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THE CITIZENSHIP (AMENDMENT) ACT, 2005

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NO. 32 OF 2005

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[24th August, 2005.]

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An Act further to amend the Citizenship Act, 1955.

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:-

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Short title and commencement.

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1. Short title and commencement.- (1) This Act may be called the Citizenship (Amendment) Act, 2005.

(2) It shall be deemed to have come into force on the 28th day of June, 2005.

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Amendment of section 2.

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2. Amendment of section 2.- In section 2 of the Citizenship Act, 1955 (57 of 1955) (hereinafter referred to as the principal Act), in subsection (1),-

(i) for clause (ee), the following clause shall be substituted, namely:-

'(ee) "overseas citizen of India" means a person registered as an overseas citizen of India by the Central Government under section 7A;'

(ii) clause (gg) shall be omitted.

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Amendment of section 5.

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3. Amendment of section 5.-In section 5 of the principal Act, in subsection (1), in clause (g), for the words "two years", the words "one year" shall be substituted.

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Substitution of new section for section 7A.

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4. Substitution of new section for section 7A.-For section 7A of the principal Act, the following section shall be substituted, namely:-

"7A. Registration of overseas citizens of India.-The Central Government may, subject to such conditions and restrictions as may be prescribed, on an application made in this behalf, register as an overseas citizen of India-

(a) any person of full age and capacity,-

(i) who is citizen of another country, but was a citizen of India at the time of, or at any time after, the commencement of the Constitution; or

(ii) who is citizen of another country, but was eligible to become a citizen of India at the time of the commencement of the Constitution; or

(iii) who is citizen of another country, but belonged to a territory that became part of India after the 15th day of August, 1947; or

(iv) who is a child or a grand-child of such a citizen; or

(b) a person, who is a minor child of a person mentioned in clause (a):

Provided that no person, who is or had been a citizen of Pakistan, Bangladesh or such other country as the Central Government may, by notification in the Official Gazette, specify, shall be eligible for registration as an overseas citizen of India."

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Omission of Fourth Schedule.

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5. Omission of Fourth Schedule.-The Fourth Schedule to the principal Act shall be omitted.

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Repeal and saving.

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6. Repeal and saving.- (1) The Citizenship (Amendment) Ordinance, 2005 (Ord. 2 of 2005) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

T. K VISWANATHAN,

Secy. to the Govt. of India.

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