



Citizenship Rules, 1956

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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 Schedule to these Rules;
- (e)'Secretary' means the Secretary, Special Secretary, an Additional Secretary or a Joint Secretary to the Government of India in the Ministry of Home Affairs.[\[1\]](#)

(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.

(2)The oath of allegiance specified in the Second Schedule to the Act shall be affirmed (or sworn), subscribed and attested before registration.[\[2\]](#)

4. Form of application for registration under Section 5(1)(c):

(1)An application by a [person] 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 [his/her][\[3\]](#) country in accordance with the law in force therein or by an undertaking in writing that [he/she]³ will renounce that citizenship in the event of [his/her]³ application being sanctioned.

(2)The oath of allegiance specified in the Second Schedule to the Act shall be affirmed (or sworn), subscribed and attested before registration.

(3)An application under sub-rule (1) shall not lie unless for [five years] 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 ⁴[five years], broken periods of residence and service under clauses (a) and (b) may be taken into account.

(4)Notwithstanding anything contained in sub-rule (3), in the case of a woman married to a person in the service of a Government in India, the Central government may, if in the special circumstances of the case it thinks fit, exempt such person from the operation of that sub-rule.

(5)Notwithstanding anything contained in sub-rule (3) in the case of a person who has been married to an Indian citizen for not less than five years, whose marriage is still subsisting and who visited India at least once, the Central Government may, if in special circumstances it thinks fit, exempt such person from the operation of that sub-rule.

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 citizens 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 clauses (a), (c), (d) and (e) of sub-section (1) of Section 5 of the Act shall be any officer not below the rank of a Deputy Secretary to the Government of India in the Ministry of Home Affairs and also includes such other officer as the Central Government may, by notification in the Official Gazette, appoint and in any other case under these rules any officer not below the rank of a Joint Secretary to the Government of India in the Ministry of Home Affairs and also includes such other officer as the Central Government may, by notification in the Official Gazette appoint.[\[4\]](#)

9. Collector to transmit all applications to 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, along with a report as to whether the applicant,-

(a) is of Indian origin and has been actually resident in India for [\[five years\]](#)[\[5\]](#) 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.

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) of 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):

There shall be kept by the Central Government in the Ministry of Home Affairs.-

- (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 Section 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 [persons][\[6\]](#) 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.

14. ~~deleted~~[\[7\]](#)

15. Maintenance of register and connected papers:

- (1) Every entry made in the register kept under Rule 11 and Rule 12, shall be authenticated after a person is registered as a citizen of India.
- (2) The registers and all papers connected with every application shall be preserved for permanent record.

16. ~~deleted~~[\[8\]](#)

16A. Registration of citizens of Singapore under Section 5(1)(e):

- (1) An application by a citizen of Singapore for registration as a citizen of India under Section 5(1)(e) shall be in Form XIX.
- (2) The oath of allegiance in the form specified in the Second Schedule to the Act shall be affirmed (or sworn), subscribed and attested before registration;[\[9\]](#)
- (3) An application under sub-rule (1) shall not lie unless the applicant-
 - (a) is of full age and capacity;

(b)is of good character;

(c)has resided in India throughout the twelve months immediately preceding the date of his application;

(d)has during the twelve years immediately preceding the date of his application resided in India for periods amounting in the aggregate to not less than eight years; and

(e)intends to reside permanently in India.

(4)[deleted][[10](#)]

16B.Certificate of registration to be granted to persons registered and register of persons registered under Section 5(1)(e):

(1)Every person who is registered as a citizen of India under Section 5(1)(e) shall be issued a certificate of registration in Form XX. When such a certificate is issued, a duplicate copy thereof shall be prepared and preserved for record by this issuing authority.

(2)There shall be kept by the Central Government in the Ministry of Home Affairs, a register containing the names of the persons registered as citizens of India under Section 5(1)(e), in Form XXI.

16C.Registration of citizens of Canada under Section 5(1)(e):

An application by a citizen of Canada for registration as a citizen of India under Section 5(1)(e) shall be in Form XXII.

(2)An application under sub-rule (1) shall not lie, unless the applicant-

(a)is of full age and capacity;

(b)has either resided in India or has been in the service of a Government in India, or partly the one and partly the other, throughout the period of twelve months immediately preceding the date of the application;

(c)has during the seven years immediately preceding the said period of twelve months resided in India or been in the Service of a Government in India, or partly the one and partly the other, for period amounting in the aggregate to not less than four years;

(d)has an adequate knowledge or a language specified in the Eighth Schedule to the Constitution;

(e)is of good character; and

(f)has an intention to make India his permanent home:

Provided that the Central Government may, if in the special circumstances of any particular case it thinks fit,-

(i)allow a continuous period of twelve months ending not more than six months before the date of the application to be reckoned, for the purpose of clause (b) above, as if it had immediately preceded that date;

(ii)allow periods of residence or service earlier than eight years before the date of the application to be reckoned in computing the aggregate mentioned in clause (c) above.

