
**CITIZENS (REGISTRATION AT INDIAN CONSULATES)
RULES, 1956**

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SCHEDULE 1 :- SCHEDULE

**CITIZENS (REGISTRATION AT INDIAN CONSULATES)
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CITIZENS (REGISTRATION AT INDIAN CONSULATES) RULES, 1956

1. Short title and commencement :-

(1) These rules may be called the Citizens (Registration at Indian

Consulates) Rules, 1956.

(2) They shall come into force at once.

2. Definitions :-

In these rules, unless the context otherwise requires,-

(a) "Act" means the Citizenship Act, 1955 ;

(b) "citizen" means a person who is by virtue of the Constitution of the Act, a citizen of India;

(c) "consular district" or "district of a consular officer" means with reference to any person to whom rule 14 applies, the country in which by arrangement such person represents the interests of the Government of India;

(d) "consular officer"-

(i) any Ambassador, Minister, Counsellor, Charge'd Affaires, Secretary of Attache in any Indian diplomatic mission abroad;

(ii) the High Commissioner, Deputy High Commissioner or Assistant High Commissioner for India in any Commonwealth country ;

(iii) a Commissioner, Agent or Assistant Commissioner for the Government of India in any colony or British possession abroad ;

(iv) a Consul-General, Consul, Vice-Consul, Consular Agent, or Pro-Consul;

(v) a Political Officer or Secretary in Gangtok, Sikkim ;

(vi) any other person authorised under S.2 (a) of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948, to perform the duties of Consul-General, Consul, Vice-Consul or Consular Agent, and

(vii) any person to whom rule 14 applies ;

(e) "domicile" has the same meaning as in Succession Act, 1925 ;

(f) "form" means a form set forth in the Schedule ;

(g) "register" means the register of births, or as the case may be, the register of deaths kept under these rules ;

(h) "Registrar-General" means the Registrar-General of Births and Deaths of Indian Citizens, New Delhi:

(i) "year" means the calendar year,

3. Registers to be kept :-

There shall be kept in every consular district-

(a) a register of births in Form A for registering the births on or after the commencement of these rules of citizens in a consular district and, in case falling rule 14, of citizens born outside such district ;

(b) a register of births in Form B for registering the births before the commencement of these rules of citizens in a consular district and of citizens born outside such district ; and

(c) a register of deaths in Form C for registering the deaths of citizens in a consular district and in cases falling under rule 14, of citizens dying outside such district.

4. Officers concerned with the keeping of registers and issuing of certificates :-

(1) It shall be the duty of the Consular Officer for the time being in charge of a consular district to keep the registers of births and deaths for the district in accordance with these rules and to issue duly certified copies of entries in the register, in accordance with these rules.

(2) No entry shall be made in a register and no certified copy of entry in such register shall be issued except by the Consular Officer in charge of the district or some other Consular Officer under his superintendence. NOTE.-This rule enjoins the Consular Officer of a district to maintain registers of births and deaths of his district and to issue certified copies of entries.

5. Copies of registers to be forwarded annually to Registrar-General :-

(1) Before the first day to February in each year, every Consular Officer for the time being in charge of a consular district shall transmit direct to the Registrar- General, copies certified to be correct under his hand and seal, or under the hand and seal of some other Consular Officer under his superintendence, of all entries made during the previous year in the registers kept in his district. Such copies shall be prepared in Form D, E or F, as the case may be.

(2) If in any year, no birth or death has been registered in the register of births or deaths, the officer in charge of the district shall transmit to the Registrar-General in the manner aforesaid a certificate to that effect in Form G.

6. General instructions with respect to entries in registers

:-

(1) All entries in a register shall be numbered consecutively and each entry shall relate to the birth or death of one person only.

(2) Each entry shall record as precisely as possible the particulars for the recording of which provision is made in the register, and the directions contained in the notes appearing on the face of the register shall be followed.

(3) Where doubt exists to the date of an event or the age of a person the approximate date or age may be entered preceded by the word "about".

(4) In every case, the Consular Officer must satisfy himself fully that the national status of the person whose birth or death he is requested to register is such that the registration could properly be effected under these rules.

7. Registration in cases where more than one living child is born at a birth :-

Where more than one living child is born at a birth, separate entry in the register to birth should be made in consecutive spaces in respect of each such child, and the time of the birth to which the entry relates should be recorded in hours and minutes, a.m. or p.m., as the case may be, after the date of birth in column 2.

