



Mandatory Renunciation of Indian Citizenship



Once your U.S. Certificate of Citizenship (COC) arrives you have one more task to complete in order to fully comply with the Indian governments requirements.

The Indian government does not allow for dual citizenship with the United States. When you visited the US Embassy in New Delhi you completed the final steps for your child to receive automatic US Citizenship. Because the Indian government does not allow for dual citizenship you will need to renounce your child's Indian citizenship once you have your child's US Certificate of Citizenship (COC).

Families failing to complete this step will be charged a penalty if you or your child ever travel back to India for a homeland visit or other reason. In addition to paying the penalty some families have encountered problems and delays with traveling to India.

Because it is easy to forget such a step WACAP encourages adoptive families to apply for Renunciation of Indian Citizenship as soon as possible. You may also need to provide copies of your adoption decree and/or Affidavit of Birth and since you have easy access to those documents now it's the most convenient time to take care of this final step.

We have found that the Indian Consulate in San Francisco has the most detailed information about the renunciation process. The process changes over time so if the links to the San Francisco consulate guidelines are no longer functioning explore the Indian Embassy or consulate websites in Chicago, Houston, DC or elsewhere.

The renunciation process can take several weeks after you have submitted your application. As of the writing of this document, the Indian Embassy and consulates in the United States have outsourced the handling of the renunciation process to another organization.

For detailed guidelines on submitting the applications, documentation requirements and fees etc., visit the website for [Cox & Kings Global Services \(CKGS\)](#) or go to the consulates' [website](#).

FAQs on Renunciation of Indian Citizenship (as provided by the Indian Consulate)

What is the issue on surrendering of Indian nationality? Why is it necessary? What are the penalties associated with it?

In this regard, kind attention of all People of Indian Origin (PIO) who have acquired foreign nationality are invited to the following relevant extracts of the Indian Passport Act 1967:

"The Indian Citizenship Act, 1955, does not allow dual citizenship. Holding Indian passport/acquiring Indian passport/travelling on Indian passport after acquisition of foreign citizenship constitutes an offence under the Indian Passport Act, 1967, and attracts penalties. The Government of India has prescribed imposition of penalty on a graded scale, depending on number of trips made on Indian passport after acquiring foreign nationality, for the violation of Passport Rules and retention of Indian Passport for more than 3 years after acquiring of foreign nationality." All Persons

of Indian Origin (PIOs) who have been in violation of the Indian Passport Act have become liable to GOI prescribed penalty in terms of the provisions of the Act.

In view of the above, all PIOs who have been in violation of the Indian Passport Act are advised to surrender their passports without further delay and deposit the penalty wherever it has become due to escape further penalty. The defaulters may contact the Consulate General of India in San Francisco to know the actual penalty due in each case.

What do I do if I misplaced my Indian passport?

In case of non-availability or [expired] Indian passport (which is to be presented at the time of renunciation), an affidavit in the prescribed format is sufficient [accompanied by documents listed below]. However, in case of loss/misplacing of valid Indian passports, it is necessary for applicants to provide a police report regarding the loss of valid Indian passport.

Can the imposition of penalty be waived?

All PIOs concerned may kindly note that this Consulate has no authority or discretion to waive such penalty. It may also be noted that ignorance of rules is not acceptable as an excuse for waiving the penalty.

What are the requirements for Renunciation of Indian Citizenship Certificate?

The applicant has to fill the corresponding application form available in the CKGS website at www.in.ckgs.us, along with Additional Particulars Form, two photographs, the prescribed fees and copy of their Indian nationality previously held including original Indian passports and copy of US Naturalization certificate.

Why do you require Copy of Naturalization Certificate? My passport should be sufficient.

Copy of Naturalization Certificate is very important to be able to process your OCI application. However, in some circumstances, Consulate may dispose of this requirement on a case to case basis.

What proof of Indian Origin can I provide if I don't have my Indian Passport?

