CITIZENSHIP

Citizens of India have all civic and political rights. Aliens (foreigner or person of other countries), on the other hand, are citizens of another country who lack full civil and political rights. Aliens are divided into two categories: friendly and hostile. Those countries that have good relations with India have friendly aliens as subjects. Enemy people are citizens of that country that has no fair relation with India. They have less rights than friendly aliens, such as not being protected from arrest and detention (Article 22).

**Single citizenship:**

Unlike the U.S. & Switzerland, the Indian Constitution provides for single citizenship. Because a dual set of rights presents a discrimination problem, the state may discriminate in favor of its citizens in areas such as the right to vote, hold public office, practise professions, and so on.

Part 2 of the Constitution, from Articles 5 to 11, describes the citizenship provisions (amended in 1986, 1992, 2003, 2005, 2015, 2019).

**The Indian constitution grants citizens the following rights and advantages (while denying them to foreigners):**

**•** The right to be free from discrimination based on religion, ethnicity, caste, sex, or birthplace (Article 15).

• The right to equitable job opportunities in the public sector (article 16).

• The right to free speech, assembly, association, movement, residence, and profession (Article 19).

• Educational and cultural rights (Article 29-30)

• The right to vote in Lok Sabha and state legislative elections, as well as

**•** The right to vie for national and state legislature seats.

• Eligibility to occupy specific governmental offices, such as president of India, vice-president of India, supreme court and high court judges, state government, the attorney general of India, and state advocate general.

In India, both citizens by birth and naturalized citizens are eligible for the presidency, however in the U.S., only citizens by birth and not naturalized citizens are eligible.

**Indian Citizenship act, 1955:**

This act specifies 5 methods for acquiring citizenship:

1. by descent 2. by birth 3. Through Registration 4. Through Naturalization 5. Through the integration of land.

**There are three methods to lose citizenship, regardless of whether it was gained under the act or prior to it under the constitution:**

**1. By Renunication-** Any Indian citizen can proclaim to renounce Indian citizenship (save in times of war). The person's minor child loses citizenship as well, but can reclaim it when they reach the age of 18.

**2. By Termination-** It will be auto terminated when a person acquire citizenship of another country.

**3. By Deprivation-** It is the central government's mandatory revocation of Indian citizenship if the citizen do:— (a) Fraud; (b) Illegally  
traded or communicated with enemy during war; (c) Disloyal to Constitution; (d) Ordinary resident outside India for 7 yrs continuously; (e) Citizen, within 5 year after Naturalisation or Registration in jail in any country for 2 years.

However, such spouse's eligibility for registration as an overseas citizen of India cardholder is conditional on prior security clearance by a competent authority in India; and further, no person who is or has been a citizen of Pakistan, Bangladesh, or any other country specified by the central government by notification in the official Gazette shall be eligible for registration. Indians who relocated to Pakistan after the partition are therefore ineligible to register as foreign nationals.

Articles 371-A through 371-I were included to address the regional needs of Nagaland, Assam, Manipur, Andhra Pradesh, Sikkim, Mizoram, Arunachal Pradesh, and Goa. Although the Constitution of the United States of America allows for multiple citizenship, it only permits for one. Section 10 of the Citizenship Act of 1955 allows a naturalised citizen to lose his or her citizenship.

The United States has accepted the concept of dual citizenship. Every citizen of the United States possesses dual citizenship. He is a citizen of the United States first, and subsequently of the state in which he now resides.

According to Article 11, the parliament has the jurisdiction to legislate citizenship rights. The Citizenship Act of 1955, which governs the acquisition and cancellation of citizenship, was passed using this power. Using its powers under section 18 of the Citizenship Act, the central government issued citizenship regulations in 2009 and citizenship (amendment) rules in 2015.

Only parliament can enact provisions regarding citizenship acquisition and termination under article 11.  
A person of Indian heritage must typically reside in India for 7 years in order to register for citizenship under section 5(1)(a) of the Citizenship Act, 1955.



**Important questions of the article:**

1. Q1: Top of Form

Q1: Citizenship act was passed by parliament in which year?

1. 1980
2. 1955
3. 1965
4. 1951

Answer: B

Solution:

Q2: The provision of single citizenship was taken from which country?

1. Switzerland and Germany
2. USA and Canada
3. British and Canada
4. USA and Russia

Answer: C

Solution:

Q3: Because of an influx of refugees from Sri Lanka and Bangladesh, the Citizenship Act of 1955 was revised, and citizenship by birth was granted to persons born on or after January 26, 1950 and ?

1. June 21, 1987
2. June 30, 1987
3. June 29, 1957
4. June 25, 1977

Answer: B

Solution:

Q4: Provision of citizenship are mentioned in which part of constitution?

1. Part 1
2. Part 2
3. Part 3
4. Part 4

Answer: B

Solution:

The term "citizens" is not defined in the Indian constitution, but details on the various types of people who are eligible for citizenship are listed in Part 2 from Articles 5 to 11.

Q5: Among the following, which is not a method for acquiring Indian citizenship?

1. Domicile
2. Holding property
3. Descent
4. Registration

Answer: B

Solution:

Q6: In which of the following article, citizenship at the commencement of constitution is described?

1. 5
2. 8
3. 9
4. 11

Answer: A

Solution:

Q7: Under which article, it is mentioned that the person voluntarily acquiring citizenship of a foreign state not to be citizens of India?

1. 9
2. 11
3. 14
4. 17

Answer: A

Solution:

Q8: Which of the following has the power of acquisition and termination of citizens?

1. Article 5
2. Article 7
3. Article 9
4. Article 11

Answer: D

Solution:

Only parliament can enact provisions regarding citizenship acquisition and termination under article 11.

Q9: Which of the following country have the provision of dual citizenship?

1. India
2. Russia
3. France
4. USA

Answer: D

Solution:

The United States has accepted the concept of dual citizenship. Every citizen of the United States possesses dual citizenship. He is a citizen of the United States first, and subsequently of the state in which he now resides.

Q10: Which of the following method is applied to lose citizenship when a person acquire citizenship of another country?

1. Deprivation
2. Termination
3. Renunciation
4. Rejection

Answer: B

Solution:

**By Termination-** It will be auto terminated when a person acquire citizenship of another country.

Q11: A citizen who do fraud with a couuntry lose citizenship by?

1. Deprivation
2. Termination
3. Renunciation
4. Rejection

Answer: A

Solution:

**By Deprivation-** It is the central government's mandatory revocation of Indian citizenship if the citizen do:— (a) Fraud; (b) Illegally traded or communicated with enemy during war; (c) Disloyal to Constitution.

Q12: Which method is not used to acquire citizenship of India?

1. By Descent
2. By Naturalisation
3. By Holding property
4. By Birth

Answer: C

Solution:

Citizenship act specifies 5 methods for acquiring citizenship:

1. by descent 2. by birth 3. Through Registration 4. Through Naturalization 5. Through the integration of land.