8. Registration in ordinary cases :-

Subject to the provisions of rule 9 and 10, where the birth or death of a citizen is reported, either orally or in writing, to a Consular Officer as having occurred within his district at any time during the seven years immediately preceding, the officer shall register the birth or death if he is satisfied as to nationality of the child or the deceased person and as to the other facts of the case.

9. Application by person outside district :-

Where an application for the registration of a birth or death occurring within the district of a Consular Officer is received by him from a person not resident within the district, the officer may,

before registering the birth or death, require the applicant to furnish a declaration as to the facts of the case, or such other documentary evidence as may be sufficient to satisfy the officer of the accuracy of the statements made to him. NOTE.-Registration of birth or death of person not resident within the district of Consular Officer requires proof by declaration or documentary evidence to the satisfaction of the officer.

10. Production of local death certificate if procurable :-

(1) In a case where under the law of the country certificates of death are issued, a Consular Officer shall, before registering a death, require such certificate of death to be produced before him, unless he is satisfied that it is not reasonably practicable to produce such a certificate ; and where such a certificate is produced, he shall enter the fact in column 8 of the register in Form C. Where such certificate cannot be produced, the Consular Officer shall state the reasons therefore in a marginal note against the entry.

(2) If certificates of death are not issued under the provisions of the local law, the Consular Officer shall record the fact in the register in a marginal note against the entry.

11. Registration of births made under Sec. 4 (1) (a) or validated under Sec. 4 (2) :-

1 In any case where the Central Government has granted permission under Section 4(1)(a) of the Act, for the registration of a birth or has issued a direction under Section 4(2) of the Act that a birth shall be deemed to have been registered with its permission, the Consular Officer shall make a note against the relevant entry in one of the forms specified below which is appropriate to the case and shall also make a note of the number and date of the relevant communication from the Central Government: "By permission of the Central Government granted under Sec. 4 (1) (a) of the Citizenship Act, 1955 (57 of 1955)." "By direction of the Central Government given under Sec. 4 (2) of the Citizenship Act, 1955 (57 of 1955)."

(2) In every case referred to in sub-rule (1), the Consular Officer shall append his official designation and signature to the note and shall immediately transmit to the Registrar-General a certified copy of the annotated entry.

12. Registration after an interval of more than seven years

:-

(1) Where an application is made to a Consular Officer to register a birth or death which occurred within his district more than seven years before the date of the application, the officer shall, if he is satisfied that the national status of the child or the deceased person is such that registration could properly be effected under these rules, require the applicant to furnish a declaration as to the fact of the case, including the facts regarding the national status of the child or the deceased person and shall, before registering the birth or the death refer the declaration, together with a full report of the circumstances, to the Central Government.

(2) If the Central Government directs the registration of the birth or death to be effected, the same or any other Consular Officer of the district shall register it accordingly, and shall make a reference to the direction and the number and date of the relevant communication from the Central Government, against the entry concerned.

13. Registration of a birth or death or death occurring within no consular district :-

(1) The birth or death of a person in any foreign country, but not within a district assigned to any Consular Officer, may be registered in the relevant register in accordance with the following procedure.

(2) In the case of an application for the registration of a birth, the Consular Officer shall, if he is satisfied that the person's national status is such that the registration could properly be effected under these rules, require the applicant to furnish a declaration establishing the fact, and shall, before registering the birth, refer the declaration, together with a full report of the circumstances, to the Central Government.

(3) In the case of an application for registration of a death, the Consular Officer shall, if he is satisfied that the person's national status was such that registration could properly be effected under these rules, require the applicant to furnish a declaration establishing the fact, and shall, before registering the death, refer the declaration, together with a full report of the circumstances, to the Central Government.

(4) The Central Government shall in every such case decide whether registration is justified, and, if it considers that the birth or

death is one which should be registered, by which Consular Officer registration shall be effected. The Consular Officer directed to effect the registration shall register the birth or death accordingly, and shall insert in the entry, after the date of registration, a note to the following effect together with a reference to the number and date of the relevant communication from the Central Government "Registered at.by the direction of the Central Government".

(5) For the purpose of this rule, a birth or death occurring in a foreignship aircraft which is outside territorial waters or territorial air shall be deemed to be a birth or death in a foreign country but within no consular district. NOTE.-Procedure is prescribed by this rule for recording birth or death of a person in any foreign country not within the district of any Consular Officer.