If you do not have a copy of your Indian passport, you can provide

At least 2 different documents that provide sufficient evidence that the applicant has held Indian Citizenship like:

- Any other proof substantiating the request. Usually applicants are able to submit a certificate of residence or place of birth of self / parents / grandparents from First Class Magistrate / District Magistrate (DM) of the concerned place. *(WACAP encourages adoptees who no longer have their Indian passport to submit a copy of the Guardianship Order with the Affidavit of Birth issued by the Indian courts. Include with these documents a cover letter which details that you were adopted and no longer have your original Indian passport. For adoptees who **no longer have** their Indian passport **nor** a copy of the Guardianship Order with Affidavit of Birth, we recommend you write a letter documenting any significant details from your adoption (e.g. Orphanage adopted from, city of adoption, Date of arrival to US, age at adoption, etc.)*

OR

- Notarized copy of educational certificate issued by an institution of India

OR

- A duly notarized affidavit to that effect - any notarized affidavit of birth in rupee paper is not acceptable as proof of Indian Origin. The proof must be copy of actual Indian Birth Certificate.

The decision to whether accept this type of document as proof of Indian Citizenship will be made by the Embassy/Consular Officer and will be FINAL in such cases. For more details visit the www.in.ckgs.us website.

Why do I need to renounce when I was already issued an OCI / PIO card?

Proof of Renunciation of Indian Citizenship is required along with your Visa / OCI application if you ever held an Indian Passport. If you do not have proof of Renunciation (either a Renunciation Certificate or Cancelled Stamp due to acquisition of Foreign Nationality), you will have to apply for the same before you can get your Visa / OCI card application sent to the Consulate.

RENUNCIATION REQUIRED DOCUMENT TABLE

RENUNCIATION- Naturalized before 2010 with INDIAN PASSPORT to cancel	RENUNCIATION- Naturalized before 2010, without Indian Passport - passport lost or stolen - (Only after Ten years of getting Naturalized)	RENUNCIATION – After 2010 with INDIAN PASSPORT to cancel
1) Renunciation Certificate – 2 Copies	1) Deemed Surrender Certificate – 2 copies	1) Renunciation Certificate – 2 Copies
2) Original Indian Passport + Copies of all information pages (pages 1-3, and last page)	2) Duly Notarized Affidavit of Loss of Indian passport	2) Original Indian Passport + Copies of all information pages (pages 1-3, and last page)
3) Copy of Naturalization Certificate	3) Copy of U.S. Passport (First page, Information page)	3) Copy of Naturalization Certificate
4) Copy of Address Proof.	4) Copy of Naturalization Certificate.	4) Copy of Address Proof.
5) Copy of US passport (First page, Information page)	5) Proof of Address.	5) Copy of US passport (First page, Information page)
6) For Minors who was naturalized under their parent: - the parent has to submit a duly notarized letter stating that the applicant acquired USA citizenship under him/her and -provide copy of parents' Naturalization certificate.	6) Additional Particulars Form	6) Additional Particulars Form
7) Additional Particulars Form	8) Proof of Former Indian citizenship - Copy of last held/issued Indian passport or Birth certificate or School Leaving certificate or College/secondary School Certificate or Any Indian government issued document proving former Indian citizenship.	7) For Minors who was naturalized under their parent - the parent has to submit a duly notarized letter stating that the applicant acquired USA citizenship under him/her and -provide copy of parents' Naturalization certificate.

RENUNCIATION- Naturalized after 2010, without Indian Passport – Indian passport lost or stolen
1) Renunciation Declaration – 2 Copies
2) Affidavit of Loss duly Notarized
3) Police report about the lost Indian passport
4) Copy of Naturalization Certificate
5) Copy of Address Proof
6) Copy of US passport
7) Proof of Former Indian citizenship -Copy of last held/issued Indian passport or Birth certificate or School Leaving certificate or College/secondary School Certificate or Any Indian government issued document proving former Indian citizenship.
8) Additional Particulars Form