

## **Citizenship**

### **Part II of the Constitution (Articles 5 to 11)**

Deals with **Citizenship at the commencement of the Constitution.**

#### **1. Meaning of Citizenship**

- **Citizen:** A person who enjoys full civil and political rights in a country.
- In India, **only citizens** have the right to:
  - Vote in elections
  - Hold certain public offices (like President, MP/MLA)
  - Enjoy fundamental rights under Articles 15, 16, 19, 29, and 30.

#### **2. Constitutional Provisions (Articles 5–11)**

##### **◆ Article 5 – Citizenship at the commencement**

A person is a citizen of India if on **26th January 1950:**

- They were born in India, or
- Either of their parents was born in India, or
- They have been ordinarily resident in India for **at least 5 years.**

##### **◆ Article 6 – Rights of migrants from Pakistan**

Migrants from Pakistan before and after partition were given provisions to become Indian citizens.

##### **◆ Article 7 – Rights of migrants who went to Pakistan and returned**

People who migrated to Pakistan but later returned to India could become citizens under conditions.

##### **◆ Article 8 – Citizenship of Indians abroad**

Indians residing outside India (e.g., in UK, Africa) could register as citizens at Indian diplomatic missions.

##### **◆ Article 9 – Persons voluntarily acquiring citizenship of another country**

Such persons **lose Indian citizenship.**

##### **◆ Article 10 – Continuance of rights**

Every person who is or is deemed to be a citizen continues to be so, subject to laws made by Parliament.

##### **◆ Article 11 – Power of Parliament**

Parliament can **make laws regarding acquisition and termination of citizenship.**

### **3. Citizenship Act, 1955**

This Act lays down provisions for:

#### **◆ Acquisition of Citizenship (5 ways):**

1. **By Birth**
2. **By Descent**
3. **By Registration**
4. **By Naturalization**
5. **By Incorporation of Territory**

#### **◆ Loss of Citizenship (3 ways):**

1. **Renunciation** – Voluntary surrender by the individual.
2. **Termination** – Automatically terminated when acquiring foreign citizenship.
3. **Deprivation** – Government may cancel citizenship under certain conditions.

### **4. Recent Amendments – CAA 2019**

- **Citizenship Amendment Act (CAA), 2019** provides citizenship to persecuted minorities (Hindus, Sikhs, Buddhists, Jains, Parsis, Christians) from **Pakistan, Afghanistan, and Bangladesh** who entered India **on or before 31st December 2014**.

### **5. Single Citizenship in India**

- Unlike countries like the USA, **India provides only single citizenship** (national level), not state-wise.