16D.Reference to Tribunals:[\[11\]](#)

Where, in the case of a person seeking registration under sub-section (3) of Section 6A of the Act,-

- (a)any question arises as to whether such person complies with any requirement contained in the said sub-section, or
- (b)the opinion of the Tribunal constituted under the Foreigners (Tribunals) Order, 1964 in relation to such person does not contain a finding with respect to any requirement contained in the said sub-section other than the question that he is a foreigner, the registering authority shall, within fifteen days of receipt of an application in Form XXIII from such person, make a fresh reference to the Tribunal in this regard.

16E.Jurisdiction of the Tribunal:

A tribunal constituted under the Foreigners (Tribunals) Order, 1964 having jurisdiction over a district or part thereof in State of Assam shall exercise jurisdiction to decide references received from the registering authority of that district in relation to all references made under sub-section (3) of Section 6A of the Act in respect of the corresponding area covered by the Tribunal.

16F.The registering authority for the purpose of Section 6A(3) and Form of application for registration:

- (1)The registering authority, for the purpose of sub-section (3) of Section 6A of the Act shall be such officer as may be appointed for each district of Assam by the Central Government.
- (2)An application for registration under sub-section (3) of Section 6A of the Act shall be filed in Form XXIII by the person with the registering authority for the district in which he is ordinarily resident,-
- (a)within thirty days from the date of his detection as a foreigner, where such detection takes place after the commencement of the Citizenship (Amendment) Rules, 1986; or
- (b)within thirty days of the appointment of the registering authority for the district concerned where such detection has taken place before the commencement of the Citizenship (Amendment) Rules, 1986.
- (3)The registering authority shall, after entering the particulars of the application in a register in Form XXIV, return a copy of the application under his seal to the applicant.
- (4)One copy of every application received during a quarter shall be sent by the registering authority to the Central Government and the State Government of Assam along with a quarterly return in Form XXV.
- (5)The period referred to in sub-rule (2) may be extended for a period not exceeding sixty days by the registering authority for reasons to be recorded in writing.

16G.Declaration under Section 6A(6):

The declaration referred to in clauses (a) and (b) of sub-section (6) of Section 6A of the Act shall be made to the District Magistrate of the area within whose jurisdiction the person concerned is ordinarily resident in Form XXVI].

PART III

NATURALISATION AND RESUMPTION OF INDIAN CITIZENSHIP

17. Form of application for naturalisation:

(1) An application for a certificate of naturalisation shall be made to the Secretary in Form XII.

2. Such application shall be accompanied by-

(i) duly stamped affidavits from the applicant and two respectable Indian citizens testifying to the character of the applicant and the correctness of the statements made in the application; and

(ii) a certificate to the effect that the applicant has an adequate knowledge of one of the languages specified in the Eighth Schedule to the Constitution.

18. Form of Certificate of naturalisation:

(1) A certificate of naturalisation shall be in Form XIII and be signed by [an officer not below the rank of Under Secretary][\[12\]](#)

(2) There shall be kept by the Central Government in the Ministry of Home Affairs a register in Form XIV containing the names of persons to whom certificates of naturalisation are granted under this rule.

19. Oath of allegiance for purpose of naturalisation:

(1) The oath of allegiance required by Section 6(2) to be taken by a person to whom a certificate of naturalisation is granted shall be subscribed and attested in Form XIII and as so subscribed and attested shall be endorsed on the certificate of naturalization to which it relates.

(2) The oath of allegiance required as aforesaid shall be taken [\[three months\]](#)[\[13\]](#) from the date of the certificate of naturalisation to which it relates, or within such extended time as the authority which granted the certificate may permit, and if the oath is not taken within the said time, the certificate shall have no effect:

Provided that permission shall not be deemed to have been given under this sub-rule unless a statement to that effect is endorsed on the certificate and signed by a person authorised by Rule 18 to sign a certificate of naturalisation.

(3) The oath of allegiance required as aforesaid shall be registered by such person and in such place as the authority which grants the certificate may direct.

(4) When the oath of allegiance is registered in accordance with any direction given under sub-rule (3), the authority which registers it shall cause a copy of the oath and of the certificate of naturalisation to which it relates to be sent to the Secretary.

