

CONSTITUTION
Gen Com
Module 2/ Class 4
Provision of Citizenship

By – Dept. of Political Science



RICE ADAMAS
GROUP

CITIZENSHIP

RICE EDUCATION | rice smart
TOGETHER IN SUCCESS





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PART - II

ART. 5 - 11

CONCEPT - UK

TYPE - SINGLE

UNION LIST



CONSTITUTIONAL PROVISIONS



ART. 5 - 11

ART. 5 → CITIZENSHIP AT THE COMMENCEMENT OF CONSTITUTION

26th Jan, 1950

At the commencement of this Constitution every person who has his **domicile** in the territory of India and

- (a) who was **born** in the territory of India, or
(b) either of whose **parents was born** in the territory of India, or
(c) who has been **ordinarily resident** in the territory of India for **not less than five years** preceding such commencement, shall be a citizen of India

[B] [D]
[P] & [D]

ART. 6 → RIGHTS OF CITIZENSHIP OF PERSONS MIGRATING FROM PAKISTAN TO INDIA

* Before 26th Jan, 1950 Pakistan → India

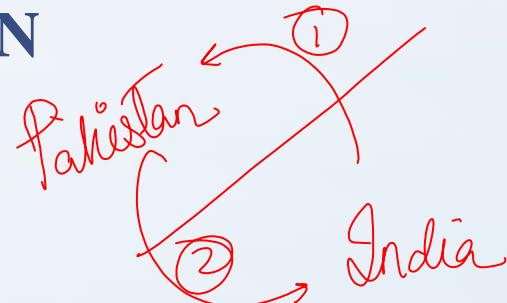
① 19th July, 1948 ^c Point System
②

A person who has **migrated to India from Pakistan** shall be deemed to be a citizen of India if such person fulfils following two conditions –

- (a) he or either of his **parents** or any of his **grandparents was born** in undivided India, and
- (b) the person has **migrated before 19th July, 1948**,or, if, he has migrated after this date such a person has been registered as a citizen of India by an **officer appointed** in that behalf by the Government of India

↓
designated officer

ART. 7 → RIGHTS OF CITIZENSHIP OF PERSONS MIGRATING FROM INDIA TO PAKISTAN



A person who has **migrated from India to Pakistan** after 1st March, 1947, shall not be the citizen of India.

However, if such person **returned to India** under a **permit of resettlement**, he/she will be citizen of India **after registration** by an officer appointed by the Govt. of India

ART. 8 → RIGHTS OF CITIZENSHIP OF PERSONS OF INDIAN ORIGIN

Any person of Indian origin ordinarily residing outside India shall be the citizen of India, if – (a) such a person or either of whose parents or any of whose grandparents was born in undivided India, and (b) he has been registered as a citizen of India by the diplomatic or consular representative of India in that country

[

ART. 9 → PERSONS VOLUNTARILY ACQUIRING CITIZENSHIP OF A FOREIGN STATE

5/6/7/8

If a person voluntarily acquires the citizenship of a foreign State, that person shall not be the citizen of India

ART. 10 → CONTINUANCE OF RIGHTS OF CITIZENSHIP

Continuance of Rights of Citizenship – Every person who is a citizen of India under above provisions shall continue to be the citizen of India, subject to the law made by the Parliament

→ Union dist

ART. 11 → REGULATION OF RIGHTS OF CITIZENSHIP

The **Parliament** has the power to regulate by law all other matters relating to citizenship

- By Registration
- 1) ① Resident of India (Jys)
 ↳ Roots (I)
 - 2) Marrying Eg: Sonia Gandhi (I)
 (Jys)
 - 3) Minor

CITIZENSHIP ACT, 1955

- Important Amendments → 1986, 1992, 2003, 2005, 2015, 2019
- Acquisition – 5 ways
- Termination – 3 ways





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BRAND

- By Birth
- By Descent
- By Registration
- By Naturalisation 14 yrs (12)
- By Incorporation of Territory

Official Gazette
- Pondicherry (Puducherry) Citizenship
Order, 1962 - under Act of 1955

ACQUISITION – 5 WAYS

5
2007
4
14 = 9
12 yrs X
11
12m



Arif - 9

TERMINATION – 3 WAYS

- By Renunciation
- By Termination
- By Deprivation





NRI → NON – RESIDENT INDIAN

PIO → PERSON OF INDIAN ORIGIN

OCI → OVERSEAS CITIZEN OF INDIA

PYQ

1. Which of the following mentions Part II of the Indian Constitution? (RRB Group D 2018)
a) Citizenship b) Fundamental Rights c) Preamble d) Union and its territories

2. A person can acquire Indian citizenship by naturalization if the person is ordinarily a resident of India for ____ years. (RRB NTPC Stage-II 2022)
a) 9 b) 15 c) 5 d) 12

3. Since the commencement of the Constitution, which act has provisions relating to loss of citizenship? (RRB NTPC 2016)
a) Citizenship Act 1950 b) Citizenship Act 1952 c) **Citizenship Act 1955 d) Citizenship Act 1954**



By Birth

Cases/ Dates

1) 26 J, 1950 - 1 July, 1987

2) 1 July, 1987 - 2003

3) 2003 onwards

Condition

You are born in this Territory, Your Parents nationality is not considered

① Born + (P) Father

Thank You

① Same or E1P(I)

OR
at least not an illegal migrant

* Both Parents (I)

By Descent (Born outside India)

Cases/ Dates

1) 26 J, 1950 - 10th Aug, 1992

2) 1992 - 2004

3) 2004 onwards

→ Father should be an Indian citizen at the time of his/her birth
→ Either Parents (Gender Neutral)

→ Registration of child birth within one year