

Citizenship (Amendment) Act, 2003

Section 3 - Substitution of New Section for Section 3

For section 3 of the principal Act, the following section shall be substituted, namely:--

- "3. Citizenship by birth. (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 1st day of July, 1987;
 - (b) on or after the 1st day of July, 1987, but before the commencement of the Citizenship (Amendment) Act, 2003 and either of whose parents is a citizen of India at the time of his birth;
 - (c) on or after the commencement of the Citizenship (Amendment) Act, 2003, where-
 - (i) both of his parents are citizens of India; or
 - (ii) one of whose parents is a citizen of India and the other is not an illegal migrant at the time of his birth,
- shall be a citizen of India by birth.
- (2) A person shall not be a citizen of India by virtue of this section if at the time of his birth-
- (a) either his father or mother possesses such immunity from suits and legal process as is accorded to an envoy of a foreign sovereign power accredited to the President of India and he or she, as the case may be, is not a citizen of India; or
 - (b) his father or mother is an enemy alien and the birth occurs in a place then under occupation by the enemy."
