

File No. 26030/39/2018-IC-I
Government of India
Ministry of Home Affairs
Foreigners Division
[Citizenship Wing]

MDCNS, New Delhi-02
Dated the 28th September, 2018

To,

Dr. Ravi Kumar Surpur,
Office of District Collector & District Magistrate,
Jodhpur - 342001, Rajasthan.

Sub: Clarification sought by DM, Jodhpur regarding granting citizenship to minority migrants from Pakistan.

Sir,

I am directed to refer to your letter dated 13/09/2018 on the subject mentioned above and to send point-wise reply/guidance as follows :

Sl. No.	Queries Raised	MHA's reply
1	Under Rule 5(1)(e) / 5(1)(d) of Citizenship Act 1955, can the child be granted Citizenship if one of the parent is Citizen by Registration / Naturalization and other parent has died before obtaining Citizenship.	(i) Only a person of full age and capacity whose parents (both the parents) are registered as Citizens of India under section 5(1)(a) or naturalized under section 6(1) is eligible under section 5(1)(e). (ii) Minor children of persons (i.e. parents) who are citizen of India are eligible under section 5(1)(d). In view of above, if only one parent is citizen of India then applicant is not eligible under section

		5(1)(e) or section 5(1)(d). However he can apply for naturalization under section 6(1).
2	Whether marriage certificate from Municipal Corporation / Gram Panchayat and marriage certificate issued in Pakistan is a valid proof for giving Citizenship under Rule 5(1)(c) of Citizenship Act 1955.	Marriage certificate issued by the Registrar of Marriage is required.
3	A letter dated 21.08.2018 received from Ministry of Home Affairs stating that from 01.10.2018 all the applications to be made online only. Whether this is applicable to those applicants who have come to India on or before 31/12/2009?	All fresh application to be processed only in online mode as per the instructions of letter dated 21.08.2018.
4	IB report was obtained for an applicant, but application is cancelled due to filling of wrong Form or applicant has applied under wrong section of the Citizenship Act, 1955. While processing his/her application afresh, whether the same IB report can be considered as valid?	The same report can be considered.

Yours faithfully,



(R.P Sati)

Under Secretary to the Govt. of India.

Ph No' 23077515

Copy to :

1. The Principal Secretary, Home Department, Govt. of Rajasthan, Main Building Secretariat, Jaipur, Rajasthan-302006.
2. NIC to upload this letter on web portal : <https://indiancitizenshiponline.nic.in>.