14. . Births and deaths occurring in countries in which the government of India have no diplomatic or consular representative :-

(1) Births and deaths of citizens of India, who are born or who die in any territory outside India in which the Government of India have, for the time being, no diplomatic or consular representatives, may be registered-

(a) by persons serving in the diplomatic, consular or other foreign service of any other country which by arrangement with the Government of India, has undertaken to represent that Government's interests in the former country, or

(b) with the Government of India in the Ministry of External Affairs, or

(c) in the foreign country concerned by any person authorised in that behalf by the Government of India.

(2) The registration referred to in sub-rule (1) shall be effected, as far as circumstances permit, in accordance with these rules. All entries, corrections, and certified copies shall be signed by the officer, with a statement of his official rank.

15. Particulars in entry to be checked before signature :-

A Consular Officer shall, before completing an entry in a register by his signature in the last column of the register, carefully read through the particulars recorded by him in the preceding columns

and, if he discovers any omission or error, he shall rectify it by inserting the omitted particulars or, as the case may be, by ruling through the incorrect particulars and inserting above the correct particulars and shall authenticate any such relation by adding his initials in the margin of the register.

16. Correction of errors in completed entry :-

If omission, discrepancy between facts recorded in different columns or other error is discovered in any entry which has been completed by the signature of the Consular Officer, the same or any other Consular Officer of the district, if satisfied as to the incompleteness or incorrectness of the entry and as to the correctness of any amendment proposed to be made, may correct the entry in accordance with the following principles, namely :

(i) In the case of an omission, discrepancy or other error which appears to him to be accidental or of a electrical nature, the officer may enter the omitted particulars between the lines of the register or, as the case may be, rule through the incorrect particulars and insert above them the correct particulars. He shall then insert in the margin of the register a note to the following effect: "Column No.corrected on the. day of..... 19 , by me (signature of officer), (rank of officer)."

(ii) If the officer is not satisfied that the omission, discrepancy or error is accidental or of a clerical nature, and, in any case, if more than seven years have elapsed since the birth or death was registered, he shall require the original informant or some other person cognizant of the facts of the case, to make a declaration as to the facts of the case, and any corrections which he thinks proper to make shall be effected by underlining (but not altering) any erroneous particulars, and inserting in the margin of the register a note to the following effect: "In entry No. column No."for "(the erroneous particulars)" read "(correct particulars)" ; or insert the words "."; or, as the case may require ; corrected on the. day of..... 19 , by me (signature of officer), (rank of officer) on production of a declaration made by (name) (address)."

(iii) In all cases where an entry is corrected under this rule after a certified copy of the entries for the year in which the entry was made has been transmitted in accordance with rule 5 to the Registrar-General, a duly certified copy of the corrected entry

(showing any omission, insertion, underlining or marginal note or initials) shall be transmitted to him forth with.

(iv) In all cases where an entry is corrected under this rule, unless the correction is made in the presence of the original informant, the Consular Officer shall take such steps as may be possible before the correction is made, to give notice of the precise form of the correction to the original informant or, in the case of a registration of birth, the person whose birth entry is being corrected, or, if that person is minor, the parents or guardian of the minor, or in the case of a registration of death, the relatives or representatives of the deceased.

17. Re-registration of birth with additional or substituted name :-

(1) If it is desired to make any addition to, or alteration in, the name or names entered in respect of any child in a register of births, the birth shall be re-registered upon the information of the original informant, or, if that informant is not available upon the information of some person, other than the person whose birth entry is being amended, having knowledge of the facts or, if the person to whom the entry relates is a minor, upon the information of one of his parents to his guardian, and the words "Re-registered at No. shall be inserted in the margin opposite to the original entry. If more than seven years have elapsed since the date of the birth, the Consular Officer shall require the applicant to furnish a declaration as to the facts of the case and shall, before re-registering the birth, refer the declaration to the Government of India.

(2) In all cases where a birth is re-registered under this rule after a certified copy of the entries for the year in which the original entry was made has been transmitted in accordance with rule 5 to the Registrar-General, a further copy of that entry showing the marginal note and duly certified shall be transmitted to him forthwith.

18. Certified copies of entries in register :-

(1) A certified copy of an entry in a register shall be issued by the Consular Officer on request and on payment of the prescribed fee and shall be in Form H, I or J, as the case may be, and shall be authenticated by the signature and seal of the Officer who issues it.

(2) Every such copy shall be complete copy of all particulars comprised in a single entry, and shall show any omission, insertion, underlining or marginal note or initials.