20. Declaration of intention to resume Indian citizenship:

(1) A declaration of intention to resume citizenship under the proviso to Section 8(2) shall be in Form XV, and the oath of allegiance in that Form shall be duly subscribed and attested.

(2) Every such declaration shall be registered in the Ministry of Home Affairs of the Government of India.

(3) No such declaration shall be registered unless the declarant has taken the oath of allegiance given

at the end of the Form.

(4) There shall be kept by the Central Government in the Ministry of Home Affairs a register in Form XVI containing the names of persons whose declaration of intention to resume Indian citizenship are registered under this rule.

PART IV

RENUNCIATION AND DEPRIVATION OF CITIZENSHIP OF INDIA

21. Declaration of renunciation of citizenship:

(1) A declaration of renunciation of citizenship of India made under Section 8(1) shall be in Form XVII, and shall state-

- (a) under what provisions of law the applicant is an Indian citizen; and
- (b) the circumstances in which the applicant is also a foreign citizen or national.

(2) The declaration shall be registered in the Ministry of Home Affairs of the Government of India.

(3) There shall be kept by the Central Government in the Ministry of Home Affairs a Register in Form XVIII containing the names of persons whose declarations of intention to renounce citizenship are registered under this rule.

22. Notice of proposed deprivation of citizenship:

(1) When it is proposed to make an order under Section 10 depriving a person of his citizenship of India, notice under sub-section (4) of that section shall be given-

- (a) in a case where that person's whereabouts are known, by causing the notice to be delivered to him personally or by sending it to him by post;
- (b) in a case where that person's whereabouts are not known, by sending it to his last known address.

(2) Where the Central Government has given notice as aforesaid and the person to whom it is given has the right on making application therefor to have his case referred to a Committee of Inquiry under Section 10(5), the application shall be made-

- (a) if that person is in India at the time when the notice is given to him, within three months from the giving of the notice; and
- (b) in any other case, within such time not being less than three months from the giving of the notice, as the Central Government may determine:

Provided that the Central Government may in special circumstances at any time extend the time within which the application may be made.

(3) Any notice given in accordance with the provisions of this rule shall, in a case in which the person to whom it is given has the right, on making application therefor, to have his case referred to a Committee of Inquiry under Section 10(5), include a statement of the time within which such application must be made.

23. Order depriving a person of Indian citizenship to be published:

An order depriving a citizen of India of the citizenship of India shall be published in the *Gazette of India*.

24.Cancellation of certificate of naturalisation in case of deprivation of citizenship:

(1)Where an order has been made depriving a person naturalised in India of his citizenship of India, the person so deprived or any other person in possession of the relevant certificate of naturalisation shall, if required by notice in writing given by the Central Government, deliver up the said certificate to such person and within such time as may be specified in the notice.

(2)

(a)If the said certificate is so delivered, it shall be cancelled,

(b)If the said certificate is not delivered, the Central Government, shall direct that it shall be treated as cancelled, but without prejudice to any action which may be taken under sub-rule (3).

(3)If any person fails to comply with any notice given under sub-rule (1), he shall be punishable with fine which may extend to one thousand rupees.

25.Committee to follow procedure in Schedule II in holding inquiry:

A Committee of Inquiry appointed under Section 10 shall, while holding the inquiry under sub-section (6) of that section, follow the procedure laid down in Schedule II.

PART V SUPPELEMENTAL

26.Variations in form of application or declaration-

Where a person wishes to make an application or declaration under any of these rules and the form referred to in the rule is, in the opinion of the Central Government or other authority to whom the application is to be sent for registration, unsuitable to the particular case, the Central Government or that other authority, as the case may be, may authorise the application or declaration being made in some other form.

27.Certificate of citizenship in case of doubt-

A certificate of citizenship in case of doubt issued under Section 13 shall be in Form VI and shall be signed by [an officer not below the rank of Under Secretary].[\[14\]](#)

28.Person before whom application or declaration may be made or by whom oath of allegiance may be administered.-

An application or declaration made in accordance with these Rules shall not be accepted or registered and the oath of allegiance required by Section 5(2) or Section 6(2) shall be of no effect unless it is signed in the presence of or administered by one of the following persons;-

(i)In India-

The Collector, Deputy Commissioner, District Magistrate, or any other person for the time being

authorised by law in the place where the applicant, declarant, or deponent is, to administer an oath for any judicial or other legal purposes,

(ii) Elsewhere-

any Consular Officer as defined in Rule 2(d) of the Citizens (Registration at Indian Consulates) Rules, 1956:

Provided that if the applicant, declarant or deponent is serving in India in the naval, military or air forces of the Union, the application, or declaration may be signed in the presence of, or the oath administered, by any officer holding a commission in any of these forces.

