



Foreigners Division

Ministry of Home Affairs

Government of India

Foreigners Division

Acquisition of Indian Citizenship (IC)

Indian citizenship can be acquired by birth, descent, registration and naturalization. The conditions and procedure for acquisition of Indian citizenship as per the provision of the Citizenship Act, 1955 are given below:

(1) By Birth (Section 3)

- A person born in India on or after 26th January 1950 but before 1st July, 1987 is citizen of India by birth irrespective of the nationality of his parents.
- A person born in India on or after 1st July, 1987 but before 3rd December, 2004 is considered citizen of India by birth if either of his parents is a citizen of India at the time of his birth.
- A person born in India on or after 3rd December, 2004 is considered citizen of India by birth if both the parents are citizens of India or one of the parents is a citizen of India and the other is not an illegal migrant at the time of his birth.

An 'illegal migrant' as defined in section 2(1)(b) of the Act is a foreigner who entered India.

(i) without a valid passport or other prescribed travel documents : or

(ii) with a valid passport or other prescribed travel documents but remains in India beyond the permitted period of time.

(2) By Descent (Section 4)

- A person born outside India on or after 26th January 1950 but before 10th December 1992 is a citizen of India by descent, if his father was a citizen of India by birth at the time of his birth. In case the father was a citizen of India by descent only, that person shall not be a citizen of India, unless his birth is registered at an Indian Consulate within one year from the date of birth or with the permission of the Central Government, after the expiry of the said period.
- A person born outside India on or after 10th December 1992 but before 3rd December, 2004, is considered as a citizen of India if either of his parents was a citizen of India by birth at the time of his birth. In case either of the parents was a citizen of India by descent, that person shall not be a citizen of India, unless his birth is registered at an Indian Consulate within one year from the date of birth or with the permission of the Central Government, after the expiry of the said period.
- A person born outside India on or after 3rd December, 2004 shall not be a citizen of India, unless the parents declare that the minor does not hold passport of another country and his birth is registered at an Indian consulate within one year of the date of birth or with the permission of the Central Government, after the expiry of the said period.

Procedure

Application for registration of the birth of a minor child to an Indian consulate under Section 4(1) shall be made in Form-I and shall be accompanied by an undertaking in writing from the parents of such minor child that he does not hold the passport of another country.

(3) By Registration (Section 5(1))

Indian Citizenship by registration can be acquired (not illegal migrant) by: -

- Persons of Indian origin who are ordinarily resident in India for SEVEN YEARS before making application under section 5(1)(a) (throughout the period of twelve months immediately before making application and for SIX YEARS in the aggregate in the EIGHT YEARS preceding the twelve months). Application shall be made in Form I.

