



GOVERNMENT OF KERALA

Home (G)Department

No.G2/70/2021/Home

25/03/2021,Thiruvananthapuram

From

The Additional Chief Secretary to Government

To

The State Police Chief, Kerala

The Additional Director General of Police(Intel)
Thiruvananthapuram

All District Collectors



Sir,

Sub: Home Department- Disseminating information regarding provisions relating to grant of Indian Citizenship to migrants from Pakistan, Bangladesh and Afganistan at the time of grant of LFV-reg

Ref: Letter No.28020/20/2021-F.III dated 02/03/2021 from the Ministry of Home Affairs (Foreign Division), Government of India (copy enclosed)

I am to forward herewith a copy of the letter cited for information and strict compliance. You are also requested to take necessary arrangements to display the provisions as indicated in the enclosed note on the official websites concerned.

Yours Faithfully,

SINDHU T.S

UNDER SECRETARY

For Additional Chief Secretary to Government.

Signature Valid

Digitally signed by Praveenkumar R

Date: 2021.03.25 16:48:34 IST

Reason: Approved

Section Officer.

Copy to : Information & Public Relations (W&NM) Department

(a copy of the letter cited is forwarded herewith for publishing in the official website)

SECRET
MOST IMMEDIATE

No.28020/20/2021-F.III
Government of India
Ministry of Home Affairs
(Foreigners Division)

Major Dhyan Chand National Stadium, India Gate
New Delhi - 110002, dated : 02 March, 2021

To

- (1) The Additional Chief Secretary / Principal Secretary (Home) of all State Governments / UT Administrations
- (2) DGPs of all States / UTs

Subject : Disseminating information regarding provisions relating to grant of Indian citizenship to migrants from Pakistan, Bangladesh and Afghanistan at the time of grant of Long Term Visa (LTV)

Sir / Madam

I am directed to refer to para 20.2 of the Visa Manual, 2019 and to say that as the State Governments / UT Administrations are aware, the following categories of migrants from Pakistan, Bangladesh and Afghanistan seeking permanent settlement in India with a view to acquire Indian citizenship are eligible for grant of Long Term Visa (LTV):-

- (i) Members of minority communities in Pakistan/Bangladesh/Afghanistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians.
- (ii) Pakistan / Bangladesh women married to Indian nationals and staying in India / Afghanistan nationals married to Indian nationals in India and staying in India.
- (iii) Indian origin women holding Pakistan/ Bangladesh/ Afghanistan nationality married to Pakistan/ Bangladesh/ Afghanistan nationals and returning to India due to widowhood/divorce and having no male members to support them in Pakistan/ Bangladesh/ Afghanistan.
- (iv) Cases involving extreme compassion.

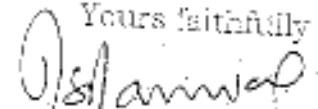
2. Grant of Indian citizenship to legal migrants (who have valid passport & visa) is governed by provisions in sections 5 & 6 of The Citizenship Act, 1955 and the provisions in the Citizenship Rules, 2009. Legal migrants from Pakistan, Bangladesh and Afghanistan who are eligible for grant of Long Term Visa (LTV) as stated in para 1 above and who are living in India on LTV approved by the Central Government can acquire Indian citizenship under section 5 (Citizenship by Registration) or section 6 (Citizenship by Naturalisation) of The Citizenship Act, 1955 after fulfilling the conditions mentioned therein. A brief note (in English and Hindi) indicating the category of persons who can apply for Indian citizenship under sections 5 & 6 of The Citizenship Act, 1955 and the mandatory documents to be submitted along with the citizenship application is enclosed.

3. It is requested that DCPs/ FROs/ SPs in each District of the State/ UT may be directed to furnish a copy of the enclosed note containing the provisions relating to grant of Indian citizenship under sections 5 & 6 of The Citizenship Act, 1955 to all such legal migrants from Pakistan, Bangladesh and Afghanistan at the time of grant of initial LTV/ extension of LTV. It is further requested that the provisions as indicated in the enclosed note may also be displayed on the websites of the State Government/ UT Administration and the DCP/ FRO/ SPs concerned.

4. It is requested that these instructions may please be brought to the notice of all DCPs/ FROs/ SPs for strict compliance.

Encl.: As above

Yours faithfully



(Pratap Singh Rawat)

Under Secretary to the Government of India

Tel. No. 23077506

Email: pratap.rawat67@nic.in

Acquisition of Indian citizenship

1. Indian Citizenship can be acquired under the following provisions of the Citizenship Act, 1955:-

- a) Citizenship by birth - Section 3
- b) Citizenship by descent - Section 4
- c) Citizenship by registration - Section 5
- d) Citizenship by naturalisation - Section 6
- e) Citizenship by incorporation of territory - Section 7.

2. The acquisition and termination of Indian citizenship is governed by the provisions of the Citizenship Act, 1955 and Citizenship Rules, 2009. For more information, please visit website <https://indiancitizenshiponline.nic.in/>.

