of persons registered under section 5(1)(a).— There shall be kept by the Central Government in the Ministry of Home Affairs."

4. Rule 14 and 16 of the said rules shall be omitted.

5. In Schedule I to the said rules.—

(a) In Forms I and III, for the words and brackets "This form when completed should be forwarded in duplicate to the local registering authority (of the place where the applicant is residing)" occurring at the beginning, the following shall be substituted, namely :—

"This form when completed should be submitted in triplicate to the Collector within whose jurisdiction the applicant is ordinarily resident for transmission to the Central Government through the State Government or Union territory Administration, as the case may be."

(b) for Form V, the following form shall be substituted, namely :—

"Form V  
(See rule 10)  
Certificate of Registration

No.....

This is to certify that the person whose particulars are given below has been registered as a citizen of India under the provisions of section 5(1)(a)/(d) of the Citizenship Act, 1955—

1. Name

[भाग II—खण्ड 3(i)]

भारत का राजपत्र : सप्ताहवार

3

2. Name of father/mother or husband

3. Place of birth

4. Age

5. Present address

6. Special peculiarities and identification marks.

7. Occupation.

Date and place of issue.  
Signature of grantee

Signature and designation of the issuing authority."

(c) In Form VII, in Parts I and II, the references to "place" and "Registering authority" occurring before the column heading shall be omitted;

(d) Form XI shall be omitted.

[No. 26011/10/80-LC]  
ARUN KUMAR, Jt. Secy.



**भारत का राजपत्र**  
**The Gazette of India**

असाधारण  
**EXTRAORDINARY**

भाग II — खण्ड 1  
**PART II — Section 1**

प्राधिकार से प्रकाशित  
**PUBLISHED BY AUTHORITY**

सं. 7] नई दिल्ली, बुधवार, जनवरी 8, 2004/ पौष 18, 1925  
No. 7] NEW DELHI, THURSDAY, JANUARY 8, 2004/ PAUSA 18, 1925

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

**MINISTRY OF LAW AND JUSTICE**  
**(Legislative Department)**

*New Delhi, the 8th January, 2004/Pausa 18, 1925 (Saka)*

The following Act of Parliament received the assent of the President on the 7th January, 2004, and is hereby published for general information:—

**THE CITIZENSHIP (AMENDMENT) ACT, 2003**

No. 6 OF 2004

[7th January, 2004.]

An Act further to amend the Citizenship Act, 1955.

Be it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Citizenship (Amendment) Act, 2003.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint:

Provided that different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the commencement of that provision.

57 of 1955.

2. In section 2 of the Citizenship Act, 1955 (hereinafter referred to as the principal Act), in sub-section (1),—

Amendment of section 2.

(i) for clauses (b) and (c) and the proviso to clause (c), the following clause shall be substituted, namely:—

'(b) "illegal migrant" means a foreigner who has entered into India—

(i) without a valid passport or other travel documents and such other document or authority as may be prescribed by or under any law in that behalf; or

(ii) with a valid passport or other travel documents and such other document or authority as may be prescribed by or under any law in that behalf but remain therein beyond the permitted period of time;'

(ii) after clause (e), the following clause shall be inserted, namely:—

'(ee) "overseas citizen of India" means a person who—

(i) is of Indian origin being a citizen of a specified country, or

(ii) was a citizen of India immediately before becoming a citizen of a specified country,

and is registered as an overseas citizen of India by the Central Government under sub-section (1) of section 7A;'

(iii) after clause (g), the following clause shall be inserted, namely:—

'(gg) "specified country" means a country specified in the Fourth Schedule:

Provided that the Central Government may, by notification in the Official Gazette, amend the said Schedule by way of addition or omission of any entry therein:

Provided further that every notification issued under this clause shall, as soon as may be, after it is made, be laid before each House of Parliament;'

3. For section 3 of the principal Act, the following section shall be substituted, namely:—

"3. (1) Except as provided in sub-section (2), every person born in India—

(a) on or after the 26th day of January, 1950, but before the 1st day of July, 1987;

(b) on or after the 1st day of July, 1987, but before the commencement of the Citizenship (Amendment) Act, 2003 and either of whose parents is a citizen of India at the time of his birth;

(c) on or after the commencement of the Citizenship (Amendment) Act, 2003, where—

(i) both of his parents are citizens of India; or

(ii) one of whose parents is a citizen of India and the other is not an illegal migrant at the time of his birth,

shall be a citizen of India by birth.

(2) A person shall not be a citizen of India by virtue of this section if at the time of his birth—

(a) either his father or mother possesses such immunity from suits and legal process as is accorded to an envoy of a foreign sovereign power accredited to the President of India and he or she, as the case may be, is not a citizen of India; or

(b) his father or mother is an enemy alien and the birth occurs in a place then under occupation by the enemy."

4. In section 4 of the principal Act, for sub-section (1), the following sub-sections shall be substituted, namely:—

"(1) A person born outside India shall be a citizen of India by descent,—

(a) on or after the 26th day of January, 1950, but before the 10th day of December, 1992, if his father is a citizen of India at the time of his birth; or

Substitution  
of new section  
for section 3.

Citizenship by  
birth.

Amendment  
of section 4.

(b) on or after the 10th day of December, 1992, if either of his parents is a citizen of India at the time of his birth:

Provided that if the father of a person referred to in clause (a) was a citizen of India by descent only, that person shall not be a citizen of India by virtue of this section unless—

(a) his birth is registered at an Indian consulate within one year of its occurrence or the commencement of this Act, whichever is later, or, with the permission of the Central Government, after the expiry of the said period; or

(b) his father is, at the time of his birth, in service under a Government in India:

Provided further that if either of the parents of a person referred to in clause (b) was a citizen of India by descent only, that person shall not be a citizen of India by virtue of this section, unless—

(a) his birth is registered at an Indian consulate within one year of its occurrence or on or after the 10th day of December, 1992, whichever is later, or, with the permission of the Central Government, after the expiry of the said period; or

(b) either of his parents is, at the time of his birth, in service under a Government in India:

Provided also that on or after the commencement of the Citizenship (Amendment) Act, 2003, a person shall not be a citizen of India by virtue of this section, unless his birth is registered at an Indian consulate in such form and in such manner, as may be prescribed,—

(i) within one year of its occurrence or the commencement of the Citizenship (Amendment) Act, 2003, whichever is later; or

(ii) with the permission of the Central Government, after the expiry of the said period:

Provided also that no such birth shall be registered unless the parents of such person declare, in such form and in such manner as may be prescribed, that the minor does not hold the passport of another country.

(1A) A minor who is a citizen of India by virtue of this section and is also a citizen of any other country shall cease to be a citizen of India if he does not renounce the citizenship or nationality of another country within six months of attaining full age.

5. In section 5 of the principal Act,—

(a) for sub-section (1), the following shall be substituted, namely:—

“(1) Subject to the provisions of this section and such other conditions and restrictions as may be prescribed, the Central Government may, on an application made in this behalf, register as a citizen of India any person not being an illegal migrant who is not already such citizen by virtue of the Constitution or of any other provision of this Act if he belongs to any of the following categories, namely:—

(a) a person of Indian origin who is ordinarily resident in India for seven years before making an application for registration;

(b) a person of Indian origin who is ordinarily resident in any country or place outside undivided India;

(c) a person who is married to a citizen of India and is ordinarily resident in India for seven years before making an application for registration;

Amendment  
of section 5.

Amendment  
of section 5.



(d) minor children of persons who are citizens of India;

(e) a person of full age and capacity whose parents are registered as citizens of India under clause (a) of this sub-section or sub-section (f) of section 6;

(f) a person of full age and capacity who, or either of his parents, was earlier citizen of independent India, and has been residing in India for one year immediately before making an application for registration;

(g) a person of full age and capacity who has been registered as an overseas citizen of India for five years, and who has been residing in India for two years before making an application for registration.

**Explanation 1.**—For the purposes of clauses (a) and (c), an applicant shall be deemed to be ordinarily resident in India if—

(i) he has resided in India throughout the period of twelve months immediately before making an application for registration; and

(ii) he has resided in India during the eight years immediately preceding the said period of twelve months for a period of not less than six years.

**Explanation 2.**—For the purposes of this sub-section, a person shall be deemed to be of Indian origin if he, or either of his parents, was born in undivided India or in such other territory which became part of India after the 15th day of August, 1947.”

(b) after sub-section (5), the following sub-section shall be inserted, namely:—

“(6) If the Central Government is satisfied that circumstances exist which render it necessary to grant exemption from the residential requirement under clause (c) of sub-section (1) to any person or a class of persons, it may, for reasons to be recorded in writing, grant such exemption.”

Amendment of section 6.

6. In section 6 of the principal Act, in sub-section (1), for the words “who is not a citizen of a country specified in the First Schedule”, the words “not being an illegal migrant” shall be substituted.

Insertion of heading and new sections 7A, 7B, 7C and 7D

Registration of overseas citizens.

7. After section 7 of the principal Act, the following heading and sections shall be inserted, namely:—

#### OVERSEAS CITIZENSHIP

7A. (1) The Central Government may, subject to such conditions and restrictions including the condition of reciprocity as may be prescribed, on an application made in this behalf, register any person as an overseas citizen of India if—

(a) that person is of Indian origin of full age and capacity who is a citizen of a specified country; or

(b) that person is of full age and capacity who has obtained the citizenship of a specified country on or after the commencement of the Citizenship (Amendment) Act, 2003 and who was a citizen of India immediately before such commencement; or

(c) that person is a minor of a person mentioned in clause (a) or clause (b).

(2) The person registered as an overseas citizen of India under sub-section (1) shall be an overseas citizen of India as from the date on which he is so registered.

(3) No person who has been deprived of his Indian citizenship under this Act shall be registered as an overseas citizen of India under sub-section (1) except by an order of the Central Government.

*Explanation.*—For the purposes of this section and sections 7B, 7C and 7D, the expression "person of Indian origin" shall mean a citizen of another country who—

(i) was eligible to become a citizen of India at the time of the commencement of the Constitution;

(ii) belonged to a territory that became part of India after the 15th day of August, 1947; and

(iii) the children and grand-children of a person covered under clauses (i) and (ii), but does not include a person who is or had been at any time a citizen of Pakistan, Bangladesh or such other country as the Central Government may, by notification in the Official Gazette, specify.

7B. (1) Notwithstanding anything contained in any other law for the time being in force, an overseas citizen of India shall be entitled to such rights [other than the rights specified under sub-section (2)] as the Central Government may, by notification in the Official Gazette, specify in this behalf.

Conferment of rights on overseas citizens of India.

(2) An overseas citizen of India shall not be entitled to the rights conferred on a citizen of India—

(a) under article 16 of the Constitution with regard to equality of opportunity in matters of public employment;

(b) under article 58 of the Constitution for election as President;

(c) under article 66 of the Constitution for election of Vice-President;

(d) under article 124 of the Constitution for appointment as a Judge of the Supreme Court;

(e) under article 217 of the Constitution for appointment as a Judge of the High Court;

(f) under section 16 of the Representation of the People Act, 1950 in regard to registration as a voter;

(g) under sections 3 and 4 of the Representation of the People Act, 1951 with regard to the eligibility for being a member of the House of the People or of the Council of States, as the case may be;

(h) under sections 5, 5A and 6 of the Representation of the People Act, 1951 with regard to the eligibility for being a member of the Legislative Assembly or a Legislative Council, as the case may be, of a State;

(i) for appointment to public services and posts in connection with the affairs of the Union or of any State except for appointment in such services and posts as the Central Government may by special order in that behalf specify.

(3) Every notification issued under sub-section (1) shall be laid before each House of Parliament.

7C. (1) If any overseas citizen of India of full age and capacity makes in the prescribed manner a declaration renouncing his overseas citizenship of India, the declaration shall be registered by the Central Government, and upon such registration, that person shall cease to be an overseas citizen of India.

Renunciation of overseas citizenship.

(2) Where a person ceases to be an overseas citizen of India under sub-section (1), every minor child of that person registered as an overseas citizen of India, shall thereupon cease to be an overseas citizen of India.

7D. The Central Government may, by order, cancel the registration granted under sub-section (1) of section 7A if it is satisfied that—

(a) the registration as an overseas citizen of India was obtained by means of fraud, false representation or the concealment of any material fact; or

Cancellation of registration as overseas citizen of India.

43 of 1950.

43 of 1951.

43 of 1951.

(b) the overseas citizen of India has shown disaffection towards the Constitution of India as by law established; or

(c) the overseas citizen of India has, during any war in which India may be engaged, unlawfully traded or communicated with an enemy or been engaged in, or associated with, any business or commercial activity that was to his knowledge carried on in such manner as to assist an enemy in that war; or

(d) the overseas citizen of India has, within five years after registration under sub-section (j) of section 7A has been sentenced to imprisonment for a term of not less than two years; or

(e) it is necessary so to do in the interest of the sovereignty and integrity of India, the security of India, friendly relations of India with any foreign country, or in the interests of the general public.

8. In section 8 of the principal Act,—

(a) in sub-section (j), the words "who is also a citizen or national of another country" shall be omitted;

(b) in the proviso to sub-section (2), after the word "declaration", the words "in the prescribed form and manner" shall be inserted;

(c) sub-section (3) shall be omitted.

9. In section 9 of the principal Act, in sub-section (2), for the word "person", the words "citizen of India" shall be substituted.

10. Sections 11 and 12 of the principal Act shall be omitted.

11. In section 14 of the principal Act, for the words and figures "sections 5 and 6", the words, figures and letter "sections 5, 6 and 7A" shall be substituted.

12. After section 14 of the principal Act, the following section shall be inserted, namely:—

14A. (1) The Central Government may compulsorily register every citizen of India and issue national identity card to him.

(2) The Central Government may maintain a National Register of Indian Citizens and for that purpose establish a National Registration Authority.

(3) On and from the date of commencement of the Citizenship (Amendment) Act, 2003, the Registrar General, India, appointed under sub-section (j) of section 3 of the Registration of Births and Deaths Act, 1969 shall act as the National Registration Authority and he shall function as the Registrar General of Citizen Registration.

