

Citizenship Act, 1955

Section 2 - Interpretation

(1) In this Act, unless the context otherwise requires,-

(a) "a Government in India" means the Central Government or a State Government.

1[(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;]

2[***]

3[***]

(d) "Indian consulate" means the office of any consular officer of the Government of India where a register of births is kept, or where there is no such office, such office as may be prescribed;

(e) "minor" means a person who has not attained the age of eighteen years;

4[(ee) overseas citizen of India" means a person registered as an overseas citizen of India by the Central Government under section 7A];

(f) "person" does not include any company or association or body of individuals, whether incorporated or not;

(g) "prescribed" means prescribed by rules made under this Act;

5[***]

(h) "undivided India" means India as defined in the Government of India Act, 1935, as originally enacted.

(2) For the purposes of this Act, a person born aboard a registered ship or aircraft, or aboard an unregistered ship or aircraft of the government of any country, shall be deemed to have been born in the place in which the ship or aircraft was registered or, as the case may be, in that country.

(3) Any reference in this Act to the status or description of the father of a person at the time of that person's birth shall, in relation to a person born after the death of his father, be construed as a reference to the status or description of the father at the time of the father's death; and where that death occurred before, and the birth occurs after, the commencement of this Act, the status or description which would have been applicable to the father had he died after the commencement of this Act shall be deemed to be the status or description applicable to him at the time of his death.

(4) For the purposes of this Act, a person shall be deemed to be of full age if he is not a minor and of full capacity if he is not of unsound mind.

1. Substituted by Citizenship Amdt Act, 2003 for the following:

(b) "citizen" in relation to a country specified in the First Schedule, means a person who under the citizenship or nationality law for the time being in force in that country, is a citizen or national of that country;

2. Omitted by Citizenship Amdt Act, 2003 for the following:

"(c) "citizenship or nationality law", in relation to a country specified in the First Schedule, means an enactment of the Legislature of that country which, at the request of the government of that country, the Central Government may, by notification in the Official Gazette, have declared to be an enactment making provision for the citizenship or nationality of that country:"

3. Proviso omitted by Citizenship Amdt Act, 2003 for the following:

"Provided that no such notification shall be issued in relation to the Union of South Africa except with the previous approval of both Houses of Parliament; "

4. Substituted Vide Citizenship Amdt Act, 2005 for the following:

(ee) "overseas citizen of India" means a person who--

(i) is of Indian origin being a citizen of a specified country, or

(ii) was a citizen of India immediately before becoming a citizen of a specified country,

and is registered as an overseas citizen of India by the Central Government under sub-section (1) of section 7A;

5. Omitted by Citizenship Amdt Act, 2005. Prior to omission it was read as:

(gg) "specified country" means a country specified in the Fourth Schedule:

Provided that the Central Government may, by notification in the Official Gazette, amend the said Schedule by way of addition or omission of any entry therein:

Provided further that every notification issued under this clause shall, as soon as may be, after it is made, be laid before each House of Parliament;