

CITIZENSHIP (PONDICHERRY) ORDER, 1962

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CITIZENSHIP (PONDICHERRY) ORDER, 1962

G.S.R. 1640, dated the 29th November, 1962. 1 Whereas by a Treaty of Cession which entered into force on the 16th day of August, 1962, France has ceded to India in full sovereignty the Territory of the Establishment of Pondicherry, Karikal, Mahe and Yanam; And whereas it is necessary to specify the persons who shall be citizens of India by reason of their connection with that territory ; Now, therefore, in exercise of the powers conferred by Sec. 7 of the Citizenship Act, 1955 (LXVII of 1955), the Central Government hereby makes the following Order, namely:

1. 1 :-

This order may be called the Citizenship (Pondicherry) Order, 1962.

2. 2 :-

In this Order, unless the context otherwise requires,-

- (a) "appointed day" means the 16th day of August, 1962;
- (b) "competent French authority" means such French authority as the Central Government may specify for the purposes of this Order;
- (c) "competent Indian authority" means such officer of Government as the Central Government may specify for the purposes of this Order ;
- (d) "minor" means an unmarried person who has not attained the age of eighteen years;
- (e) "parent or guardian" in relation to a minor means the father or if the father be deceased, the mother, or if both parent be

deceased, the legal guardian of the minor;

(f) "Pondicherry" means the territories of the former French establishment in India, known as Pondicherry, Karikal, Mahe and Yanam.

3. 3 :-

(1) Subject to the provisions of sub-paragraph (2) every French national born in Pondicherry and domiciled therein or elsewhere in India on the appointed day shall, as from that day, be a citizen of India.

(2) Any such person may, by written declaration made within six months of the appointed day by himself, or if he be a minor, by his parent or guardian on his behalf, choose to retain his French nationality; and if the choice is so made, that person shall be deemed never to have acquired Indian citizenship under sub-paragraph (1) : Provided that where the choice is so made on behalf of minor by his parent or guardian, he may, within six months of his attaining the age of eighteen years, sign a declaration in Form A in the presence of the competent Indian authority that he wishes to acquire Indian Citizenship under the provisions of this Order ; and thereupon he shall, as from the date of so signing of the declaration, be a citizen of India.

4. 4 :-

A French national born in Pondicherry and domiciled on the appointed day in a place outside Pondicherry or any other part of India may, by written declaration in Form B made within six months of the appointed day by himself, or if he be a minor, by his parent or guardian on his behalf, in the presence of the competent Indian authority, choose to acquire Indian citizenship, and if the choice is to be made that person shall be deemed to have become a citizen of India as from the appointed day: Provided that where the choice is so made on behalf of a minor by his parent or guardian he may, within six months of his attaining the age of eighteen years, sign a declaration in the presence of the competent French authority that he wishes to recover his French nationality ; and thereupon he shall, as from the date of so signing the declaration, cease to be a citizen of India.

5. 5 :-

Every French national not covered by any of the foregoing provisions who by virtue of the cession of Pondicherry lost French

nationality on the appointed day under the French Nationality Laws shall, as from that day, be a citizen of India.

6. 6 :-

Every declaration in Form A or Form B shall be made both in English and French; and the competent Indian authority in whose presence it is made shall transmit the declaration in English to the appropriate record office in Pondicherry and declaration in French to the competent French authority.