(4) The Central Government may appoint such other officers and staff as may be required to assist the Registrar General of Citizen Registration in discharging his functions and responsibilities.

(5) The procedure to be followed in compulsory registration of the citizens of India shall be such as may be prescribed.

13. After section 15 of the principal Act, the following section shall be inserted, namely:—

15A. (1) Any person aggrieved by an order made by the Central Government, may, within thirty days from the date of such order, make an application for review of such order:

Provided that the Central Government may entertain an application after the expiry of the said period of thirty days, if it is satisfied that the applicant was prevented by sufficient cause from making the application in time:

Amendment of section 8.

Amendment of section 9.

Omission of sections 11 and 12.

Amendment of section 14.

Insertion of new section 14A.

Issue of national identity cards.

Review.

Provided further that an application for a review of an order passed in terms of the provisions of section 14A shall be disposed of in the manner provided for in the procedure as may be laid down under clause (a) of sub-section (2) of section 18.

(2) On receipt of an application under sub-section (1), the Central Government shall, make such order as it deems fit, and the decision of the Central Government on such review shall be final."

14. In section 17 of the principal Act,—

Amendment  
of section 17.

(a) for the words "six months", the words "five years" shall be substituted;

(b) for the words "with fine", the words "with fine which may extend to fifty thousand rupees" shall be substituted.

15. In section 18 of the principal Act,—

Amendment  
of section 18.

(i) in sub-section (2),—

(a) after clause (a), the following clause shall be inserted, namely:—

"(aa) the form and manner in which a declaration under sub-section (1) of section 4 shall be made;"

(b) after clause (1), the following clause shall be inserted, namely:—

"(ia) the procedure to be followed in compulsory registration of the citizens of India under sub-section (5) of section 14A;"

(ii) in sub-section (3), the following proviso shall be inserted, namely:—

"Provided that any rule made in respect of a matter specified in clause (ia) of sub-section (2) may provide that a breach thereof shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both."

16. The First Schedule to the principal Act shall be omitted.

Omission of  
First Schedule.

17. For the Second Schedule to the principal Act, the following Schedule shall be substituted, namely:—

Substitution  
of Second  
Schedule by a  
new Schedule.

#### "THE SECOND SCHEDULE

[See sections 5(2) and 6(2)]

#### OATH OF ALLEGIANCE

I, A/B.....do solemnly affirm (or swear) that I will bear true faith and allegiance to the Constitution of India as by law established, and that I will faithfully observe the laws of India and fulfil my duties as a citizen of India."

18. In the Third Schedule to the principal Act,—

Amendment  
of Third  
Schedule.

(a) in the opening portion, the words "who is not a citizen of a country specified in the First Schedule" shall be omitted;

(b) in clause (b), for the words "he has renounced the citizenship of that country in accordance with the law therein in force in that behalf and has notified such renunciation to the Central Government", the words "he undertakes to renounce the citizenship of that country in the event of his application for Indian citizenship being accepted" shall be substituted;

FLD

(c) in clause (d),—

(i) for the words "twelve years", the words "fourteen years" shall be substituted;

(ii) for the words "nine years", the words "eleven years" shall be substituted;

(d) in the proviso, in clause (ii), for the words "thirteen years", the words "fifteen years" shall be substituted.

19. After the Third Schedule to the principal Act, the following Schedule shall be inserted, namely:—

**"THE FOURTH SCHEDULE**  
[See section 2(1)(gg)]

1. Australia.
2. Canada.
3. Finland.
4. France.
5. Greece.
6. Ireland.
7. Israel.
8. Italy.
9. Netherlands.
10. New Zealand.
11. Portugal.
12. Republic of Cyprus.
13. Sweden.
14. Switzerland.
15. United Kingdom.
16. United States of America."

T. K. VISWANATHAN,  
Secy. to the Govt. of India.

insertion of  
new Fourth  
Schedule.

रजिस्ट्री सं. डी. एल. 33004/99

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पुरा किया

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 28 फरवरी, 2004

प्रभारी  
रा. वि. ए. क.

सा.का.नि. 168(अ).— केन्द्रीय सरकार, नागरिकता अधिनियम, 1955 (1955 का 57) की धारा 18 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नागरिकता नियम, 1956 का, गुजरात और राजस्थान राज्यों को उन्हें लागू करने के लिए, और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :-

- (1) इन नियमों का संक्षिप्त नाम नागरिकता (संशोधन) नियम, 2004 है ।  
(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे ।
- गुजरात और राजस्थान राज्यों को लागू करने के लिए नागरिकता नियम, 1956 का संशोधन—नागरिकता नियम, 1956 गुजरात और राजस्थान राज्यों को, नागरिकता (संशोधन) नियम, 2004 के नियम 3 में विनिर्दिष्ट संशोधनों के अधीन रहते हुए, उनके प्रारंभ होने की तारीख से एक वर्ष की अवधि के लिए प्रभाव होंगे ।
- नागरिकता नियम, 1956 का संशोधन — नागरिकता नियम, 1956 (जिसे इसमें इसके पश्चात् उक्त नियम कहा गया है) निम्न रूप में संशोधित किया जाएगा :-  
(1) उक्त नियमों के नियम 8 में “प्राधिकारी” शब्द के स्थान पर “नियम 8क के उपबंधों के अधीन रहते हुए, प्राधिकारी” शब्द रखे जाएंगे ।  
(2) उक्त नियमों के नियम 8 के पश्चात् निम्नलिखित नियम अंतः स्थापित किया जाएगा अर्थात् :-  
“ 8क. गुजरात और राजस्थान राज्यों में नागरिकों के रूप में रजिस्टर करने के लिए प्राधिकारी —  
(1) गुजरात राज्य में नागरिकों के रजिस्ट्रीकरण की दशा में, —

(क) कच्छ, पाटन, बनासकांठ और अहमदाबाद जिलों के संबंध में, --

(i) वर्ष 1965 और वर्ष 1971 में भारत और पाकिस्तान के बीच हुए युद्धों के परिणामस्वरूप विस्थापित अल्पसंख्यक हिन्दू समुदाय के पाकिस्तान के राष्ट्रिकों, भारतीय नागरिकों से विवाहित ऐसे व्यक्तियों के आश्रित या भारतीय मूल के व्यक्तियों की बाबत अधिनियम की धारा 5 की उपधारा (1) के खंड (क), खंड (ग), खंड (घ) और खंड (ङ) के अधीन भारत के नागरिक के रूप में किसी व्यक्ति को रजिस्टर करने के लिए जिलों के संबद्ध कलक्टर प्राधिकारी होंगे ;

(ii) पाकिस्तान की नागरिकता वाले ऐसे अल्पसंख्यक हिन्दू जो भारत में स्थायी रूप से बसने के आशय से पिछले पांच वर्ष से अधिक से भारत को प्रवास कर गए हैं और जिन्होंने भारतीय नागरिकता के लिए आवेदन किया है, अधिनियम की धारा 5 की उपधारा (1) के खंड (क), खंड (ग), खंड (घ) और खंड (ङ) के अधीन भारत के नागरिक के रूप में किसी व्यक्ति को रजिस्टर करने के लिए प्राधिकारी उस जिले का संबद्ध कलक्टर होगा जहां आवेदक मामूली तौर पर निवास करता है ;

(ख) उन जिलों के संबंध में जो खंड (क) के उपखंड (i) के अन्तर्गत नहीं आते हैं, अधिनियम की धारा 5 की उपधारा (1) के खंड (क), खंड (ग), खंड (घ) और खंड (ङ) के अधीन भारत के नागरिक के रूप में किसी व्यक्ति को रजिस्टर करने के लिए प्राधिकारी गुजरात राज्य के गृह विभाग का सचिव होगा । ” ।

(2) राजस्थान राज्य में नागरिकों के रजिस्ट्रीकरण की दशा में, --

(i) बाड़मेर और जैसलमेर जिलों के संबंध में, वर्ष 1965 और वर्ष 1971 में भारत और पाकिस्तान के बीच हुए युद्ध के परिणामस्वरूप विस्थापित उन अल्पसंख्यक हिन्दू समुदाय के पाकिस्तान के राष्ट्रिकों, भारतीय नागरिकों से विवाहित ऐसे व्यक्तियों के आश्रितों या भारतीय मूल के व्यक्तियों की बाबत, अधिनियम की धारा 5 की उपधारा (1) के खंड (क), खंड (ग), खंड (घ) और खंड (ङ) के अधीन भारत के नागरिक के रूप में किसी व्यक्ति को रजिस्टर करने के लिए जिले का संबद्ध कलक्टर प्राधिकारी होगा ;

(ii) पाकिस्तान की नागरिकता वाले ऐसे अल्पसंख्यक हिन्दू जो भारत में स्थायी रूप से बसने के आशय से पिछले पांच वर्ष से अधिक से भारत को प्रवास कर गए हैं और जिन्होंने भारतीय नागरिकता के लिए आवेदन किया है, अधिनियम की धारा 5 की उपधारा (1) के खंड (क), खंड (ग), खंड (घ) और खंड (ङ) के अधीन भारत के नागरिक के रूप में किसी व्यक्ति को रजिस्टर करने के लिए प्राधिकारी उस जिले का संबद्ध कलक्टर होगा जहां आवेदक मामूली तौर पर निवास करता है ;

(3) उक्त नियमों के नियम 9 में “कलक्टर” शब्द के स्थान पर “नियम 9क के उपबंधों के अधीन रहते हुए, कलक्टर” शब्द अंक और अक्षर रखे जाएंगे ।

(4) उक्त नियमों के नियम 9 के पश्चात्, निम्नलिखित नियम अंतःस्थापित किए जाएंगे, अर्थात् --

“ 9क. गुजरात और राजस्थान के जिलों के कलक्टरों को प्ररूपों का प्रस्तुत किया जाना -- अधिनियम की धारा 5 की उपधारा (1) के खंड (क), खंड (ग), खंड (घ) और खंड (ङ) के अधीन भारत की नागरिकता प्रदान किए जाने के लिए विहित प्ररूप जब पूर्ण हो, दो प्रतियों में, गुजरात और राजस्थान के जिलों के संबद्ध उस कलक्टर को प्रस्तुत किए जाएंगे जिसकी अधिकारिता के भीतर आवेदक मामूली तौर पर निवास करता है । ”

(5) नियम 11 में “केन्द्रीय सरकार के गृह मंत्रालय द्वारा निम्नलिखित रजिस्टर रखे जाएंगे” शब्दों के स्थान पर “नियम 11क के उपबंधों के अधीन रहते हुए, केन्द्रीय सरकार के गृह मंत्रालय द्वारा निम्नलिखित रजिस्टर रखे जाएंगे” शब्द, अंक और अक्षर रखे जाएंगे।

(6) उक्त नियमों के नियम 11 के पश्चात् निम्नलिखित नियम अंतःस्थापित किया जाएगा, अर्थात् —

“ 11क. धारा 5 (1)(क) और (घ) के अधीन गुजरात और राजस्थान में रजिस्ट्रीकृत व्यक्तियों का रजिस्टर — (1) निम्नलिखित द्वारा रखा जाएगा, —

(i) उस खंड के विनिर्दिष्ट जिलों के संबंध में नियम 8क के उपनियम (1) के खंड (क) में विनिर्दिष्ट जिले का संबद्ध कलक्टर ;

(ii) गुजरात राज्य के जिलों के संबंध में, जो नियम 8क के उपनियम (i) के खंड क के उपखंड (i) के अंतर्गत नहीं आते हैं सचिव, गृह विभाग गुजरात राज्य ;

(iii) नियम 8क के खंड (ख) के अधीन विनिर्दिष्ट राजस्थान राज्य के संबंध में जिलों के सम्बद्ध कलक्टर।

(2) प्ररूपों के संबंध में नियम 11 के उपबंध यथावश्यक परिवर्तन सहित लागू होंगे।”।

(7) उक्त नियमों के नियम 12 में “केन्द्रीय सरकार के गृह मंत्रालय द्वारा निम्नलिखित रजिस्टर रखे जाएंगे” शब्दों के स्थान पर “नियम 12क के उपबंधों के अधीन रहते हुए, केन्द्रीय सरकार के गृह मंत्रालय द्वारा निम्नलिखित रजिस्टर रखे जाएंगे” शब्द, अंक और अक्षर रखे जाएंगे।

(8) उक्त नियमों के नियम 12 के पश्चात् निम्नलिखित नियम अंतःस्थापित किए जाएंगे, अर्थात् :-

“ 12क. धारा 5(1) (ग) के अधीन गुजरात और राजस्थान में रजिस्ट्रीकृत व्यक्तियों का रजिस्टर —

(1) निम्नलिखित द्वारा रखा जाएगा-

(i) नियम 8क के खंड (क) के अधीन विनिर्दिष्ट गुजरात राज्य के संबंध में जिलों के सम्बद्ध कलक्टर।

(ii) गुजरात राज्य के उन जिलों के संबंध में जो नियम 8क के खंड (क) के उपखंड (i) के अन्तर्गत नहीं आते हैं, सचिव, गृह विभाग, गुजरात राज्य

(iii) नियम 8क के खंड (ख) के अधीन विनिर्दिष्ट राजस्थान राज्य के जिलों के संबंध में जिलों के सम्बद्ध कलक्टर।

(2) प्ररूपों के संबंध में नियम 12 के उपबंध यथावश्यक परिवर्तन सहित लागू होंगे।”।

(9) उक्त नियमों के नियम 32 के पश्चात्, निम्नलिखित नियम अंतःस्थापित किया जाएगा, अर्थात् :-

“ 33. संक्रमणकालीन उपबंध — गुजरात और राजस्थान राज्य के संबंध में नागरिकों के रजिस्ट्रीकरण के लिए ऐसे सभी आवेदनों का, जो नागरिकता (संशोधन) नियम, 2004 के प्रवृत्त होने के ठीक पहले केन्द्रीय सरकार के पास निपटान के लिए लम्बित हैं, निपटान उस प्राधिकारी द्वारा किया जाएगा जो नियम 8क के अधीन किसी व्यक्ति को भारत के नागरिक के रूप में रजिस्टर करने के लिए अपेक्षित है।”।

