

**Bill No. 32 of 2020**

THE CITIZENSHIP (AMENDMENT) BILL, 2020

By

SHRI N. K. PREMACHANDRAN, M.P.

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BILL

*further to amend the Citizenship Act, 1955.*

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

1. (1) This Act may be called the Citizenship (Amendment) Act, 2020.

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 the Citizenship Act, 1955, (hereinafter referred to as the principal Act), in section 2, in sub-section (1), in clause (b), for the existing proviso, the following proviso shall be substituted, namely:—

Amendment of section 2.

"Provided that persons, who have faced persecution on various grounds in their countries and entered into India on or before the 31st day of December, 2014, shall not be treated as illegal migrant for the purposes of this Act."

Amendment  
of the Third  
Schedule.

**3.** In the Third Schedule to principal Act, in clause (d), for the existing proviso, the following proviso shall be substituted, namely:—

"Provided that for the person, who has faced persecution on various grounds in his Country and entered into India, the aggregate period of residence or service of Government in India as required under this clause shall be read as "not less than five years" in place of "not less than eleven years".". 5

### STATEMENT OF OBJECTS AND REASONS

The Citizenship Act, 1955 (57 of 1955) was enacted to provide for the acquisition and determination of Indian Citizenship. The trans-border migration of population has been happening continuously to the territories of India. Such population faced persecution on various grounds in their countries and entered into India. However, there are certain categories of population who are yet not included in the purview of Act.

Even though the population is likely to stay in India permanently, the time period prescribed in the Third Schedule to the Act denies them opportunities. Therefore the amendment in third schedule is required.

Hence this Bill.

NEW DELHI;  
*January 16, 2020.*

N. K. PREMACHANDRAN

ANNEXURE

EXTRACT FROM THE CITIZENSHIP ACT, 1955

(57 OF 1955)

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Interpretation.

2. (1) In this Act, unless the context otherwise requires,—

(a) \* \* \*

(b) "illegal migrant" means a foreigner who has entered into India—

(i) without a valid passport or other travel documents and such other document or authority as may be prescribed by or under any law in that behalf; or

(ii) with a valid passport or other travel documents and such other document or authority as may be prescribed by or under any law in that behalf but remains therein beyond the permitted period of time;

"Provided that any person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Bangladesh or Pakistan, who entered into India on or before the 31st Day of December, 2014 and who has been exempted by the Central Government by or under clause (c) of sub-section (2) of section 3 of the Passport (Entry into India) Act, 1920 or from the application of the provisions of the Foreigners Act, 1946 or any rule or order made thereunder, shall not be treated as illegal migrant for the purposes of this Act."

\* \* \* \*

THE THIRD SCHEDULE

[See section 6(1)]

QUALIFICATIONS FOR NATURALISATION

The qualifications for naturalisation of a person .....are—

(a) \* \* \*

(b) \* \* \*

(c) \* \* \*

(d) that during the fourteen years immediately preceding the said period of twelve months, he has either resided in India or been in the service of a Government in India, or partly the one and partly the other, for periods amounting in the aggregate to not less than eleven years;

"Provided that for the person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian Community in Afghanistan, Bangladesh or Pakistan, the aggregate period or residence or service of Government in India as required under this clause shall be read as "not less than five years" in place of "not less than eleven years."

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*(Shri N.K. Premachandran, M.P.)*