

# THE CITIZENSHIP (AMENDMENT) ACT, 1986

No. 51 OF 1986

[28th November, 1986.]

An Act further to amend the Citizenship Act, 1955.

Enacted by Parliament in the Thirty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Citizenship (Amendment) Act, 1986.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

57 of 1955.

2. In section 3 of the Citizenship Act, 1955 (hereinafter referred to as the principal Act), for sub-section (1), the following sub-section shall be substituted, namely:—

Amendment of section 3.

“(1) Except as provided in sub-section (2), every person born in India,—

(a) on or after the 26th day of January, 1950, but before the commencement of the Citizenship (Amendment) Act, 1986;

(b) on or after such commencement and either of whose parents is a citizen of India at the time of his birth,

shall be a citizen of India by birth.”

3. In section 5 of the principal Act, in sub-section (1),—

Amendment of section 5.

(i) in clause (a), for the words “six months”, the words “five years” shall be substituted;

(ii) for clause (c), the following clause shall be substituted, namely:—

“(c) persons who are, or have been, married to citizens of India and are ordinarily resident in India and have been so resident for five years immediately before making an application for registration;”;

(iii) in the *Explanation*, the words “or any of his grandparents,” shall be omitted.

4. In the Third Schedule to the principal Act,—

Amendment of Third Schedule.

(i) in clause (d), for the words “seven years” and “four years”, the words “twelve years” and “nine years” shall, respectively, be substituted;

(ii) in the proviso, in clause (ii), for the words “eight years”, the words “thirteen years” shall be substituted.

1 1-7-1987 ! vide Notification No. S. O. 9 (E), dated 9-1-1987, Gazette of India, Extraordinary, 1987, Part II Section 3 (ii).