[सं. 26011/03/2003-आई.सी. I]

प्रवीण श्रीवास्तव, संयुक्त सचिव

पाद टिप्पण :—नागरिकता नियम, 1956 का.नि.आ. 1574, तारीख 7-7-1956 द्वारा प्रकाशित किए गए थे और तत्पश्चात् सा.का.नि. 344(अ) तारीख 20-4-2000 द्वारा संशोधित किए गए थे।



## MINISTRY OF HOME AFFAIRS

## NOTIFICATION

New Delhi, the 28th February, 2004

**G.S.R. 168(E).**— In exercise of the powers conferred by section 18 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby makes the following rules further to amend the Citizenship Rules, 1956, in their application to the States of Gujarat and Rajasthan, namely: -

1. (1) These rules may be called the Citizenship (Amendment) Rules, 2004.  
(2) They shall come into force on the date of their publication in the Official Gazette.
2. Amendment of the Citizenship Rules, 1956 in their application to the States of Gujarat and Rajasthan. — The Citizenship Rules, 1956, shall, in their application to the States of Gujarat and Rajasthan, have effect, subject to the amendments specified in rule 3 of the Citizenship (Amendment) Rules, 2004, for a period of one year from the date of their commencement.
3. Amendment of the Citizenship Rules, 1956. — The Citizenship Rules, 1956 (hereinafter referred to as the said rules) shall be amended as under: -
  - (1) In rule 8 of the said rules, for the words “The authority”, the words “Subject to the provisions of rule 8A, the authority” shall be substituted.
  - (2) After rule 8 of the said rules, the following rule shall be inserted, namely: -

“8A. Authority to register as Citizens in States of Gujarat and Rajasthan. —

    - (1) In the case of registration of citizens in the State of Gujarat, -
      - (a) in relation to the districts of Kutch, Patan, Banaskantha and Ahmedabad, -
        - (i) in respect of Pakistan nationals of minority Hindu community displaced consequent to the wars between India and Pakistan in the years 1965 and 1971, the dependents of such persons married to Indian Citizens or persons of Indian origin; the authority to register a person as a citizen of India under clauses (a), (c), (d) and (e) of sub-section (1) of section 5 of the Act shall be the concerned Collectors of the districts;
        - (ii) in respect of minority Hindus with Pakistan citizenship who have migrated to India more than five years back with the intention of permanently settling down in India and have applied for Indian citizenship, the authority to register a person as a citizen of India under clauses (a), (c), (d) and (e) of sub-section (1) of section 5

of the Act shall be the concerned Collector of the district where the applicant is ordinarily resident;

(b) in relation to the districts not covered under sub-clause (i) of clause (a), the authority to register a person as a citizen of India under clauses (a) (c), (d) and (e) of sub-section (1) of section 5 of the Act shall be the Secretary, Home Department of the State of Gujarat.

(2) In the case of registration of citizens in the State of Rajasthan, -

(i) in relation to the districts of Badmer and Jaisalmer, in respect of Pakistan nationals of minority Hindu community displaced consequent to the wars between India and Pakistan in the years 1965 and 1971, the dependents of such persons married to Indian Citizens or persons of Indian origin, the authority to register a person as a citizen of India under clauses (a), (c), (d) and (e) of sub-section (1) of section 5 of the Act shall be the concerned Collector of the district;

(ii) in respect of minority Hindus with Pakistan citizenship who have migrated to India more than five years back with the intention of permanently settling down in India and have applied for Indian citizenship, the authority to register a person as a citizen of India under clauses (a), (c), (d) and (e) of sub-section (1) of section 5 of the Act shall be the concerned Collector of the district where the applicant is normally resident."

(3) In rule 9 of the said rules, for the words "The Collector", the words, figure and letter "Subject to the provisions of rule 9A, the Collector" shall be substituted.

(4) After rule 9 of the said rules, the following rules shall be inserted, namely: -

"9A. Submission of forms to Collectors of districts of Gujarat and Rajasthan. - The prescribed forms when completed shall be submitted in duplicate to the concerned Collector of the district of Gujarat and Rajasthan within whose jurisdiction the applicant is ordinarily resident, for grant of citizenship of India under clauses (a), (c), (d) and (e) of sub-section (1) of section 5 of the Act."

(5) In rule 11 of the said rules, for the words "There shall", the words, figures and letter "Subject to the provisions of rule 11A, there shall" shall be substituted.

(6) After rule 11 of the said rules, the following rule shall be inserted, namely: -

"11A. Register of persons registered in Gujarat and Rajasthan under section 5 (1) (a) and (d). - (1) There shall be kept by, -

(i) the concerned Collector of the district specified in clause (a) of sub-rule (1) of rule 8A, in relation to the districts specified under that clause;

(ii) the Secretary, Home Department of the State of Gujarat in relation to the districts of the State of Gujarat not covered under sub-clause (i) of clause (a) of sub-rule (1) of rule 8A;

F/E

(iii) the concerned Collectors of the districts in relation to the State of Rajasthan specified under clause (b) of rule 8A.

(2) The provisions of rule 11 in relation to Forms shall *mutatis mutandis* apply.”.

(7) In rule 12 of the said rules, for the words “There shall”, the words, figures and letter “Subject to the provisions of rule 12A, there shall” shall be substituted.

(8) After rule 12 of the said rules, the following rules shall be inserted, namely: -

“12A. Register of persons registered in Gujarat and Rajasthan under section 5(1) (c). – (1)  
There shall be kept by –

(i) the concerned District Collectors in relation to the districts of the State of Gujarat specified under clause (a) of rule 8A;

(ii) the Secretary, Home Department of the State of Gujarat in relation to the districts of the State of Gujarat not covered under sub-clause (i) of clause (a) of rule 8A;

(iii) the concerned Collectors of the districts in relation to the districts of the State of Rajasthan specified under clause (b) of rule 8A.

(2) The provisions of rule 12 in relation to Forms shall *mutatis mutandis* apply.”.

(9) after rule 32 of the said rules, the following rule shall be inserted, namely: -

“33. Transitional provisions. – All the applications for registration of citizens relating to the States of Gujarat and Rajasthan which are pending disposal with the Central Government immediately before the commencement of the Citizenship (Amendment) Rules, 2004 shall be disposed of by the authority which is required to register a person as a citizen of India under rule 8A.”.

[F. No. 26011/03/2003-I.C. I]

PRAVIN SRIVASTAVA, Jt. Secy.

Foot note :—The Citizenship Rules, 1956 were published *vide* S.R.O 1574, dated the 7-7-1956 and subsequently amended *vide* G.S.R. 344(E) dated the 20-4-2000.

## Annexure-R6

रजिस्ट्री सं० डी एल-33004/99

REGD. NO. D.L.-33004/99

# भारत का राजपत्र

## The Gazette of India



असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 69]

No. 69]

नई दिल्ली, मंगलवार, फरवरी 22, 2005/फाल्गुन 3, 1926  
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गृह मंत्रालय

अधिसूचना

नई दिल्ली, 22 फरवरी, 2005

सा.का.नि. 85(अ).—केन्द्रीय सरकार, नागरिकता अधिनियम, 1955 (1955 का 57) की धारा 18 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नागरिकता नियम, 1956 का, गुजरात और राजस्थान राज्यों को उन्हें लागू करने के लिए और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम नागरिकता (संशोधन) नियम, 2005 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. नागरिकता (संशोधन) नियम, 2004 में "एक वर्ष" शब्दों के स्थान पर "दो वर्ष" शब्द रखे जाएंगे।

[फा. सं. 26011/5/2005-आईसी-1]

दुर्गा शंकर मिश्र, संयुक्त सचिव

याद टिप्पण :—नागरिकता नियम, 1956, का.नि.आ. 1574, तारीख 7 जुलाई, 1956 द्वारा प्रकाशित किए गए और पश्चात्तर्फी संशोधन सा.का.नि. 344 (अ), तारीख 20 अप्रैल, 2000 द्वारा किए गए तथा अंतिम संशोधन सा.का.नि. 168 (अ) तारीख 28 फरवरी, 2004 द्वारा किया गया था।

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 22nd February, 2005

G.S.R. 85(E).—In exercise of the powers conferred by Section 18 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby makes the following rules further to amend the Citizenship Rules, 1956, in their application to the States of Gujarat and Rajasthan, namely :—

1. (1) These rules may be called the Citizenship (Amendment) Rules, 2005.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Citizenship (Amendment) Rules, 2004, for the words, "one year", the words "two years" shall be substituted.

[F. No. 26011/5/2005-IC-1]

DURGA SHANKER MISHRA, Jt. Secy.

Foot Note :—The Citizenship Rules, 1956 were published vide S.R.O. 1574, dated the 7th July, 1956 and subsequently amended vide G.S.R. 344(E), dated the 20th April, 2000 and last amended vide G.S.R. 168(E), dated 28th February, 2004.

579 GI/2005

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# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)  
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गृह मंत्रालय  
अधिसूचना

नई दिल्ली, 12 जुलाई, 2006

सा.का.नि. 417(अ).—केन्द्र सरकार, नागरिकता अधिनियम, 1955 (1955 का 57) की धारा 18 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नागरिकता नियम, 1956 का, गुजरात और राजस्थान राज्यों को उन्हें लागू करने के लिए आगे और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम नागरिकता (संशोधन) नियम, 2006 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. नागरिकता (संशोधन) नियम, 2004 में "दो वर्ष" शब्दों के स्थान पर "तीन वर्ष" शब्द रखे जाएंगे।

[फा. सं. 26011/5/2005-आई.सी.-I]

दुर्गा शंकर मिश्र, संयुक्त सचिव

पाठ टिप्पण :— मुख्य नियम, अधिसूचना सं. का.नि.आ. 1574 के तहत 7 जुलाई, 1956 को प्रकाशित किए गए थे और जिन्हें बाद में निम्न के तहत संशोधित किया गया :—

1. का.आ. 872, दिनांक 10 मई, 1958
2. सा.का.नि. 2795, दिनांक 18 दिसंबर, 1969
3. सा.का.नि. 1642, दिनांक 28 अगस्त, 1970
4. सा.का.नि. 383(अ), दिनांक 4 जून, 1981

5. सा.का.नि. 567(अ), दिनांक 1 अप्रैल, 1986
6. सा.का.नि. 18(अ), दिनांक 7 जनवरी, 1987
7. सा.का.नि. 25(अ), दिनांक 15 जनवरी, 1987
8. सा.का.नि. 392(अ), दिनांक 13 अप्रैल, 1987
9. सा.का.नि. 141(अ), दिनांक 19 मार्च, 1998
10. सा.का.नि. 344(अ), दिनांक 20 अप्रैल, 2000
11. सा.का.नि. 937(अ), दिनांक 10 दिसंबर, 2003
12. सा.का.नि. 168(अ), दिनांक 28 फरवरी, 2004
13. सा.का.नि. 219(अ), दिनांक 26 मार्च, 2004
14. सा.का.नि. 85(अ), दिनांक 22 फरवरी, 2005
15. सा.का.नि. 225(अ), दिनांक 11 अप्रैल, 2005
16. सा.का.नि. 484(अ), दिनांक 20 जुलाई, 2005
17. सा.का.नि. 702(अ), दिनांक 2 दिसंबर, 2005

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 12th July, 2006

G.S.R. 417(E).—In exercise of the powers conferred by Section 18 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby make the following rules further to amend the Citizenship Rules, 1956 in their application to the States of Gujarat and Rajasthan, namely :—

1. (1) These rules may be called the Citizenship (Amendment) Rules, 2006.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Citizenship (Amendment) Rules, 2004, for the words, "two years," the words "three years" shall be substituted.

[F. No. 26011/5/2005-IC-I]

DURGA SHANKER MISHRA, Jt. Secy.

Foot Note :—The Principal rules were published on 7th July, 1956 *vide* Notification No. S.R.O. 1574 and were subsequently amended *vide* :—

1. S.O. 872, dated 10th May, 1958
2. G.S.R. 2795, dated 18th December, 1969
3. G.S.R. 1642, dated 28th August, 1970
4. G.S.R. 383(E), dated 4th June, 1981

5. G.S.R. 567(E), dated 1st April, 1986
6. G.S.R. 18(E), dated 7th January, 1987
7. G.S.R. 25(E), dated 15th January, 1987
8. G.S.R. 392(E), dated 13th April, 1987
9. G.S.R. 141(E), dated 19th March, 1998
10. G.S.R. 344(E), dated 20th April, 2000
11. G.S.R. 937(E), dated 10th December, 2003
12. G.S.R. 168(E), dated 28th February, 2004
13. G.S.R. 219(E), dated 26th March, 2004
14. G.S.R. 85(E), dated 22nd February, 2005
15. G.S.R. 225(E), dated 11th April, 2005
16. G.S.R. 484(E), dated 20th July, 2005
17. G.S.R. 702(E), dated 2nd December, 2005

Chronology of events leading to delegation of power to grant citizenship to 6 Collectors of Gujarat and Rajasthan and to the Government of Gujarat for remaining districts of Gujarat in respect of Pakistan nationals of Hindu community.

