

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2681
ANSWERED ON:28.08.2012
BENGALI REFUGEES
Natarajan Shri P.R.

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Bengali refugees in India are being considered as illegal migrants as per the Citizenship Amendment Act, 2003;
- (b) if so, whether there is any proposal to grant citizenship status to the Bengali refugees in the country; and
- (c) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN)

(a): No, Madam. The Citizenship Amendment Act, 2003 has defined 'illegal migrant' under section 2(b) of the Act as under:

'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 document or authority as may be prescribed by or under any law in that behalf but remains therein beyond the permitted period of time.

Thus, a foreigner is considered illegal migrant if he/she enters India without valid passport or other travel document, and visa. A foreigner is also considered illegal migrant if he/she stays in India beyond the validity of passport or other travel document, or beyond the validity of visa.

(b) to (c): The foreigners can obtain Indian citizenship under the provisions of Citizenship Act, 1955 and rules made there under.