

PART II

Citizenship

Citizenship
at the date
of commence-
ment of the
Constitution.

5. At the date of commencement of this Constitu-
tion—

- (a) every person who or either of whose parents 5
or any of whose grand-parents was born
in the territory of India as defined in this
Constitution and who has not made his
permanent abode in any foreign State
after the first day of April, 1947; and 10
- (b) every person who or either of whose parents
or any of whose grand-parents was born
in India as defined in the Government of
India Act, 1935 (as originally enacted), or
in Burma, Ceylon or Malaya, and who 15
has his domicile in the territory of India
as defined in this Constitution,

shall be a citizen of India, provided that he has not
acquired the citizenship of any foreign State before the
date of commencement of this Constitution. 20

Explanation.—For the purposes of clause (b) of
this article, a person shall be deemed to have his
domicile in the territory of India—

- (i) if he would have had his domicile in such
territory under Part II of the Indian 25
Succession Act, 1925, had the provisions
of that Part been applicable to him, or
- (ii) if he has, before the date of commencement
of this Constitution, deposited in the office
of the District Magistrate a declaration 30
in writing of his desire to acquire such
domicile and has resided in the territory
of India for at least one month before the
date of the declaration.

Parliament
to regulate
the right of
citizenship by
law.

6. Parliament may, by law, make further provi- 35
sion regarding the acquisition and termination of
citizenship and all other matters relating thereto.

*The Committee is of opinion that auxiliary action whether by
legislation or otherwise may have to be taken before the commence-
ment of this Constitution for the receipt of declarations, keeping
of registers of such declarations and other incidental matters for
the purpose of clause (ii) of the Explanation.