S. No.	Date	Subject	Page No
1.	06/03/2002	Shri Ashok Ghelot, Chief Minister of Rajasthan requests Shri L.K. Advani, Home Minister to issue instructions eg. delegation of powers to SDM etc. to resolve the difficulties faced by Pak Hindu minority migrants in grant of visa and citizenship.	1-2
2.	04/02/2004	Smt. VasundharaRaje, Chief Minister of Rajasthan requests Shri Harin Pathak, Minister of State in MHA to resolve the issue of grant of Indian citizenship to migrants of minority communities of Pakistan who have migrated to India due to persecution on religious grounds.	3-4
3.	01/03/2004	Vide Notification dated 28/02/2004 published on 01/03/2004, the Citizenship (Amendment) Rules, 2004 came into force delegating power to grant citizenship to Collectors of 6 districts in Gujarat and Rajasthan and to the Government of Gujarat for other districts in Gujarat, in respect of Pakistan nationals of <b>minority Hindu</b> community.	5-10
4.	13/07/2004	Shri Ashok Gehlot, MLA requests Shri SriprakashJaiswal, Minister of State in MHA to consider delegation of powers to collectors for speedy granting of citizenship to minority migrants from Pakistan who were forced to come to India due to persecution on religious grounds.	11-12
5.	15/09/2004	Shri Ashok Gehlot, General Secretary, AICC requests Shri ShivrajPatil, Home Minister to implement the notification published on 1/03/2004 regarding delegation of powers to collectors for speedy granting of citizenship to minority migrants from Pakistan who were forced to come to India due to persecution on religious ground.	13-14
6.	12/10/2004	Shri SriprakashJaiswal, Minister of State in MHA replied to Shri Ashok Gehlot, General Secretary, AICC about implementation of aforesaid Citizenship (Amendment) Rules, 2004.	15
7.	10/12/2004	Shri Ashok Gehlot, General Secretary, AICC requests Shri ShivrajPatil, Home Minister to waive of all kind of fees for visa extension and grant of citizenship in respect of migrants of minority community (Hindu) of Pakistan.	16-18
8.	22/02/2005	The Citizenship (Amendment) Rules, 2005 come into force extending the provisions of the Citizenship (Amendment) Rules, 2004 notified on 01/03/2004 to two years instead of one year.	19
9.	12/07/2006	The Citizenship (Amendment) Rules, 2006 come into force extending the provisions of the Citizenship (Amendment) Rules, 2004 notified on 01/03/2004 to three years instead of one year.	20-21
10.	08/04/2009	Shri Ashoke Gehlot, CM Rajasthan wrote to HM reiterating demand to delegate powers of grant of citizenship in case of Hindu/Sikh communities of Pakistan to district collectors of Rajasthan.	22

## True English Translation

Chief Minister  
Rajasthan  
Jaipur

No. 4.02 (148) Home -4 / 2001 dated- 06.03.2002

Dear Shri Advani Ji,

I want to draw your attention to hold ups in grant of citizenship to minority Pak nationals. Pak Vishthapit Sangh under the chairmanship of Sh. Hindu Singh Sodha has been raising this issue for quite some time. A large number of Pakistani refugees of minority communities fled to India during India Pakistan wars of 1965 and 1971. Most of these persons were granted citizenship of India by organising camps in border areas. But many such persons have been left out who could not be granted citizenship at that time or who have come later on due to continuous India Pakistan tensions and social conditions and are staying on the basis of LTV.

In this connection I want to draw your attention to the late fee imposed by Government of India for submitting applications by such persons for extension of LTV after the prescribed time period. Most of these Pak nationals of minorities communities residing in the state move for livelihood to far flung areas and are unable to apply for Visa extension in time as they are illiterate and ignorant of rules.

Such Pak nationals have to pay amount equivalent to \$30 as late fee in compliance with Governments of India's order dated 07.08.2000 but many poor displaced Pak minority migrants are unable to pay this amount. The Pak nationals who are unemployed and have many members in the family have to pay Rs. 1500/- per member which becomes Rs. 7500/- for a family of five members. You may agree that for a poor, helpless and unemployed person, it is impossible and impractical to pay such a large amount for a technical mistake. And, in such circumstances these Pak nationals instead of getting visa extended would hide and move from one place to another. Due to this, the cases of grant of citizenship to such persons would also remain pending. Therefor the issue may be reconsidered to decide the cases of grant of



citizenship to displaced Pak nationals through a special drive by authorizing SDMs and by waiving of the late fee as was done during 1965-71.

Similarly, the Pak nationals of minority communities staying on LTV are directed to renounce Pak nationality by applying in Pak Embassy before grant of Indian citizenship. In case their passports have expired such Pak nationals have to renew the same before renouncing Pak nationality. These displaced persons have to visit Pak Embassy in Delhi frequently and have to pay heavy fees there. As these poor and resourceless Pak nationals of minority community are unable to pay this fee there is no meaningful progress in grant of citizenship to them. In a meeting dated 19.07.2001 held in Delhi and chaired by Chairman SC/ST Commission, wherein officers from Government of India were present, it was decided that the affidavit regarding renunciation of Pak nationality will be accepted and further action would be taken based on this. But Government of India has not issued any clear instructions in this regard. Therefore, there is need to formulate a practical policy in this regard.

I will be obliged if you personally intervene and reconsider existing guidelines and issue practical and sensible instructions to resolve above problems so that displaced Pak nationals of minority communities can be speedily granted Indian citizenship. Many of such persons are poor and belong to SC/ST community.

SD/-

(Ashok Gehlot)

Sh. Lal Krishna Advani  
Home Minister

Chief Minister  
Rajasthan

Jaipur, Date 04.02.2004

Hon'ble Shri Pathak Ji,

I would like to inform you that Rajasthan Government has 1040 K.M. border with the neighbouring country Pakistan. Because of this, number of Pak citizens who have come to Rajasthan are maximum compared to other State. It may also be mentioned that most of these Pak nationals have come here with a purpose to live permanently and obtain Indian citizenship in due course. Most of these Pak citizens belong to minority community there (Hindu) who have come to India due to religious persecution.

More than 6000 Pak citizens living in the State are such who are eligible to obtain Indian citizenship and whose case is under consideration at the level of District Magistrate/State Government/Central Government. Among them, some cases relate to such Pak citizens who came as refugee during Indo Pak war of 1965 and 1971. Remaining cases belong to Pak citizens who have come here with valid documents. I am to request that;

1. Your Ministry has mentioned about authorizing District magistrate to grant citizenship to Pakistani citizens who came here during 1965 and 1971. I am request you that the Pak citizens of the same community who are here for permanent stay based on valid documents should also be included in this category. The power to grant citizenship to them should also be conferred on District Magistrate. Earlier also, vide Home Ministry's Letter No. 26011/5/77/Indian Citi. Dated 15.04.1978 (copy enclosed), District Magistrate's were authorize to grant on-the-spot Indian citizenship to Pak refugees/ displaced people under Sec -8, rule 2(b) of Citizenship Act 1956.
2. Most of the Pakistani citizens living in the state are extremely poor/ illiterate and belong to SC/ST/OBC class. State Government faces following difficulties in granting Indian citizenship and extension of Visa, because of which speedy disposal has not been possible;
  1. Requirement of validity of Travel documents for Visa extension and for application for Indian citizenship for Pak citizens.

2. Requirement of compliance of prescribed procedure through Pakistani Embassy regarding relinquishing of Pakistani citizenship to obtain Indian citizenship by Pak citizens.
3. Requirement of deposit of late fee (equal to US \$ 30) for delayed application for Visa extension or delay in registration with FRO office by Pak citizen.

Considering the their miserable financial condition and illiterate status, I am to request you that Pak citizens be exempted from the conditions at point number 1 to 3 above in the interest of justice and logic.

3. In respect of minor, the process is complicated and long because of which most people are not able to complete it. Therefore arrangement should be made to grant citizenship to minors, based on simple application and Affidavit by the parents.

4. 'Pak Visthapit Sangh' has been trying to draw the attention of State and Central Government towards this problem for a long time. Therefore this organization should also be involved in this process.

5. I am to request you that for a sustainable solution of this problem, a cell should be set up under Central Government which should have besides Union Home Ministry, the representatives of Rehabilitation, Finance, External Affairs, Rajasthan State Government and Pak Visthapit Sangh. This would be a step towards an expected stable refugee policy of Government of India.

I am request you to kindly have immediate action on above points taken so that the cases pertaining to Indian citizenship to Pak citizens can be disposed off quickly.

I would like to assure you that my government will fully cooperate in the special camps which may be organized by the Central Government for grant of citizenship.

Yours faithfully,

Sd/-  
(Vasundhara Raje)

Shri Hiren Pathak,  
Minister of State (Home),  
Government of India  
New Delhi

रजिस्ट्री सं. डी. एल. - 33004/99

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14/3/04  
14/3/04मुद्रण क्र. 9459  
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# भारत का सजपत्र

## The Gazette of India

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पूरा किया

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 28 फरवरी, 2004

प्रभारी

डी० वि० ए०

सा.का.नि. 168(अ).— केन्द्रीय सरकार, नागरिकता अधिनियम, 1955 (1955 का 57) की धारा 18 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नागरिकता नियम, 1956 का, गुजरात और राजस्थान राज्यों को उन्हें लागू करने के लिए, और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :-

- (1) इस नियमों का संक्षिप्त नाम नागरिकता (संशोधन) नियम, 2004 है।  
(2) ये सजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. गुजरात और राजस्थान राज्यों को लागू करने के लिए नागरिकता नियम, 1956 का संशोधन—नागरिकता नियम, 1956 गुजरात और राजस्थान राज्यों को, नागरिकता (संशोधन) नियम, 2004 के नियम 3 में विनिर्दिष्ट संशोधनों के अधीन रहते हुए, उनके प्रारंभ होने की तारीख से एक वर्ष की अवधि के लिए प्रभाव होंगे।

3. नागरिकता नियम, 1956 का संशोधन — नागरिकता नियम, 1956 (जिसे इसमें इसके पश्चात् उक्त नियम कहा गया है) निम्न रूप में संशोधित किया जाएगा :-

(1) उक्त नियमों के नियम 8 में "प्राधिकारी" शब्द के स्थान पर "नियम 8क के उपबंधों के अधीन रहते हुए, प्राधिकारी" शब्द रखे जाएंगे।

(2) उक्त नियमों के नियम 8 के पश्चात् निम्नलिखित नियम अंतः स्थापित किया जाएगा अर्थात् :-

" 8क. गुजरात और राजस्थान राज्यों में नागरिकों के रूप में रजिस्टर करने के लिए प्राधिकारी —

(1) गुजरात राज्य में नागरिकों के रजिस्ट्रीकरण की दशा में, —

(क) कच्छ, पाटन, बनासकंठ और अहमदाबाद जिलों के संबंध में, —

(i) वर्ष 1965 और वर्ष 1971 में भारत और पाकिस्तान के बीच हुए युद्ध के परिणामस्वरूप विस्थापित अल्पसंख्यक हिन्दू समुदाय के पाकिस्तान के राष्ट्रिकों, भारतीय नागरिकों से विवाहित ऐसे व्यक्तियों के आश्रित या भारतीय मूल के व्यक्तियों की बाबत अधिनियम की धारा 5 की उपधारा (1) के खंड (क), खंड (ग), खंड (घ) और खंड (ङ) के अधीन भारत के नागरिक के रूप में किसी व्यक्ति को रजिस्टर करने के लिए जिलों के संबद्ध कलक्टर प्राधिकारी होंगे ;

(ii) पाकिस्तान की नागरिकता वाले ऐसे अल्पसंख्यक हिन्दू जो भारत में स्थायी रूप से बसने के आशय से पिछले पांच वर्ष से अधिक से भारत को प्रवास कर गए हैं और जिन्होंने भारतीय नागरिकता के लिए आवेदन किया है, अधिनियम की धारा 5 की उपधारा (1) के खंड (क), खंड (ग), खंड (घ) और खंड (ङ) के अधीन भारत के नागरिक के रूप में किसी व्यक्ति को रजिस्टर करने के लिए प्राधिकारी उस जिले का संबद्ध कलक्टर होगा जहां आवेदक मामूली तौर पर निवास करता है ;

(ख) उन जिलों के संबंध में जो खंड (क) के उपखंड (i) के अन्तर्गत नहीं आते हैं, अधिनियम की धारा 5 की उपधारा (1) के खंड (क), खंड (ग), खंड (घ) और खंड (ङ) के अधीन भारत के नागरिक के रूप में किसी व्यक्ति को रजिस्टर करने के लिए प्राधिकारी गुजरात राज्य के गृह विभाग का सचिव होगा ।” ।

(2) राजस्थान राज्य में नागरिकों के रजिस्ट्रीकरण की दशा में, —

(i) बाड़मेर और जैसलमेर जिलों के संबंध में, वर्ष 1965 और वर्ष 1971 में भारत और पाकिस्तान के बीच हुए युद्ध के परिणामस्वरूप विस्थापित उन अल्पसंख्यक हिन्दू समुदाय के पाकिस्तान के राष्ट्रिकों, भारतीय नागरिकों से विवाहित ऐसे व्यक्तियों के आश्रितों या भारतीय मूल के व्यक्तियों की बाबत, अधिनियम की धारा 5 की उपधारा (1) के खंड (क), खंड (ग), खंड (घ) और खंड (ङ) के अधीन भारत के नागरिक के रूप में किसी व्यक्ति को रजिस्टर करने के लिए जिले का संबद्ध कलक्टर प्राधिकारी होगा ;

(ii) पाकिस्तान की नागरिकता वाले ऐसे अल्पसंख्यक हिन्दू जो भारत में स्थायी रूप से बसने के आशय से पिछले पांच वर्ष से अधिक से भारत को प्रवास कर गए हैं और जिन्होंने भारतीय नागरिकता के लिए आवेदन किया है, अधिनियम की धारा 5 की उपधारा (1) के खंड (क), खंड (ग), खंड (घ) और खंड (ङ) के अधीन भारत के नागरिक के रूप में किसी व्यक्ति को रजिस्टर करने के लिए प्राधिकारी उस जिले का संबद्ध कलक्टर होगा जहां आवेदक मामूली तौर पर निवास करता है ;

(3) उक्त नियमों के नियम 9 में “कलक्टर” शब्द के स्थान पर, “नियम 9क के उपबंधों के अधीन रहते हुए, कलक्टर” शब्द अंक और अक्षर रखे जाएंगे ।

(4) उक्त नियमों के नियम 9 के पश्चात्, निम्नलिखित नियम अंतःस्थापित किए जाएंगे, अर्थात् —

“ 9क. गुजरात और राजस्थान के जिलों के कलक्टरों को प्रस्तावों का प्रस्तुत किया जाना — अधिनियम की धारा 5 की उपधारा (1) के खंड (क), खंड (ग), खंड (घ) और खंड (ङ) के अधीन भारत की नागरिकता प्रदान किए जाने के लिए विहित प्रक्रम जब पूर्ण हो, दो प्रतिभों में, गुजरात और राजस्थान के जिलों के संबद्ध उस कलक्टर को प्रस्तुत किए जाएंगे जिसकी अधिकारिता के भीतर आवेदक मामूली तौर पर निवास करता है ।”