19. Fees :-

The rates of the fees to be charged for registration of births or deaths, for search and issue of certified copies of entries shall be as follows : NOTE 1.-Category "A" countries are : (a) All countries in North and South America ; (b) all countries in Europe including U.S.S.R. ; (c) all countries in West Asia and North Africa, including People's Democratic Republic of Yemen, Yemen Arab Republic, Sudan and Somalia; (d) Australia, New Zealand, Japan, Hong Kong and Singapore. Category "B" countries (excluding countries mentioned under category "A". NOTE 2.-The fee for searching registers under this rule does not apply to cases where application for a copy is made at the time of registration. NOTE 3.-No fee shall be charged for mere registration of a person as a citizen of India under Section 5(1)(b) of the Act.]

20. Mode of collection :-

All fees shall be collected by means of consular stamps of special adhesive variety obtainable from the Government of India, Central Stamp Store, Nasik. These stamps should be affixed to the documents in respect of which the fee is charged, or, when there is no document, to receipt. The stamps should be affixed close to the officer's signature, but when this is impracticable, they may be affixed on the top left-hand corner of the documents. Stamps should be cancelled at once by means of a metal or rubber date-stamp made for the purpose.

21. Adopted children :-

Where any person whose birth has been registered in the register of births has been given in adoption. The Consular Officer in charge of the district in the register of which such person's birth has been entered, shall, on application by such person or by the person at whose instance the original entry was made, make a note against the relevant entry with the word "adopted" in the margin and append his official description and signature thereto. The Consular Officer may, whenever he considers necessary, require the applicant to produce document evidence or, in the absence thereof, two reliable witnesses to show that the person has in fact been given in adoption. NOTE.-This rule enjoins the Consular Officer to make a note of "adoption" of a person whose birth has been

registered.

22. Power to waive conditions :-

(1) In any case in which the Central Government is satisfied that the conditions and requirements of these rules cannot be reasonably complied with and that the birth or death is one which should be registered in a register of births or deaths, or the amendment or correction of the entry is one that should be made, the Central Government may, subject to such conditions as it may think fit to impose, authorise the registration, amendment or correction.

(2) In particular and without prejudice to the generality of the following power, the Central Government may, in its discretion, waive the requirement of a declaration in any particular case.

23. Registration under Sec. 5 (1) (b) of the Act :-

(1) For every consular district there shall be kept a consular register in form K of persons registered as citizens of India under Section 5(1)(b) of the Act.

(2) An application for registration as a citizen of India under Section 5(1)(d) of the Act shall be kept in Form L and shall be made to the Consular Officer of the district where the applicant is ordinarily resident ¹[within such period, if any, as may be specified by the Central Government by notification published in the official Gazette.]

(3) Every application shall be signed before, and the oath of allegiance administered by the Consular Officer to whom application is made or any other Consular Officer.

(4) The Consular Officer shall make such preliminary enquiries as he may consider necessary before registering a person, and shall satisfy himself that the allegiance of any such person to India is genuine.

(5) When an application is received from a person not resident within the district, the Consular Officer may, before registering, require the applicant to furnish a declaration as to the facts of the case, or such other documentary evidence as may be sufficient to satisfy the officer of the accuracy of the statements made to him, including the fact that the officer to whom the application has been made is the nearest authority to whom the person could have

reasonably applied.

(6) Entries in the register shall be numbered consecutively and each entry shall relate to one person only.

(7) Every person who is registered under this rule shall be granted a certificate in Form M.

(8) The certificate of registration should be signed by the head of the diplomatic or consular officer or by such other officer above the rank of a Registrar who has been authorised by the head of the Mission or Consulate. It should, on no account, be printed or rubber-stamped. The certificate should be marked serially and a strict check kept on its issue.

(9) Every entry in the register should be authenticated, after the issue of the certificate, or rejection of the application by an officer of or above the rank of a Superintendent or a Registrar. And in each case where an application is rejected, the relevant papers should be carefully preserved for future reference. The register and all papers connected with an application should be preserved for permanent record.

(10) When an application for registration is refused, the applicant may merely be informed that the registering authority is not satisfied that he is suitable for registration. Representation received against such refusal should be submitted to the Central Government with a full statement of the reasons of refusal.

² [(11) Before the last day of January of each year every Consular Officer for the time being in official charge of a consular district shall transmit direct to the Ministry of Home Affairs, New Delhi, copy certified to be correct under his hand and seal or under the hand and seal of some other Consular Officer under his superintendence of all entries made during the previous year in the register referred to in sub-rule (1) in Form N.]

1. Added by O.S.R. 483, dated the 4th March, 1968.

2. Subs. by G.S.R. 727, dated the 5th May, 1965.

SCHEDULE 1

SCHEDULE