

Citizenship

1. The Constitution of India provides for a single and uniform citizenship for whole of India.

2. Citizenship of India was granted to every person who domiciled in the territory of India at the commencement of the constitution and who was born in the territory of India or —

- Either of whose parents was born in the territory of India or
- Who had been ordinarily residing in the territory of India for not less than five years immediately preceding commencement of the Constitution

3. Indian citizens have the following rights under the Constitution which aliens do not possess:

- Some of the Fundamental Rights enumerated in Part III of the Constitution, e. g. Articles 15, 16, 19, 29, 30.
- Only citizens are eligible for offices of the President, Vice-President, Judge of the Supreme Court or a High Court, Attorney General, Governor of a State, Member of a legislature etc.
- Only citizens have the right to vote

4. Enemy aliens are not entitled to the benefit of the procedural provisions in clauses (1)-(2) of Article 22 relating to arrest and detention.

5. The Citizenship Act, 1955, provides for the acquisition of Indian citizenship in the following ways :

- Generally, every person born in India on or after January 1950, shall be a citizen of India if either of his parents was a citizen of India at the time of his birth.
- A person who was outside India on or after 26 January; 1950, shall be a citizen of India if his father was a citizen of India at the time of that person's birth.
- A person can apply for and get registered as a citizen of India by the competent authority if he satisfies the conditions laid down.
- A person residing in India for more than 7 years and having adequate knowledge of a constitutionally recognised Indian language can seek citizenship by naturalisation, provided he is not a citizen of a country where

6. Indian citizens are prevented from becoming citizens by naturalisation.

- If any new territory becomes a part of India, the persons of the territory become citizens of India.

7. Citizenship of India may be lost by :

- Renunciation of citizenship.
- Termination of citizenship, if a citizen of India voluntarily acquires the citizenship of another country.
- Deprivation of citizenship by the Government of India.

JKChrome