(5) नियम 11 में "केन्द्रीय सरकार के गृह मंत्रालय द्वारा निम्नलिखित रजिस्टर रखे जाएंगे" शब्दों के स्थान पर "नियम 11क के उपबंधों के अधीन रहते हुए, केन्द्रीय सरकार के गृह मंत्रालय द्वारा निम्नलिखित रजिस्टर रखे जाएंगे" शब्द, अंक और अक्षर रखे जाएंगे।

(6) उक्त नियमों के नियम 11 के पश्चात् निम्नलिखित नियम अंतःस्थापित किया जाएगा, अर्थात् —

" 11क. धारा 5 (1)(क) और (घ) के अधीन गुजरात और राजस्थान में रजिस्ट्रीकृत व्यक्तियों का रजिस्टर — (1) निम्नलिखित द्वारा रखा जाएगा, —

(i) उस खंड के विनिर्दिष्ट जिलों के संबंध में नियम 8क के उपनियम (1) के खंड (क) में विनिर्दिष्ट जिले का सम्बद्ध कलक्टर ;

(ii) गुजरात राज्य के जिलों के संबंध में, जो नियम 8क के उपनियम (i) के खंड क के उपखंड (i) के अंतर्गत नहीं आते हैं सचिव, गृह विभाग गुजरात राज्य ;

(iii) नियम 8क के खंड (ख) के अधीन विनिर्दिष्ट राजस्थान राज्य के संबंध में जिलों के सम्बद्ध कलक्टर।

(2) प्ररूपों के संबंध में नियम 11 के उपबंध यथावश्यक परिवर्तन सहित लागू होंगे। "

(7) उक्त नियमों के नियम 12 में "केन्द्रीय सरकार के गृह मंत्रालय द्वारा निम्नलिखित रजिस्टर रखे जाएंगे" शब्दों के स्थान पर "नियम 12क के उपबंधों के अधीन रहते हुए, केन्द्रीय सरकार के गृह मंत्रालय द्वारा निम्नलिखित रजिस्टर रखे जाएंगे" शब्द, अंक और अक्षर रखे जाएंगे।

(8) उक्त नियमों के नियम 12 के पश्चात् निम्नलिखित नियम अंतःस्थापित किए जाएंगे, अर्थात् :-

" 12क. धारा 5(1) (ग) के अधीन गुजरात और राजस्थान में रजिस्ट्रीकृत व्यक्तियों का रजिस्टर —

(1) निम्नलिखित द्वारा रखा जाएगा-

(i) नियम 8क के खंड (क) के अधीन विनिर्दिष्ट गुजरात राज्य के संबंध में जिलों के सम्बद्ध कलक्टर।

(ii) गुजरात राज्य के उन जिलों के संबंध में, जो नियम 8क के खंड (क) के उपखंड (i) के अन्तर्गत नहीं आते हैं, सचिव, गृह विभाग, गुजरात राज्य

(iii) नियम 8क के खंड (ख) के अधीन विनिर्दिष्ट राजस्थान राज्य के जिलों के संबंध में जिलों के सम्बद्ध कलक्टर।

(2) प्ररूपों के संबंध में नियम 12 के उपबंध यथावश्यक परिवर्तन सहित लागू होंगे। "

(9) उक्त नियमों के नियम 32 के पश्चात्, निम्नलिखित नियम अंतःस्थापित किया जाएगा, अर्थात् :-

" 33. संक्रमणकालीन उपबंध — गुजरात और राजस्थान राज्य के संबंध में नागरिकों के रजिस्ट्रीकरण के लिए ऐसे सभी आवेदनों का, जो नागरिकता (संशोधन) नियम, 2004 के प्रवृत्त होने के ठीक पहले केन्द्रीय सरकार के पास निपटान के लिए लम्बित हैं, निपटान उस प्राधिकारी द्वारा किया जाएगा जो नियम 8क के अधीन किसी व्यक्ति को भारत के नागरिक के रूप में रजिस्टर करने के लिए अपेक्षित है। "

[सं. 26011/03/2003-आइ.सी. 1]

प्रवीण श्रीवास्तव, संयुक्त सचिव

पाठ टिप्पण :- नागरिकता नियम, 1956 का.नि.आ. 1574, तारीख 7-7-1956 द्वारा प्रकाशित किए गए थे और तत्पश्चात् सा.का.नि. 344(अ) तारीख 20-4-2000 द्वारा संशोधित किए गए थे।

## MINISTRY OF HOME AFFAIRS

## NOTIFICATION

New Delhi, the 28th February, 2004

**G.S.R. 168(E)**—In exercise of the powers conferred by section 18 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby makes the following rules further to amend the Citizenship Rules, 1956, in their application to the States of Gujarat and Rajasthan, namely: -

1. (1) These rules may be called the Citizenship (Amendment) Rules, 2004.  
(2) They shall come into force on the date of their publication in the Official Gazette.
2. Amendment of the Citizenship Rules, 1956 in their application to the States of Gujarat and Rajasthan. - The Citizenship Rules, 1956, shall, in their application to the States of Gujarat and Rajasthan, have effect, subject to the amendments specified in rule 3 of the Citizenship (Amendment) Rules, 2004, for a period of one year from the date of their commencement.
3. Amendment of the Citizenship Rules, 1956. - The Citizenship Rules, 1956 (hereinafter referred to as the said rules) shall be amended as under: -
  - (1) In rule 8 of the said rules, for the words "The authority", the words "Subject to the provisions of rule 8A, the authority" shall be substituted.
  - (2) After rule 8 of the said rules, the following rule shall be inserted, namely: -

"8A. Authority to register as Citizens in States of Gujarat and Rajasthan. -

    - (1) In the case of registration of citizens in the State of Gujarat, -
      - (a) in relation to the districts of Kutch, Patan, Banaskantha and Ahmedabad, -
        - (i) in respect of Pakistan nationals of minority Hindu community displaced consequent to the wars between India and Pakistan in the years 1965 and 1971, the dependents of such persons married to Indian Citizens or persons of Indian origin, the authority to register a person as a citizen of India under clauses (a), (c), (d) and (e) of sub-section (1) of section 5 of the Act shall be the concerned Collectors of the districts;
        - (ii) in respect of minority Hindus with Pakistan citizenship who have migrated to India more than five years back with the intention of permanently settling down in India and have applied for Indian citizenship, the authority to register a person as a citizen of India under clauses (a), (c), (d) and (e) of sub-section (1) of section 5

of the Act shall be the concerned Collector of the district where the applicant is ordinarily resident;

(b) in relation to the districts not covered under sub-clause (i) of clause (a), the authority to register a person as a citizen of India under clauses (a), (c), (d) and (e) of sub-section (1) of section 5 of the Act shall be the Secretary, Home Department of the State of Gujarat.

(2) In the case of registration of citizens in the State of Rajasthan, -

(i) in relation to the districts of Badmer and Jaisalmer, in respect of Pakistan nationals of minority Hindu community displaced consequent to the wars between India and Pakistan in the years 1965 and 1971, the dependents of such persons married to Indian Citizens or persons of Indian origin, the authority to register a person as a citizen of India under clauses (a), (c), (d) and (e) of sub-section (1) of section 5 of the Act shall be the concerned Collector of the district;

(ii) in respect of minority Hindus with Pakistan citizenship who have migrated to India more than five years back with the intention of permanently settling down in India and have applied for Indian citizenship, the authority to register a person as a citizen of India under clauses (a), (c), (d) and (e) of sub-section (1) of section 5 of the Act shall be the concerned Collector of the district where the applicant is normally resident."

(3) In rule 9 of the said rules, for the words "The Collector", the words, figure and letter "Subject to the provisions of rule 9A, the Collector" shall be substituted.

(4) After rule 9 of the said rules, the following rules shall be inserted, namely: -

"9A. Submission of forms to Collectors of districts of Gujarat and Rajasthan. - The prescribed forms when completed shall be submitted in duplicate to the concerned Collector of the district of Gujarat and Rajasthan within whose jurisdiction the applicant is ordinarily resident, for grant of citizenship of India under clauses (a), (c), (d) and (e) of sub-section (1) of section 5 of the Act."

(5) In rule 11 of the said rules, for the words "There shall", the words, figures and letter "Subject to the provisions of rule 11A, there shall" shall be substituted.

(6) After rule 11 of the said rules, the following rule shall be inserted, namely: -

"11A. Register of persons registered in Gujarat and Rajasthan under section 5 (1) (a) and (d). - (1) There shall be kept by, -

(i) the concerned Collector of the district specified in clause (a) of sub-rule (1) of rule 8A, in relation to the districts specified under that clause;

(ii) the Secretary, Home Department of the State of Gujarat in relation to the districts of the State of Gujarat not covered under sub-clause (i) of clause (a) of sub-rule (1) of rule 8A;



(iii) the concerned Collectors of the districts in relation to the State of Rajasthan specified under clause (b) of rule 8A.

(2) The provisions of rule 11 in relation to Forms shall *mutatis mutandis* apply.”

(7) In rule 12 of the said rules, for the words “There shall”, the words, figures and letter “Subject to the provisions of rule 12A, there shall” shall be substituted.

(8) After rule 12 of the said rules, the following rules shall be inserted, namely:—

“12A. Register of persons registered in Gujarat and Rajasthan under section 5(1) (c). — (1) There shall be kept by —

(i) the concerned District Collectors in relation to the districts of the State of Gujarat specified under clause (a) of rule 8A;

(ii) the Secretary, Home Department of the State of Gujarat in relation to the districts of the State of Gujarat not covered under sub-clause (i) of clause (a) of rule 8A;

(iii) the concerned Collectors of the districts in relation to the districts of the State of Rajasthan specified under clause (b) of rule 8A.

(2) The provisions of rule 12 in relation to Forms shall *mutatis mutandis* apply.”

(9) after rule 32 of the said rules, the following rule shall be inserted, namely:—

“33. Transitional provisions. — All the applications for registration of citizens relating to the States of Gujarat and Rajasthan which are pending disposal with the Central Government immediately before the commencement of the Citizenship (Amendment) Rules, 2004 shall be disposed of by the authority which is required to register a person as a citizen of India under rule 8A.”

[F.No. 26011/03/2003-L.C. II]

PRAVIN SRIVASTAVA, Jr. Secy.

Foot note :—The Citizenship Rules, 1956 were published *vide* S.R.O 1574, dated the 7-7-1956 and subsequently amended *vide* G.S.R. 344(E) dated the 20-4-2000.

True English Translation

Ashok Gehlot, MLA

S. No. 1198

Date- 13.07.2004

Dear Shri Jaiswal Ji,

I would like to draw your attention towards the demand of displaced refugees from Pakistan who have been living in a Rajasthan for a long time. I would also like to inform you that when, I was Chief Minister, a High Level Review Committee was set up under the Chairmanship of Additional Chief Secretary and Home Secretary in September, 2001. In view of this committee's recommendation and for speedy disposal of citizenship matter of Pakistani refugees, I had written a letter to the then Union Home Minister Shri Lal Krishna Advani on 06.03.2002 (copy enclosed). The main point of this letter was to authorize District Collector / Additional District Collector to grant citizenship. 'Pak Visthapit Sangh' under the Chairmanship of Shri Hindu Singh Sodha has also been trying to draw the attention of Central / State Government in this regard.

On the line of my recommendation, the present State Government had written a letter to Minister of State Shri Hiren Pathak. Since thousands of displaced Pakistani have been waiting for thirty years for citizenship and have been compelled to stay in India due to religious persecution, Home Ministry on 27.02.2004 decided to grant them citizenship in view of their human tragedy (copy enclosed). But due to announcement of General Election on 28.02.2004 and model code of conduct the order could not be implemented.

The matter is under your consideration. You are requested to take necessary action on humanitarian ground and with sympathy.

With best wishes

Sd/- 13.07.2004  
(Ashok Gehlot)

Shri Shriprakash Jaiswal  
Minister of State (Home),  
Government of India  
New Delhi

## All India Congress Committee

Ashok Gehlot,  
General Secretary

24 Akbar Road  
New Delhi-110011

1283/ 15-09-2004

Dear Shri Shiv Raj Patil Ji,

Please refer my previous letter dated 13-7-2004 sent to Minister of State for Home Affairs, Shri Shriprakash Jaiswal. In this regard, I had sought attention towards the citizenship demand of the displaced citizens of Pak Minority living in Rajasthan since long. I want to tell you that a high level review committee was constituted under the chairmanship of Additional Chief Secretary and Home Secretary in September 2001 during my tenure as Chief Ministerial term. In view of the recommendations of this committee and for speedy disposal of the citizenship cases of Pak displaced persons, I had written a letter to the then Home Minister Shri Lal Krishna Advani on 06-03-2002. The main issue in that latter was the matter of delegation of power to grant citizenship to the District Collectors/ Additional District Collectors. Pak Visthapit Sangh under the leadership of social worker Shri Hindu Singh Sodha has also been drawing attention of the Central and State Governments in this regard for a long time.

Following my above recommendations, the present State Government had sent a letter to the then Minister of State in MHA, Shri Harin Pathak. Since thousands of displaced Pak national have been waiting for citizenship for more than 30 years and have been compelled to live in India due to religious persecution in their country, therefore considering their humanitarian tragedy, the Ministry of Home Affairs has

issued a notification on 01-03-2004 regarding delegation of power to grant citizenship to the District Collectors. But the State Government is yet to receive the same.

Beside giving authority to the District Collectors, please consider the suggestions given during my tenure as Chief Minister regarding simplification of the rules in respect of Pak Nationals of Hindu community regarding the renunciation of Pak citizenship through affidavit , exempting them from the condition of renewal of the validity of the Passport from the Pak embassy and exemption from submission of renunciation certificate from Pak Embassy so that they are relieved from the huge financial burden. This will give ample benefits to displaced Pak nationals. I think, it would be more appropriate to leave the process regarding documents and fees to the discretion of the State Government so that the problem can be resolved in a proper manner.