3. Indian Citizenship can be acquired by registration under section 5 or by naturalisation under section 6 of the Citizenship Act, 1955. A foreigner, on fulfilling the eligibility criteria may apply for Indian citizenship under section 5 or section 6. (visit website <https://indiancitizenshiponline.nic.in/>.)

The eligibility conditions under the provisions of Sections 5 or 6 of the Citizenship Act, 1955, and the list of documents to be attached with the applications are listed in the table below:

section	Who can apply under this section	Documents required to be submitted along with the applications
5(1)(a)	Adult foreigners who or either of whose parents was born in undivided India and the applicant is ordinarily resident in India for seven years before submitting this application for registration.	<ol style="list-style-type: none"> 1. Copy of valid foreign passport 2. Copy of valid residential permit 3. Proof of birth of the applicant or either of his/her parents in undivided India-a copy of the passport or birth certificate.
5(1)(c)	Adult -foreigner who is married to a citizen of India and has resided in India for seven years before submitting this application for registration.	<ol style="list-style-type: none"> 1. Copy of valid foreign passport 2. Copy of valid residential permit 3. Proof of Indian nationality of his/her spouse - copy of Indian passport or birth certificate 4. A copy of the marriage certificate issued by the Registrar of Marriage in India.
5(1)(d)	Minor children whose both parents are Indian citizen.	<ol style="list-style-type: none"> 1. Copy of valid foreign passport 2. Copy of valid residential permit 3. Proof of Indian citizenship of

		both parents- copy of Indian passport or birth certificate
5(1)(e)	Adult foreigner whose parents are registered as citizens of India under clause (a) of sub-section (1) of section (6) or sub-section (1) of section (5).	<ol style="list-style-type: none"> 1. Copy of valid foreign passport 2. Copy of valid residential permit 3. Copy of the Certificate of Indian Citizenship issued under clause (a) of sub-section (1) of section (5) or sub section (1) of section (5) of the Citizenship Act, 1955.
5(1) (f)	Adult foreigner who or any of whose parents were citizens of independent India and who has resided in India for 12 months before submitting the application.	<ol style="list-style-type: none"> 1. Copy of valid foreign passport. 2. Copy of valid residential permit. 3. Proof that the applicant or one of his parents was a citizen of independent India - a passport or a copy of the birth certificate.
6(1)	Naturalisation: Adult foreigner who has resided in India for at least 12 years before submitting this application for naturalisation in India.	<ol style="list-style-type: none"> 1. Copy of valid foreign passport 2. Copy of valid residential permit 3. One affidavit from himself (the applicant) and two affidavits from two Indians who attest the character of the applicant in the language available in the application form. 4. Two-language certificate to certify the knowledge of the applicant in one of the Indian languages specified in the Eighteenth Schedule of the Constitution (a language certificate from a recognized educational institution or from a recognized organization or from two Indian citizens of the applicant's district) 5. Cutting of different copies of two newspapers or different newspapers (of the district in which the applicant resides) (informing their intention to apply for citizenship in the language prescribed in the application form).

4. Main steps of acquisition Indian citizenship by registration under section 5 and naturalisation under section 6 of the Citizenship Act, 1955.

(i) Foreigner applicants have to fill the online application in the prescribed form on the Ministry of Home Affairs' website <https://indiancitizenshiponline.nic.in/>, upload the relevant documents and pay the prescribed fee. The step by step procedure regarding filling the form is given in this website.

(ii) Thereafter, the applicant has to submit the printout of the application along with copy of the documents to the District Collector / District Magistrate / Deputy Commissioner of the area where the applicant ordinarily resides. The applicant is administered oath of allegiance by the Collector/the competent authority and the applicant signs the application in the presence of the collector/competent authority.

(iii) In cases in which the State Government / Central Government is the competent authority for grant of citizenship, the collector forwards application and other documents, after completing the necessary action as prescribed in the Citizenship Rules, 2009, to the Home Department of the concerned State / UT. In cases where the Central Government is the competent authority to grant citizenship, the State Government forwards the case with its recommendation. The whole process is carried out in the online citizenship module.

(iv) If the applicant fulfils the prescribed criteria and there is no adverse security report, acceptance letter (in original) is issued to the applicant. Acceptance letter is the in principle approval by the competent authority of the applicant's request for citizenship. The acceptance letter directs the applicant to pay the prescribed fee and submit documents including the certificate of renunciation of his foreign citizenship (or affidavit in lieu thereof, wherever permitted).

On the other hand, if the applicant is not able to meet the eligibility / security criteria, he is issued a self-contained rejection letter and his application will be closed.

(v) After receipt of all the specified documents mentioned in the acceptance letter, the matter is examined for issue of citizenship certificate. If the documents are found satisfactory, the competent authority approves the grant of Indian citizenship certificate.