29. Certificate of documents:

A document may be certified to be a true copy of a document by means of a statement in writing to that effect signed by any of the persons before whom the application or declaration may be made or by whom the oath of allegiance may be administered [or by any officer not below the rank of an Under Secretary to the Government of India in the Ministry of Home Affairs].[\[15\]](#)

30. Authority to determine acquisition of citizenship of another country:

(1) If any question arises as to whether, when or how any person has acquired the citizenship of another country, the authority to determine such question shall, for the purpose of Section 9(2), be the Central Government.

(2) The Central Government shall in determining any such question have due regard to the rules of evidence specified in Schedule III.

31. Fees:

(1) The fees specified in Schedule IV shall be levied and collected in respect of the matters referred to in that Schedule:

Provided that no fee shall be levied and collected in respect of any of the said matters from a person of Indian origin who makes and application under Section 5(1)(a) or Section 5(a)(d).

(2) Of the fee payable in respect of the grant of a certificate of naturalization, a sum of Rs. 15 (Rs. 24.00 if the application is submitted through an Indian Mission abroad) shall be payable on the submission of the application for a certificate and shall in no circumstances be refunded and the balance shall be payable on the receipt of the decision to grant a certificate.

[As amended by notification No. 2/1/66-IC dated 29.5.1967 and No. 260 11/12(i)71-IC dated 15.2.1972].

(3) Of the fee payable for registration of a Canadian citizens under Section 5(1)(e), a sum of Rs. 15 (Rs. 24.00, if the application is submitted through an Indian Mission abroad) shall be payable on the submission of the application and shall in no circumstances be refunded and the balance shall be payable on the receipt of the decision to grant a certificate of registration.

[\[1\]](#) Subs. By Notification No. G. S. R. 383 (E), dated June 4, 1981. Published in the Gazette of India, Extraordinary, Part II. Section 3(I), dated, 5-6 1981. P. 1074.

[2] Ins. by Notification No. 2. 7. 69-IC dated 19. 12 1969, published in the Gazette of India, Extraordinary, Part II, Sec. 3, dated the 7th July, 1956, as S.R.O. No. 1574.

[3] Subs. by G.S.R. 392 (E), dated 13.4.1987, published in Gazette of India, Extra., Pt. II, S. 3(i) dated 13.4.1987.

[4] Subs. by Notification no. G.S.R. 18 (E), dated 7-1-1987, published in Gazette of India, Extra. Pt. II, Sec. 3(i), dated 7.1.1987.

[5] Subs. by Notification No. G.S.R. 392 (E), dated 13-4-1987, published in Gazette of India, Extra. Pt. II, Sec. 3(i) dated 13.4.1987.

[6] Subs by G.S.R. 392 (E) dated 13.4.1987.

[7] Omitted by Notification No. G.S.R. 567 (E) dated 1-4-1986 published in Gazette of India, Extra, Pt. II. Sec. 3(i), dated 1.4.1987.

[8] Omitted by Notification No. G.S.R. 567 (E) dated 1-4-1986, *ibid*.

[9] Subs. by Notification No. G.S.R. 383 (E) dated June 4, 1981 published in the Gazette of India, Extraordinary, Part II, Sec. 3(i) dated 5-6-1981.

[10] Sub-rule (4) has been omitted by Notification No. G.S.R. 1342, dated Aug 28, 1970, published in the Gazette of India, Part II, Sec. 3(i), dated 19.9.1970.

[11] Subs. by Notification No. G.S.R. 25 (E), dated 15.1.1987 (w.e.f. 15.1.1987).

[12] Subs. for the words "the Secretary" by Notification No. G.S.R. 383 (E), dated 4-6-1981, published in the Gazette of India, dated 5-6-1981. p. 1074.

[13] Subs. for the words "within one calender month" by Noti. No. G.S.R. 25 (E), dated 15.1.1987, published in Gazette of India, Pt. II, Sec 3(i) dated 15.1.1987.

[14] Subs. for the words "the Secretary" by Notification No. G.S.R. 383 (E), dated 4-6-1981, published in the Gazette of India, dated 5-6-1981, p. 1074.

[15] Subs. by Notification No. G.S.R. 383(1), dated 4th June, 1981. Published in the Gazette of India, Pt. II, Sec. 3(i), dated 5th June, 1981.

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