I hope you will get necessary action done on the above issues as soon as possible so that the victims who are suffering for years may get relief.

Your best wishes  
(Ashok Gehlot)

Shri Shivraj Patil,  
Home Minister, Government of India  
New Delhi

115

श्रीप्रकाश जायसवाल  
SRIPRAKASH JAISWAL

राज्य मंत्री  
गृह मंत्रालय  
राज्य ब्लाक, नई दिल्ली-110001  
MINISTER OF STATE  
MINISTRY OF HOME AFFAIRS  
NORTH BLOCK, NEW DELHI-110001

D.O. No.26011/00/2003-IC-1

17 October, 2004

*Respected Sir,*

Please refer to your letter dated 13<sup>th</sup> Sept, 2004 regarding delegation of special powers to the Collectors of some specified districts in the state of Rajasthan and Gujarat for grant of Indian Citizenship to Hindu Migrants of Indo-Pak wars living illegally in these areas for decades.

I have got the matter examined. The gazette notification No. GSR 105(F) dated 28<sup>th</sup> Feb, 2004 was published but it could not be activated as the Rules were not published at that time. Now the citizenship (2<sup>nd</sup> & 3<sup>rd</sup> Amendment) Rules 2004 have also been notified, these notifications have been circulated to the concerned State Governments for necessary action. A copy of the above notification along with the copies of Citizenship (2<sup>nd</sup> & 3<sup>rd</sup> Amendment) Rules 2004 are enclosed for your kind information. You may also like to visit this Ministry's website <http://mha.nic.in> in this regard.

Yours sincerely,

(*Sr*) [SRIPRAKASH JAISWAL]

Shri Ashok Gahlot,  
General Secretary,  
All India Congress Committee,  
24 Akbar Road,  
New Delhi - 11.

\*Please visit our website at <http://mha.nic.in>\*

*✓*



Phone : 23019080  
23019606 Ext: 456  
23012692

## ALL INDIA CONGRESS COMMITTEE

ASHOK GEHLOT  
General Secretary

24, Akbar Road,  
New Delhi-110011

December 10 2004

Dear Shri Shivraj Patilji,

Please refer to my earlier letters dated 13<sup>th</sup> July, 2004 (addressed to Shri Sri Prakash Jaiswal, MOS Home & 15<sup>th</sup> September, 2004 to yourself copies enclosed) regarding minority community of Pakistan (Hindu), who has been residing in the State of Rajasthan and awaiting Indian Nationality for years. I would like to bring it to your kind notice a few important points in this regard.

When, I was of Chief Minister of Rajasthan a committee was constituted in 2001 under the Chairmanship of Shri R K Nair, Additional Chief Secretary, Government of Rajasthan, for the oustees to resolve the issues of their citizenship and rehabilitation and the recommendations was sent to the Government of India on 24<sup>th</sup> November 2001. The foremost amongst the recommendations were that the Central Government should accept applications of citizenship from Pak Nationals against a simple affidavit to stop the unnecessary flow of money to Pakistan (which bears no responsibility for this group of people) in form of Passport renewal and Pak Nationality renunciation. The committee also suggested waiving of penalty payment, which posed a huge financial burden for this under privileged section, most of whom belong to the lower strata of the society, (especially Scheduled Castes and Tribes). The Committee also proposed that the District Magistrate be authorized to grant Nationality.

The present Government of Rajasthan has also followed the same policy and has reiterated the recommendations to the Government of India.

In response to the constant demands from various fronts the Government of India, realizing the gravity of the problem decided to grant the power to  
Cont. P-2/-

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Res. No. 15/17 South Avenue, New Delhi-110011

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Phone: 23019080  
23019506 Extn: 450  
23012692

## ALL INDIA CONGRESS COMMITTEE

**ASHOK GEHLOT**  
General Secretary

24, Akbar Road,  
New Delhi-110011

the district magistrates through a notification dated 28<sup>th</sup> February 2004, in which it was clearly stated that the order would be implemented the very day of its publication in the Gazette of the Government of India. The publication in the Gazette occurred on 1<sup>st</sup> March 2004 only.

I wrote a letter to Shri Sri Prakash Jaiswal, Minister of State, for Home Affairs, Government of India on 13<sup>th</sup> July 2004 requesting him to take positive action for prompt resolution of the issues. (Copy enclosed)

Again on 15<sup>th</sup> September 2004 in letter addressed to you, I requested the same thing with reference my above said letter expressing my concern regarding the delay involved in the matter.

I am glad to note that the Ministry of Home Affairs, Government of India has indeed issued the order for authorizing the District Magistrates to grant Nationality, but has imposed an enormous amount payable to Government of India, instead of waiving the fees. Under the new fees structure it would be impossible for this impoverished group to attain Nationality. The Home Department of Government of Rajasthan has also repeatedly and consistently appealed to Government of India that the processing fee is very high for this group to bear and consequently should be waived off. The details are as under:-

1. Under Section 5 (1) a, in which previously there were no payments, the fee is Rs.5,000.
2. Under Section 5(1) c, in which previously the amount payable was Rs.500 (increased from Rs.18), the fee is Rs.10,000/- now.
3. Under Section 5 (1) d, in which previously the amount payable was Rs.100, the fee is Rs.3,000.

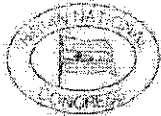
Cont. P-3/-

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Res. No. 15-17 South Avenue, New Delhi-110011

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## ALL INDIA CONGRESS COMMITTEE

**ASHOK GEHLOT**  
General Secretary

24, Akbar Road,  
New Delhi-110011

At this juncture, I request you to waive all kind of past as well as new fees structure and make possible for this under privileged group to become Indian Nationals who otherwise are not citizens of any country.

Also the Government of India has delegated the power to District Magistrates for one year only, which is up to 28<sup>th</sup> February 2005. Kindly consider extending this date for one more year.

With regards,

Yours sincerely,  
Sd/-  
(Ashok Gehlot)

**Shri Shivraj Patil,**  
Hon'ble Minister for Home Affairs,  
Government of India,  
New Delhi

Copy for necessary action please:

Shri Sri Prakash Jaiswal,  
Minister of State for Home,  
Government of India,  
New Delhi

  
(Ashok Gehlot)

रजिस्ट्री सं. डी. एल.-33004/99

REGD. NO. D.L.-33004/99



# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (1)

PART II—Section 3—Sub-section (1)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 69]  
No. 69]नई दिल्ली, बंगलवार, फरवरी 22, 2005/फाल्गुन 3, 1926  
NEW DELHI, TUESDAY, FEBRUARY 22, 2005/PHALGUNA 3, 1926

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

अधिसूचना

NOTIFICATION

नई दिल्ली, 22 फरवरी, 2005

New Delhi, the 22nd February, 2005

सा.का.नि. 85(अ)।—केन्द्रीय सरकार, नागरिकता अधिनियम, 1955 (1955 का 57) की भांति 18 द्वारा अद्वय संशोधनों का प्रयोग करते हुए, नागरिकता नियम, 1956 का, गुजरात और राजस्थान राज्यों को उन्हें लागू करने के लिए और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:—

G.S.R. 85(E).—In exercise of the powers conferred by Section 18 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby makes the following rules further to amend the Citizenship Rules, 1956, in their application to the States of Gujarat and Rajasthan, namely:—

1. (1) इन नियमों का संक्षिप्त नाम नागरिकता (संशोधन) नियम, 2005 है।

1. (1) These rules may be called the Citizenship (Amendment) Rules, 2005.

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

(2) They shall come into force on the date of their publication in the Official Gazette.

2. नागरिकता (संशोधन) नियम, 2004 में "एक वर्ष" शब्दों के स्थान पर "दो वर्ष" शब्द रखे जाएंगे।

2. In the Citizenship (Amendment) Rules, 2004, for the words, "one year", the words "two years" shall be substituted.

[फ. सं. 26011/5/2005-आईसी-1]

[F. No. 26011/5/2005-IC-1]

दुर्गा शंकर मिश्र, संयुक्त सचिव

DURGA SHANKER MISHRA, Jt. Secy.

पाद टिप्पणी:—नागरिकता नियम, 1956, सा.नि.आ. 1574, तारीख 7 जुलाई, 1956 द्वारा प्रकाशित किए गए और परचातुलती संशोधन सा.का.नि. 344 (अ), तारीख 20 अप्रैल, 2000 द्वारा किए गए तथा अंतिम संशोधन सा.का.नि. 168 (अ) तारीख 28 फरवरी, 2004 द्वारा किया गया था।

Foot Note:—The Citizenship Rules, 1956 were published vide S.R.O. 1574, dated the 7th July, 1956 and subsequently amended vide G.S.R. 344(E), dated the 20th April, 2000 and last amended vide G.S.R. 168(E), dated 28th February, 2004.

579 GU/2005

Printed by the Manager, Govt. of India Press, Ring Road, Mayapuri, New Delhi-110064  
and Published by the Controller of Publications, Delhi-110054.

रजिस्ट्री सं. डी. एल. - 33004/99

REGD. NO. D. L. - 33004/99

# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)  
PART II—Section 3—Sub-section (i)प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITYसं. 312]  
No. 312]नई दिल्ली, बुधवार, जुलाई 12, 2006/आषाढ़ 21, 1928  
NEW DELHI, WEDNESDAY, JULY 12, 2006/ASADHA 21, 1928

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 12 जुलाई, 2006

सा.का.नि. 417(अ)।—केन्द्र सरकार, नागरिकता अधिनियम, 1955 (1955 का 57) की धारा 18 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नागरिकता नियम, 1956 का, गुजरात और राजस्थान राज्यों को उन्हें लागू करने के लिए आगे और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम नागरिकता (संशोधन) नियम, 2006 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. नागरिकता (संशोधन) नियम, 2004 में "दो वर्ष" शब्दों के स्थान पर "तीन वर्ष" शब्द रखे जाएंगे।

[फा. सं. 26011/5/2005-आई.सी.-1]

दुर्गा शंकर मिश्र, संयुक्त सचिव

घाद टिप्पण :— मुख्य नियम, अधिसूचना सं. का.नि.आ. 1574 के तहत 7 जुलाई, 1956 को प्रकाशित किए गए थे और अन्तर्गत धारा में निम्न के तहत संशोधित किया गया :—

1. का.आ. 872, दिनांक 10 नवंबर, 1958
2. सा.का.नि. 2795, दिनांक 18 दिसंबर, 1969
3. सा.का.नि. 1642, दिनांक 28 अगस्त, 1970
4. सा.का.नि. 383(अ), दिनांक 4 जून, 1981

2126 (1)/2006

5. सा.का.नि. 567(अ), दिनांक 1 अप्रैल, 1986
6. सा.का.नि. 18(अ), दिनांक 7 जनवरी, 1987
7. सा.का.नि. 25(अ), दिनांक 15 जनवरी, 1987
8. सा.का.नि. 392(अ), दिनांक 13 अप्रैल, 1987
9. सा.का.नि. 141(अ), दिनांक 19 मार्च, 1998
10. सा.का.नि. 344(अ), दिनांक 20 अप्रैल, 2000
11. सा.का.नि. 937(अ), दिनांक 10 दिसंबर, 2003
12. सा.का.नि. 168(अ), दिनांक 28 फरवरी, 2004
13. सा.का.नि. 219(अ), दिनांक 26 मार्च, 2004
14. सा.का.नि. 85(अ), दिनांक 22 फरवरी, 2005
15. सा.का.नि. 225(अ), दिनांक 11 अप्रैल, 2005
16. सा.का.नि. 484(अ), दिनांक 20 जुलाई, 2005
17. सा.का.नि. 702(अ), दिनांक 2 दिसंबर, 2005

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 12th July, 2006

G.S.R. 417(E).—In exercise of the powers conferred by Section 18 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby make the following rules further to amend the Citizenship Rules, 1956 in their application to the States of Gujarat and Rajasthan, namely :—

1. (1) These rules may be called the Citizenship (Amendment) Rules, 2006.

(1)

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Citizenship (Amendment) Rules, 2004, for the words, "two years," the words "three years" shall be substituted.

[F. No. 26011/5/2005-IC-I]

DURGASHANKER MISHRA, Jt. Secy.

Foot Note :—The Principal rules were published on 7th July, 1956 vide Notification No. S.R.O. 1574 and were subsequently amended vide :—

1. S.O. 872, dated 10th May, 1958
2. G.S.R. 2795, dated 18th December, 1969
3. G.S.R. 1642, dated 28th August, 1970
4. G.S.R. 383(E), dated 4th June, 1981

5. G.S.R. 567(E), dated 1st April, 1986
6. G.S.R. 18(E), dated 7th January, 1987
7. G.S.R. 25(E), dated 15th January, 1987
8. G.S.R. 392(E), dated 13th April, 1987
9. G.S.R. 141(E), dated 19th March, 1998
10. G.S.R. 344(E), dated 20th April, 2000
11. G.S.R. 937(E), dated 10th December, 2003
12. G.S.R. 168(E), dated 28th February, 2004
13. G.S.R. 219(E), dated 26th March, 2004
14. G.S.R. 85(E), dated 22nd February, 2005
15. G.S.R. 225(E), dated 11th April, 2005
16. G.S.R. 484(E), dated 20th July, 2005
17. G.S.R. 702(E), dated 2nd December, 2005



1438/2119/09  
16/4

R-1467/AS/Bm/09  
15/4

M-5013/HS/09  
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8636  
18/4/09

by no. 108/12-E/09  
17-4-09

(P)  
8/4/09

CHIEF MINISTER  
RAJASTHAN

D.O. No. F-2(181)Home-4/2007  
Jaipur, dated: 08-04-2009

Dear Shri Chidambaram Ji,

At the outset I would like to thank you for a focused meeting to tackle terror attacks, law & order situations during your last visit to Jaipur on 24.3.2009.

