



# BENEVOLENT IAS ACADEMY

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## **TODAY'S IMPORTANT CURRENT AFFAIRS**

### **UPSC PRELIMS**

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#### **TODAY'S DROPS OF NEWS:**

<b><u>SUBJECT</u></b>	<b><u>IN NEWS</u></b>
<b>POLITY</b>	<b>Dozens of Sri Lankan Tamils apply for Indian citizenship.</b>
<b>ECONOMY</b>	---
<b>GEOGRAPHY</b>	---
<b>HISTORY AND ART &amp; CULTURE</b>	---
<b>ENVIRONMENT</b>	---
<b>SCIENCE &amp; TECH</b>	---
<b>MISCELLANEOUS</b>	---

#### **POLITY**

**In news:** Dozens of Sri Lankan Tamils apply for Indian citizenship.

**Citizenship:** A citizen is a participatory member of a political community. Citizenship is gained by meeting the legal requirements of a national, state, or local government. A nation grants certain rights and privileges to its citizens. In return,

citizens are expected to obey their country's laws and defend it against its enemies.

### **Citizenship in Indian Constitution:**

In the Indian Constitution, citizenship is primarily defined in Part II (Articles 5-11), which deals with the acquisition and determination of citizenship at the commencement of the Constitution. The Constitution establishes a single citizenship for all of India, meaning that a person cannot be a citizen of both India and another country at the same time. While the term "citizenship" itself is not explicitly defined in the constitution.

The Citizenship Act, of 1955 deals with matters relating to the acquisition, determination, and termination of Indian citizenship after the commencement of the Constitution.

### **Citizen of India:**

Every person who was domiciled in Indian territory at the time of the Constitution's commencement (January 26, 1950) and (a) was born in India, (b) either of his or her parents was born in India, or (c) had been ordinarily resident in India for at least five years became an Indian citizen.

### **Citizens and non-citizens (aliens):**

The population of a state is divided into two categories. Citizens are full members of the Indian State and owe allegiance to it. They enjoy all civil and political rights. Aliens, are the citizens of some other state and hence, do not enjoy all the civil and political rights.

### **They are of two categories:**

- Friendly aliens are citizens of countries that have friendly relations with India.
- Enemy aliens are subjects of the country at war with India.

### **Articles on citizenship:**

#### **Article 5:**

- It provided for citizenship on commencement of the Constitution.
- All those domiciled and born in India were given citizenship.
- Even those who were domiciled but not born in India, but either of whose parents was born in India, were considered citizens.
- Anyone who had been an ordinary resident for more than five years, too, was entitled to apply for citizenship.

#### **Article 6:**

- It provided rights of citizenship of certain persons who have migrated to India from Pakistan.
- Since Independence was preceded by Partition and migration, Article 6 laid down that anyone who migrated to India before July 19, 1949, would automatically become an Indian citizen if either of his parents or grandparents was born in India.
- But those who entered India after this date needed to register themselves.

#### **Article 7:**

- Provided Rights of citizenship of certain migrants to Pakistan.
- Those who had migrated to Pakistan after March 1, 1947 but subsequently returned on resettlement permits were included within the citizenship net.
- The law was more sympathetic to those who migrated from Pakistan and called them refugees than to those who, in a state of confusion, were stranded in Pakistan or went there but decided to return soon.

#### **Article 8:**

- Provided Rights of citizenship of certain persons of Indian origin residing outside India.
- Any Person of Indian Origin residing outside India who, or either of whose parents or grandparents, was born in India could register himself or herself as an Indian citizen with Indian Diplomatic Mission.

#### **Article 9:**

- ✓ Provided that if any person voluntarily acquired the citizenship of a foreign State will no longer be a citizen of India.

### **Article 10:**

- It says that every person who is or is deemed to be a citizen of India under any of the foregoing provisions of this Part shall, subject to the provisions of any law that may be made by Parliament, continue to be such citizen.

### **Article 11:**

- It empowers Parliament to make any provision with respect to the acquisition and termination of citizenship and all matters relating to it.

### **Acquisition and Determination of Indian Citizenship:**

There are four ways in which Indian citizenship can be acquired: birth, descent, registration and naturalisation. The provisions are listed under the Citizenship Act, 1955.

#### **By Birth:**

- Every person born in India on or after 26.01.1950 but before 01.07.1987 is an Indian citizen irrespective of the nationality of his/her parents.
- Every person born in India between 01.07.1987 and 02.12.2004 is a citizen of India given either of his/her parents is a citizen of the country at the time of his/her birth.
- Every person born in India on or after 3.12.2004 is a citizen of the country given both his/her parents are Indians or at least one parent is a citizen and the other is not an illegal migrant at the time of birth.

#### **By Registration:**

- Citizenship can also be acquired by registration.
- A person of Indian origin who has been a resident of India for 7 years before applying for registration.
- A person of Indian origin who is a resident of any country outside undivided India. A person who is married to an Indian citizen and is ordinarily resident for 7 years before applying for registration.
- Minor children of persons who are citizens of India.

## **By Descent:**

- A person born outside India on or after January 26, 1950 is a citizen of India by descent if his/her father was a citizen of India by birth.
- A person born outside India on or after December 10, 1992, but before December 3, 2004 if either of his/her parent was a citizen of India by birth.
- If a person born outside India on or after December 3, 2004 has to acquire citizenship, his/her parents have to declare that the minor does not hold a passport of another country and his/her birth is registered at an Indian consulate within one year of birth.

## **By Naturalisation:**

- A person can acquire citizenship by naturalisation if he/she is ordinarily resident of India for 12 years (throughout 12 months preceding the date of application and 11 years in the aggregate) and fulfils all qualifications in the third schedule of the Citizenship Act.

## **Modes of Losing Citizenship:**

### **1. Renunciation:**

- An Indian citizen of full age and capacity can voluntarily renounce their citizenship by making a declaration.

### **2. Termination:**

- If an Indian citizen voluntarily acquires the citizenship of another country, their Indian citizenship is automatically terminated, except during a war in which India is engaged.

### **3. Deprivation:**

- The Central Government can deprive a person of their Indian citizenship under specific circumstances:
- Acquisition of citizenship by fraud or misrepresentation.
- Disloyalty to the Constitution.
- Engaging in unlawful communication with the enemy during wartime.
- Being sentenced to imprisonment for a specified period after registration or naturalization.

- Being ordinarily resident outside India for a continuous period.

**Article 11** of the Indian Constitution empowers the Parliament to make laws regarding citizenship. It ensures that the Parliament can regulate the acquisition and termination of citizenship, as well as other related matters.

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