

**GOVERNMENT OF INDIA
OVERSEAS INDIAN AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:461

ANSWERED ON:27.07.2005

AMENDING CITIZENSHIP ACT, 1955

Athawale Shri Ramdas;Harsha Kumar Shri G.V.;Patel Shri Kishanbhai Vestabhai;Scindia Shri Jyotiraditya Madhavrao;Singh Shri Sugrib;Tripathy Shri Braja Kishore

Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether there is any proposal to amend the Citizenship Act, 1955 to enable all persons of Indian origin who migrated to other countries after January 26, 1950 to receive Overseas Citizenship of India ;

(b) if so, the details thereof;

(c) whether the Government has also amended the allocation of business rules and allowed Overseas Indian Affairs Ministry to issue notifications under Section 7b (1) of the Citizenship Act;

(d) if so, the details thereof and the reasons therefor;

(e) whether any time frame has been fixed for granting dual Citizenship to Overseas Indians;

(f) if so, the details thereof ; and

(g) the details of criteria laid down in this regard ?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) IN MINISTRY OF OVERSEAS INDIAN AFFAIRS (SHRI JAGDISH TYTLER)

(a & b) Citizenship (Amendment) Ordinance was promulgated on 28.06.2005 amending the Citizenship Act, 1955 extending the facility of Overseas Citizenship of India (OCI) to Persons of Indian Origin (PIOs) of all countries except Pakistan and Bangladesh as long as their countries allow dual citizenship in form or the other under their local laws.

(c & d) It is under process.

(e, f & g) A foreign national, who was eligible to become citizen of India on 26.01.1950 or was a citizen of India on or at anytime after 26.01.1950 or belonged to a territory that became part of India citizenship allows after 15.08.1947 and his/her children and grand children, provided his/her country of dual citizenship in some form or other under the local laws, is eligible for registration as Overseas Citizenship of India (OCI). Minor children of such person are also eligible for OCI. However, if the applicant had ever been a citizen of Pakistan or Bangladesh, he/she will not be eligible for OCI.

If there is no adverse information available against the applicant, the Indian Mission/Post shall grant registration as OCI within 15 days from the date of application and thereafter refer the case to MHA for post verification of the antecedents of the applicant. If any adverse information is available against the applicant, prior approval of MHA shall be required before granting registration as OCI. MHA shall decide the case within 3 months of the application.