

Citizenship(Part-1):Article 5-11

Citizens:All Civil & Political Rights

Aliens:Foreigners:1)Friendly Aliens 2)Enemy Aliens

•Rights Available to Citizens of India

- Right against Discrimination on 5 grounds of Religion,Race,Cast,Sex or Place of Birth(Arc-15)

Only available for Indian Citizens not for Aliens..

Ex:Historical site visit foreigners have to pay amount different that Indians as foreigners don't have this Right

- Right to equality of Opportunity in Public Employment(Arc-16)
- Right to Freedom of speech & expression(Arc-19)
- Cultural & Educational Rights(Arc 29&30)
- Right to vote in LS and State LA
- Right to contest in the Election of Parliament and State Legislature
- To hold Certain Public Offices(President,VP,JSC,AGI,Governor and Advocate General of State)

Note:Also Fundamental Duties are applicable on Indian Citizens only

•Article-5:

To be Indian Citizen

1)Born in India OR

2)Either of the Parents born in India OR

3)Resident of India for 5 Years before the commencement of Constitution(26 Jan 1950)

Any condition from the Above three will make Citizen of India

•**Article-6:For people Migrated from Pakistan to India**

1)Either of his parents of Grand parents should be Indian Citizen and

- If he migrated before 19 July 1948 then he will be Citizen of India OR
- If he migrated on or after 19 July 1948 then he has to be registered by residing 6 Months continuously in India

•**Article-7:**

If a person(Indian Citizen) is migrated to Pakistan from India after 1 March 1947 and again returned to India then he can become Citizen of India after registration(6 months residing)

•**Article-8:For People Living Over Seas**

If a person having parents or grand parents are born in Undivided India and himself living outside India shall become Indian Citizen by Registration with Diplomatic Representative of India there.

•**Article-9:**No person can be Citizen of India if he acquire the Citizenship of any other country

•**Article-10:**Citizen of India shall subject to any law made by the Parliament

•**Article-11:**Parliament have the Power to make any law related to the acquisition and termination of Citizenship & All other matters related to Citizenship

On this Article Parliament made an act Citizenship act-1955

In this act Parliament made clear that how the Citizenship can be acquired and how it can be lost,amendments were also made in this

in years 1986,1992,2003,2005

(a) Acquisition of Citizenship:

(1)By BIRTH:

- If Born Between 26 Jan 1950-1 July 1987:Indian Citizen
- If Born Btw 1 July 1987-3 Dec 2004:Either of your Parents should be Indian Citizen
- Born after 3 Dec 2004
 - (a) Born in India
 - (b) Both Parents Should be Indian Citizen

(2)By Descent (Outside India)

- 26 Jan 1950-10 Dec 1992(Born Outside India) then Father should be Indian Citizen then you can get Citizenship
- 10 Dec 1992-3 Dec 2004:Either if the Parents should be Indian Citizen
- Born after 3 Dec 2004 outside India then For Citizenship you have to Register yourself within one year of Birth in India + Either of the Parents should be Indian

(3)By Registration

- Person married to Indian Citizen and Residing in India for 7 years then he/she can demand for Citizenship by Registration(Ex Priyanka Chopra)
- Person Of India Origin(Not Indian but Parents can be) residing outside India can demand for Citizenship
- Person of Indian origin residing in India for 7 years can also demand .
- Minors of Person of Indian Origin can also demand
- Person of full age whose parents are India citizen can also demand

(4)By Naturalisation

- Person should not be from that country where Indians are banned to get citizenship ,If he renounce the citizenship of his country then he can get the Indian citizenship(Adnan Sami)
- Residing in India and Serving GOI at any post for 12 months before filing application then you can demand.
- Good Character
- Vast Knowledge of Languages related to 8 Schedule
- If any territory is acquired by India then GOI will decide in that case who will be Citizen of India (Ex Sikkim)

Losing Citizenship:-

1)Renunciation:Person leaving Citizenship by Himself.In this case even his Minor Will loose their citizenship but they can demand Citizenship after 18Years

2)Termination:If anybody takes citizenship of other Country then his citizenship will be terminated(Ex Akshay Kumar)

3)Deprivation: Fraud,Disloyalty to Constitution,Enemy Communication,Living Outside for 7 years

Notes:

- NRI:Citizens of India living Outside(Indian Passport)
- Person of India Origin(PIO) or Overseas Citizens of India(OCI):Not Indian themselves but have parents or Grand parents Indian,they have Foreign passport (Now PIO is Removed by OCI)

