

THE CITIZENSHIP (AMENDMENT) ACT, 1992

No. 39 OF 1992

[10th December, 1992.]

An Act further to amend the Citizenship Act, 1955.

BE it enacted by Parliament in the Forty-third Year of the Republic of India as follows :—

Short
title.

1. This Act may be called the Citizenship (Amendment) Act, 1992.

Amend-
ment of
section
4.

2. In section 4 of the Citizenship Act, 1955 (hereinafter referred to as the Principal Act),—

57 of 1955.

(a) in sub-section (1),—

(i) for the opening portion beginning with the words “A person born outside India” and ending with the words “at the time of his birth:”, the following shall be substituted, namely:—

“A person born outside India,—

(a) on or after the 26th January, 1950, but before the commencement of the Citizenship (Amendment) Act, 1992, shall be a citizen of India by descent if his father is a citizen of India at the time of his birth; or

(b) on or after such commencement, shall be a citizen of India by descent if either of his parents is a citizen of India at the time of his birth:”;

(ii) in the opening portion of the existing proviso, after the words “if the father of such a person”, the words “referred to in clause (a)” shall be inserted;

(iii) after the existing proviso, as so amended, the following proviso shall be inserted, namely:—

“Provided further that if either of the parents of such 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 the commencement of the Citizenship (Amendment) Act, 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.”;

(b) in sub-section (3), for the words “any male person”, the words “any person” shall be substituted.

Amend-
ment of
section 8.

3. In section 8 of the principal Act, in sub-section (2), for the words “a male person”, the words “a person” shall be substituted.