I am now writing to bring to your kind notice an outstanding issue of large number of Pak oustees from Hindu/Sikh communities. They came to India during Indo-Pak conflicts of 1965 and 1971 and even later. Many of them have made India their home and they have no intentions of going back to Pakistan. Most of these Pak oustees are illiterate and belong to SC/ST and weaker sections of society. They are unskilled and are living under extreme poverty. They have been demanding Indian citizenship to enable them to take advantage of the welfare schemes of the government.

Earlier, Ministry of Home Affairs, GOI, on the request of the State Government, had agreed to delegate the authority to District Magistrates for granting Indian citizenship between 1.3.2004 and 28.2.2007. As many as 13000 Pak oustees were given Indian citizenship during this period. After 28.2.2007 all proposals are sent to Ministry of Home Affairs for approval. It is, therefore, requested that similar delegation of authority to District Magistrates could be considered for addressing the problems of the remaining Pak oustees in Rajasthan.

I may also mention here that abnormal increase in the fee for granting Indian citizenship, from Rs. 500/- to more than Rs. 15000/-, would cause undue hardship to these displaced poor persons belonging to the weaker sections. On this subject a request has already been made to Ministry of Home Affairs by our letter dated 4.9.2008 to reduce the fee equivalent to the fee prevailing before 11.4.2005.

I shall be grateful if you could kindly intervene to resolve these issues at the earliest.

With regards,

Yours sincerely,

(Ashok Gehlot)

Shri P. Chidambaram,  
Union Home Minister,  
New Delhi.

prw

HS/ S

I think the file had been put up to Govt. Re. check report.

PS to HM

11/4/09

Ashok  
14/4/09  
16/4



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 3022]

नई दिल्ली, शुक्रवार, दिसम्बर 23, 2016/पौष 2, 1938

No. 3022]

NEW DELHI, FRIDAY DECEMBER 23, 2016/PAUSA 2, 1938

गृह मंत्रालय

आदेश

नई दिल्ली, 23 दिसम्बर, 2016

का. आ. 4132(अ)—केन्द्रीय सरकार, नागरिकता अधिनियम, 1955 (1955 का 57) की धारा 16 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि छत्तीसगढ़, गुजरात, मध्य प्रदेश, महाराष्ट्र, राजस्थान तथा उत्तर प्रदेश राज्यों और दिल्ली संघ राज्य क्षेत्र में रह रहे अफगानिस्तान, बांग्लादेश और पाकिस्तान के अल्पसंख्यक समुदाय अर्थात् हिन्दु, सिक्ख, बौद्ध, जैन, पारसी और ईसाई (जिसे इस आदेश में "आवेदक" कहा गया है) से संबंधित किसी व्यक्ति की बाबत नागरिकता अधिनियम, 1955 की धारा 5 के अधीन किसी व्यक्ति को भारत के नागरिक के रूप में रजिस्ट्रीकरण के लिए या धारा 6 के अधीन देशीयकरण प्रमाणपत्र के अनुदान के लिए प्रयोक्तव्य शक्तियों का निम्नलिखित द्वारा भी प्रयोग किया जाएगा—

(क) निम्न जिलों के संबंध में कलक्टर, जिसकी अधिकारिता के भीतर आवेदक मूल रूप से निवासी है—

- (i) छत्तीसगढ़ राज्य में रायपुर
- (ii) गुजरात राज्य में अहमदाबाद, गांधीनगर तथा कच्छ;
- (iii) मध्य प्रदेश राज्य में भोपाल तथा इंदौर;
- (iv) महाराष्ट्र राज्य में नागपुर, मुम्बई, पुणे तथा ठाणे;
- (v) राजस्थान राज्य में जोधपुर, जैसलमेर तथा जयपुर;
- (vi) उत्तर प्रदेश राज्य में लखनऊ; और
- (vii) दिल्ली संघ राज्य क्षेत्र में पश्चिमी दिल्ली तथा दक्षिणी दिल्ली; और

(ख) खंड (क) के अधीन न आने वाले जिलों के संबंध में राज्य या संघ राज्यक्षेत्र में, यथास्थिति, गृह विभाग का सचिव, जिसकी अधिकारिता के भीतर आवेदक मूल रूप से निवासी है।

नागरिकता नियम, 2009 जिसे (इसमें इसके पश्चात उक्त नियम कहा गया है) के उपबंधों के अनुसरण में निम्नलिखित शर्तों के अध्यक्षीन:-

- (क) उक्त नियमों के अधीन आवेदक द्वारा भारत के नागरिक के रूप में रजिस्ट्रीकरण या भारत के नागरिक के रूप में देशीयकरण प्रमाणपत्र प्रदान किए जाने के लिए आवेदन ऑनलाइन किया जाएगा;
- (ख) आवेदक का सत्यापन, यथास्थिति, कलक्टर अथवा सचिव द्वारा जिला एवं राज्य स्तर पर साथ-साथ किया जाएगा तथा आवेदन एवं उससे संबंधित रिपोर्ट केन्द्रीय सरकार को एक साथ उपलब्ध कराई जाएगी;
- (ग) आवेदक की उपयुक्तता के अभिनिश्चयन के लिए, यथास्थिति, कलक्टर अथवा सचिव जैसा आवश्यक समझे वैसी जांच करा सकता है तथा उस प्रयोजन के लिए उस आवेदन को केन्द्रीय सरकार द्वारा इस संबंध में जारी अनुदेशों के अधीन अपेक्षित सत्यापन के लिए तथा जैसा अपेक्षित हो, टीका-टिप्पणियों के लिए इस प्रकार की एजेंसियों को ऑनलाइन अग्रेषित करेगा।
- (घ) खंड (ग) में उल्लिखित एजेंसियों की टीका-टिप्पणियों को ऐसी एजेंसियों द्वारा ऑनलाइन अपलोड किए जाने हैं तथा इन्हें, यथास्थिति, कलक्टर अथवा सचिव, या केन्द्रीय सरकार को उपलब्ध कराए जाने हैं;
- (ङ.) यथास्थिति, कलक्टर अथवा सचिव द्वारा आवेदक की उपयुक्तता के संबंध में संतुष्ट होने पर आवेदक को रजिस्ट्रीकरण अथवा देशीयकरण प्रमाणपत्र जारी करके उसे भारत की नागरिकता प्रदान की जाएगी तथा उक्त नियमों में यथाविहित प्रारूप में, यथास्थिति, कलक्टर अथवा सचिव द्वारा हस्ताक्षरित रजिस्ट्रीकरण प्रमाणपत्र अथवा देशीयकरण प्रमाणपत्र जारी किया जाएगा; और
- (च) उक्त नियमों के अनुसरण में कलक्टर अथवा सचिव द्वारा एक ऐसा रजिस्टर बनाया जाएगा जिसमें भारत के नागरिक के रूप में इस प्रकार रजिस्ट्रीकृत अथवा देशीयकृत व्यक्तियों का ब्यौरा होगा तथा उस रजिस्टर की एक प्रति ऐसे रजिस्ट्रीकरण अथवा देशीयकरण के सात दिन की अवधि के भीतर केन्द्र सरकार को उपलब्ध कराई जाएगी।
2. इस आदेश में निर्दिष्ट व्यक्तियों की बाबत भारत की नागरिकता के लिए सभी आवेदनों को जो केन्द्रीय सरकार के पास लंबित हैं, इस आदेश के राजपत्र में प्रकाशन से ठीक पहले, यथास्थिति, केन्द्रीय सरकार द्वारा कलक्टर या सचिव को अंतरित किया जाएगा।
3. यह आदेश राजपत्र में इस आदेश के प्रकाशन की तारीख से दो वर्ष की अवधि के लिए प्रवृत्त होगा।

[फा. सं. 26030/266/2014-आई सी-II (का.आ.)]

मुकेश मित्तल, संयुक्त सचिव

**MINISTRY OF HOME AFFAIRS  
ORDER**

New Delhi, the 23rd December, 2016

**S.O. 4132(E).**—In exercise of the powers conferred by section 16 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby directs that powers exercisable by it, for registration as a citizen of India under section 5 or for grant of certificate of naturalisation under section 6 of the Citizenship Act, 1955, in respect of any person belonging to minority community in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians (herein this Order referred to as “the applicant”), residing in the States of Chhattisgarh, Gujarat, Madhya Pradesh, Maharashtra, Rajasthan and Uttar Pradesh and Union territory of Delhi, shall also be exercisable by—

(a) the Collector, within whose jurisdiction the applicant is ordinarily resident, in relation to the districts of—

- (i) Raipur in the State of Chhattisgarh;
- (ii) Ahmedabad, Gandhinagar and Kutch in the State of Gujarat;
- (iii) Bhopal and Indore in the State of Madhya Pradesh;
- (iv) Nagpur, Mumbai, Pune and Thane in the State of Maharashtra;
- (v) Jodhpur, Jaisalmer and Jaipur in the State of Rajasthan;
- (vi) Lucknow in the State of Uttar Pradesh; and
- (vii) West Delhi and South Delhi in the Union territory of Delhi; and

(b) the Secretary of the Department of Home of the State or the Union territory, as the case may be, within whose jurisdiction the applicant is ordinarily resident, in relation to districts not covered under clause (a),

in accordance with the provisions of the Citizenship Rules, 2009 (hereinafter referred to as the said rules), subject to the following conditions, namely:—

(A) the application for registration as citizen of India or grant of certificate of naturalisation as citizen of India under the said rules is made by the applicant online;

(B) the verification of the application is done simultaneously by the Collector or the Secretary, as the case may be, at the district level and the State level and the application and the reports thereon shall be made accessible simultaneously to the Central Government;

(C) the Collector or the Secretary, as the case may be, makes such inquiry as he considers necessary for ascertaining the suitability of the applicant and for that purpose forward the application online to such agencies for verification and comments as may be required under the instructions issued by the Central Government in this regard;

(D) the comments of the agencies referred to in clause (C) are uploaded online by such agencies and accessible to the Collector or the Secretary, as the case may be, and the Central Government;

(E) the Collector or the Secretary, as the case may be, on being satisfied with the suitability of the applicant, grant him the citizenship of India by registration or naturalisation and issue a certificate of registration or naturalisation, as the case may be, signed by the Collector or the Secretary, as the case may be, in the Form as prescribed in the said rules; and

(F) the Collector and the Secretary shall maintain a register, in accordance with the said rules, containing the details of persons so registered or naturalised as a citizen of India and furnish a copy thereof to the Central Government within seven days of such registration or naturalisation.

2. All applications for citizenship of India in respect of persons referred to in this Order, which is pending before the Central Government immediately before the publication of this Order in the Official Gazette, shall be transferred by the Central Government to the Collector or the Secretary, as the case may be.

3. This Order shall be in force for a period of two years from the date of the publication of this Order in the Official Gazette.

[F. No. 26030/266/2014-IC-II (S.O.)]

MUKESH MITTAL, Jt. Secy.





# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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गृह मंत्रालय

आदेश

नई दिल्ली, 23 अक्टूबर, 2018

**का.आ. 5377(अ).**—केन्द्रीय सरकार, नागरिकता अधिनियम, 1955 (1955 का 57) की धारा 16 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि छत्तीसगढ़, गुजरात, मध्यप्रदेश, महाराष्ट्र, राजस्थान, उत्तर प्रदेश राज्यों और दिल्ली संघ राज्य क्षेत्र में रह रहे अफगानिस्तान, बांग्लादेश और पाकिस्तान के अल्पसंख्यक समुदाय अर्थात् हिंदू, सिक्ख, बौद्ध, जैन, पारसी और ईसाई (जिसे इस आदेश में "आवेदक" कहा गया है) से संबंधित किसी व्यक्ति की बाबत नागरिकता अधिनियम, 1955 की धारा 5 के अधीन किसी व्यक्ति को भारत के नागरिक के रूप में रजिस्ट्रीकरण के लिए या धारा 6 के अधीन देशीकरण प्रमाणपत्र अनुदत्त करने के लिए प्रयोक्तव्य शक्तियों का निम्नलिखित द्वारा भी प्रयोग किया जाएगा –

(क) निम्न जिलों के संबंध में कलक्टर, जिसकी अधिकारिता के भीतर आवेदक साधारण रूप से निवासी है –

- (i) छत्तीसगढ़ राज्य में रायपुर;
- (ii) गुजरात राज्य में अहमदाबाद, गांधीनगर तथा कच्छ;
- (iii) मध्य प्रदेश राज्य में भोपाल तथा इंदौर;
- (iv) महाराष्ट्र राज्य में नागपुर, मुम्बई, पुणे तथा ठाणे;
- (v) राजस्थान राज्य में जोधपुर, जैसलमेर तथा जयपुर;
- (vi) उत्तर प्रदेश राज्य में लखनऊ; और
- (vii) दिल्ली संघ राज्य क्षेत्र में पश्चिमी दिल्ली तथा दक्षिणी दिल्ली; और

(ख) खंड (क) के अधीन नहीं आने वाले जिलों के संबंध में, राज्य या संघ राज्य क्षेत्र में, यथास्थिति, गृह विभाग का सचिव, जिसकी अधिकारिता के भीतर आवेदक साधारण रूप से निवासी है,

नागरिकता नियम, 2009 (जिसे इसमें इसके पश्चात् उक्त नियम कहा गया है) के उपबंधों के अनुसार निम्नलिखित शर्तों के अधीन प्रयोग किया जाएगा, अर्थात् :-

- (क) उक्त नियमों के अधीन आवेदक द्वारा भारत के नागरिक के रूप में रजिस्ट्रीकरण या भारत के नागरिक के रूप में देशीयकरण प्रमाणपत्र प्रदान किए जाने के लिए आवेदन आनलाइन किया जाएगा ;
- (ख) आवेदक का सत्यापन, यथास्थिति, कलक्टर अथवा सचिव द्वारा जिला एवं राज्य स्तर पर साथ-साथ किया जाएगा तथा आवेदन एवं उससे संबंधित रिपोर्ट केन्द्रीय सरकार को एक साथ आनलाइन पोर्टल पर उपलब्ध कराई जाएगी;
- (ग) आवेदक की उपयुक्तता को अभिनिश्चित करने के लिए, यथास्थिति, कलक्टर अथवा सचिव जैसा आवश्यक समझे वैसी जांच कराएगा तथा उस प्रयोजन के लिए उस आवेदन को आनलाइन ऐसे अभिकरणों को सत्यापन और टिप्पणियों के लिए भेजेगा जो ऐसी जांच पूर्ण करने के लिए अपेक्षित हो और इस संबंध में केन्द्रीय सरकार द्वारा समय-समय पर जारी अनुदेशों का संबंधित राज्य या संघ राज्य क्षेत्र और जिला द्वारा कठोर अनुपालन किया जाएगा;
- (घ) खंड (ग) में उल्लिखित अभिकरणों की टिप्पणियाँ को ऐसे अभिकरणों द्वारा आनलाइन अपलोड किया जाना है तथा इन्हें, यथास्थिति, कलक्टर अथवा सचिव और केन्द्रीय सरकार को उपलब्ध कराया जाना है;
- (ङ) यथास्थिति, कलक्टर अथवा सचिव आवेदक/आवेदिका की उपयुक्तता के संबंध में संतुष्ट होने पर आवेदक/आवेदिका को रजिस्ट्रीकरण अथवा देशीयकरण द्वारा भारत की नागरिकता प्रदान करेगा और उक्त नियमों में यथा विहित प्ररूप में आनलाइन पोर्टल से सम्यक् रूप से मुद्रित तथा, यथास्थिति, कलक्टर या सचिव द्वारा हस्ताक्षरित, यथास्थिति, रजिस्ट्रीकरण या देशीयकरण का प्रमाणपत्र जारी करेगा;
- (च) उक्त नियमों के अनुसार, कलक्टर और सचिव द्वारा एक आनलाइन/ डिजिटल के साथ-साथ भौतिक रजिस्टर भी रखा जाएगा जिसमें भारत के नागरिक के रूप में इस प्रकार रजिस्ट्रीकृत अथवा देशीयकृत व्यक्तियों का ब्यौरा होगा तथा उस रजिस्टर की एक प्रति ऐसे रजिस्ट्रीकरण अथवा देशीयकरण के सात दिन की अवधि के भीतर केन्द्रीय सरकार को भेजी जाएगी ।

2. यह आदेश दिनांक 22 दिसंबर, 2018 से प्रवृत्त होगा और अगले आदेश तक वैध रहेगा।

[फा. सं. 26030/266/2014-आईसी-II (एस.ओ.)]

अनिल मलिक, संयुक्त सचिव

## MINISTRY OF HOME AFFAIRS

### ORDER

New Delhi; the 23rd October, 2018

**S.O. 5377(E).**—In exercise of the powers conferred by section 16 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby directs that powers exercisable by it, for registration as a citizen of India under section 5 or for grant of certificate of naturalisation under section 6 of the Citizenship Act, 1955, in respect of any person belonging to minority community in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians (herein this Order referred to as “the applicant”), residing in the States of Chhattisgarh, Gujarat, Madhya Pradesh, Maharashtra, Rajasthan, Uttar Pradesh and Union Territory of Delhi, shall also be exercisable by-

- (a) the Collector, within whose jurisdiction the applicant is ordinarily resident, in relation to the districts of—
- (i) Raipur in the State of Chhattisgarh;
  - (ii) Ahmedabad, Gandhinagar and Kutch in the State of Gujarat;
  - (iii) Bhopal and Indore in the State of Madhya Pradesh;
  - (iv) Nagpur, Mumbai, Pune and Thane in the State of Maharashtra;
  - (v) Jodhpur, Jaisalmer and Jaipur in the State of Rajasthan;
  - (vi) Lucknow in the State of Uttar Pradesh; and
  - (vii) West Delhi and South Delhi in the Union territory of Delhi; and

- (b) the Secretary of the Department of Home of the State or the Union territory, as the case may be, within whose jurisdiction the applicant is ordinarily resident, in relation to districts not covered under clause (a), in accordance with the provisions of the Citizenship Rules, 2009 (hereinafter referred to as the said rules), subject to the following conditions, namely:-
- (A) the application for registration as citizen of India or grant of certificate of naturalisation as citizen of India under the said rules is made by the applicant online;
- (B) the verification of the application is done simultaneously by the Collector or the Secretary, as the case may be, at the district level and the State level and the application and the reports thereon shall be made accessible simultaneously to the Central Government on online portal;
- (C) the Collector or the Secretary, as the case may be, makes such inquiry as he considers necessary for ascertaining the suitability of the applicant and for that purpose forwards the application online to such agencies for verification and comments as may be required for completing such an inquiry and the instructions issued by the Central Government from time to time in this regard shall be strictly complied with by the State or Union Territory and District concerned.
- (D) the comments of the agencies referred to in clause (C) are uploaded online by such agencies and accessible to the Collector or the Secretary, as the case may be, and the Central Government;
- (E) the Collector or the Secretary, as the case may be, on being satisfied with the suitability of the applicant, grants him/her the citizenship of India by registration or naturalisation and issue a certificate of registration or naturalisation, as the case may be, duly printed from online portal and signed by the Collector or the Secretary, as the case may be, in the Form as prescribed in the said rules; and
- (F) the Collector and the Secretary shall maintain an online/digital as well as physical register, in accordance with the said rules, containing the details of persons so registered or naturalised as a citizen of India and furnish a copy thereof to the Central Government within seven days of such registration or naturalization.

2. This Order shall come into force with effect from the 22<sup>nd</sup> December, 2018 and shall remain in force until further order.

[F. No. 26030/266/2014-IC-II (S.O.)]

ANIL MALIK, Jt. Secy.



# भारत का राजपत्र

## The Gazette of India

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असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित  
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NEW DELHI, FRIDAY, MAY 28, 2021/JYAISHTHA 7, 1943

गृह मंत्रालय  
(विदेशी प्रभाग)

आदेश

नई दिल्ली, 28 मई, 2021

**का.आ. 2069(अ).**—केन्द्रीय सरकार, नागरिकता अधिनियम, 1955 (1955 का 57) की धारा 16 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि अफगानिस्तान, बांग्लादेश और पाकिस्तान के अल्पसंख्यक समुदायों के किसी भी व्यक्ति अर्थात् हिन्दू, सिख, बौद्ध, जैन, पारसी और ईसाई (जिसे इसमें इसके पश्चात् "आवेदक" कहा गया है) जो नीचे खंड (क) में उल्लिखित जिलों और खंड (ख) में उल्लिखित राज्यों में रह रहे हैं, को नागरिकता अधिनियम, 1955 की धारा 5 के अधीन भारत के नागरिक के रूप में रजिस्ट्रीकृत करने अथवा धारा 6 के अधीन उसे देशीकरण संबंधी प्रमाण-पत्र प्रदान करने के लिए उनके द्वारा प्रयोग की जाने वाली शक्तियों का निम्नलिखित द्वारा भी प्रयोग किया जाएगा-

- (क) निम्नलिखित जिलों के संबंध में कलेक्टर, जिसकी अधिकारिता में आवेदक साधारणतया निवासी है -
- (i) गुजरात राज्य में मोरबी, राजकोट, पाटन एवं बड़ौदरा;
  - (ii) छत्तीसगढ़ राज्य में दुर्ग तथा बलौदाबाजार;
  - (iii) राजस्थान राज्य में जालौर, उदयपुर, पाली, बाड़मेर तथा सिरोही;
  - (iv) हरियाणा राज्य में फरीदाबाद; तथा
  - (v) पंजाब राज्य में जालंधर।

- (ख) हरियाणा के फरीदाबाद जिले तथा पंजाब के जालंधर जिले के सिवाय हरियाणा एवं पंजाब राज्यों के गृह विभाग के सचिव, जिनकी अधिकारिता में आवेदक साधारणतया निवासी है, नागरिकता नियम, 2009 (जिसे इसमें इसके पश्चात उक्त नियम कहा गया है) के उपबंधों के अनुसार निम्नलिखित शर्तों के अधीन रहते हुए प्रयोग किया जायेगा, अर्थात् :-
- (अ) उक्त नियमों के अधीन आवेदक द्वारा भारत के नागरिक के रूप में रजिस्ट्रीकरण या भारत के नागरिक के रूप में देशीयकरण प्रमाणपत्र प्रदान किए जाने के लिए आवेदन आनलाइन किया जाएगा ;
- (आ) आवेदक का सत्यापन यथास्थिति, कलक्टर अथवा सचिव द्वारा जिला एवं राज्य स्तर पर साथ-साथ किया जाएगा तथा आवेदन एवं उससे संबंधित रिपोर्ट केन्द्रीय सरकार को एक साथ आनलाइन पोर्टल पर उपलब्ध कराई जाएगी ;
- (इ) आवेदक की उपयुक्तता को अभिनिश्चित करने के लिए, यथास्थिति, कलक्टर अथवा सचिव, जैसा आवश्यक समझे वैसी जांच कराएगा तथा उस प्रयोजन के लिए उस आवेदन को आनलाइन ऐसे अभिकरणों को सत्यापन और टिप्पणियों के लिए भेजेगा जो ऐसी जांच पूर्ण करने के लिए अपेक्षित हो और इस संबंध में केन्द्रीय सरकार द्वारा समय-समय पर जारी अनुदेशों का संबंधित राज्य या संघ राज्य क्षेत्र और जिला द्वारा कठोर अनुपालन किया जाएगा;
- (ई) खंड (इ) में निर्दिष्ट अभिकरणों की टिप्पणियों को ऐसी अभिकरणों द्वारा आनलाइन अपलोड किया जाना है तथा इन्हें, यथास्थिति, कलक्टर अथवा सचिव और केन्द्रीय सरकार को उपलब्ध कराया जाना है ;
- (उ) यथास्थिति, कलक्टर अथवा सचिव, आवेदक/आवेदिका की उपयुक्तता के संबंध में संतुष्ट होने पर आवेदक/आवेदिका को रजिस्ट्रीकरण अथवा देशीयकरण द्वारा भारतीय नागरिकता प्रदान करेगा और उक्त नियमों में यथा विहित प्रारूप में आनलाइन पोर्टल से सम्यक् रूप से मुद्रित तथा यथास्थिति, कलक्टर या सचिव द्वारा हस्ताक्षरित यथास्थिति, रजिस्ट्रीकरण या देशीयकरण का प्रमाणपत्र जारी करेगा;
- (ऊ) उक्त नियमों के अनुसार कलक्टर और सचिव द्वारा एक आनलाइन के साथ-साथ भौतिक रजिस्टर भी रखा जाएगा जिसमें भारत के नागरिक के रूप में इस प्रकार रजिस्ट्रीकृत अथवा देशीयकृत व्यक्तियों का ब्यौरा होगा तथा उस रजिस्टर की एक प्रति ऐसे रजिस्ट्रीकरण अथवा देशीयकरण के सात दिन की अवधि के भीतर केन्द्रीय सरकार को भेजी जाएगी ।

2. यह आदेश राजपत्र में इसके प्रकाशन की तारीख को प्रवृत्त होगा और आगामी आदेशों तक विधिमान्य होगा।

[फा.सं. 26030/266/2014-आईसी-II(खंड- II)(पार्ट. I)]

सुमंत सिंह, संयुक्त सचिव

## MINISTRY OF HOME AFFAIRS

(Foreigners Division)

### ORDER

New Delhi; the 28th May, 2021

**S.O. 2069(E).**—In exercise of the powers conferred by section 16 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby directs that powers exercisable by it, for registration as a citizen of India under section 5, or for grant of certificate of naturalisation under section 6, of the Citizenship Act, 1955, in respect of any person belonging to minority community in Afghanistan, Bangladesh and Pakistan,

namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians(hereinafter referred to as “the applicant”), residing in the districts mentioned in clause (a) below and the States mentioned in clause (b) below, shall also be exercisable by —

(a) the Collector, within whose jurisdiction the applicant is ordinarily resident, in relation to the districts of -

- (i) Morbi, Rajkot, Patan and Vadodara in the State of Gujarat ;
- (ii) Durg and Balodabazar in the State of Chhattisgarh ;
- (iii) Jalore, Udaipur, Pali, Barmer and Sirohi in the State of Rajasthan ;
- (iv) Faridabad in the State of Haryana ; and
- (v) Jalandhar in the State of Punjab ;

(b) the Secretary of the Department of Home of the States of Haryana and Punjab within whose jurisdiction the applicant is ordinarily resident, except the district of Faridabad in Haryana and the district of Jalandhar in Punjab, in accordance with the provisions of the Citizenship Rules, 2009 (hereinafter referred to as the said rules), subject to following conditions, namely :-

(A) the application for registration as citizen of India or grant of certificate of naturalisation as citizen of India under the said rules shall be made by the applicant online;

(B) the verification of the application is done simultaneously by the Collector or the Secretary, as the case may be, at the district level and the State level and the application and the reports thereon shall be made accessible simultaneously to the Central Government on online portal;

(C) the Collector or the Secretary, as the case may be, makes such inquiry as he considers necessary for ascertaining the suitability of the applicant and for that purpose forwards the application online to such agencies for verification and comments as may be required for completing such an inquiry and the instructions issued by the Central Government from time to time in this regard shall be strictly complied with by the State or Union territory and District concerned ;

(D) the comments of the agencies referred to in clause (C) are uploaded online by such agencies and accessible to the Collector or the Secretary, as the case may be, and the Central Government ;

(E) the Collector or the Secretary, as the case may be, on being satisfied with the suitability of the applicant, grants him the citizenship of India by registration or naturalisation and issues a certificate of registration or naturalisation, as the case may be, duly printed from online portal and signed by the Collector or the Secretary, as the case may be, in the Form as prescribed in the said rules; and

(F) the Collector and the Secretary shall maintain an online as well as physical register, in accordance with the said rules, containing the details of the person so registered or naturalised as a citizen of India and furnish a copy thereof to the Central Government within seven days of such registration or naturalisation.

2. This Order shall come into force on the date of its publication in the official Gazette and shall remain valid until further orders.

[F. No. 26030/266/2014-IC-II (Vol.II) (Pt.)]

SUMANT SINGH, Jt. Secy.