

Unit - 2

Citizens and Citizenship



Learning Objectives

Students acquire knowledge in

- ▶ Meaning, definition of citizens and citizenship
- ▶ The Constitutional Provisions of India
- ▶ Acquisition and termination of Indian citizenship
- ▶ Nature of overseas citizenship of India
- ▶ Rights and responsibility of a citizen



Introduction

Civics is the study of government. The word 'Citizen' is derived from the Latin word 'Civis' which means resident of a City State of Ancient Rome. After the disappearance of City-State system, it has been used to mean a member of the State. The citizens of a state enjoy full civil and political rights.

Citizen and Citizenship

Citizen is a person of a country who is entitled to enjoy all the legal rights and privileges granted by a state and is obligated to obey its laws and to fulfill his duties.

Citizenship is the status given to the citizens which provide them the right to legally live in a country as long as they want.

Types of Citizen

There are two types of citizens, Natural and Naturalised citizens.

1. Natural citizens: are the citizens by birth.
2. Naturalised citizens: are the one who acquires citizenship.

Indian Citizenship Act, 1955

This act is to provide for the acquisition and termination of Indian citizenship.

Acquisition of citizenship

The citizenship Act of 1955 prescribes five ways of acquiring citizenship. They are by birth, descent, registration, naturalisation and incorporation of territory.

1) By Birth

- A person born in India on or after 26th January 1950 but before 1st July 1987 is a citizen of India by birth irrespective of the nationality of his Parents.
- A person born in India on or after 1st July 1987 is considered as a citizen of India only if either of his Parents is a citizen of India at the time of his birth.





- Those born in India on or after 3rd December 2004 are considered citizens of India or one of whose parents is a citizen of India and the other is not an illegal migrant at the time of their birth.

2) By Descent

- A Person born outside India on or after 26th January 1950 but before 10th December 1992 is a citizen of India by descent, if his father was a citizen of India at the time of his birth.
- A person born outside India on or after 10th December 1992 is considered as a citizen of India if either of his parents is a citizen of India at the time of his birth.
- From 3rd December 2004 onwards, a person born outside India shall not be a citizen of India by descent, unless his birth is registered at an Indian consulate within one year of the date of birth.

3) By Registration

- A Person of Indian origin who is ordinarily resident in any country or place outside undivided India.
- A Person of Indian origin who is ordinarily resident in India for seven years before making an application for registration.
- A Person who is married to a citizen of India and is ordinarily resident in India for seven years before making an application for registration

4) By Naturalisation

The Central Government may, on an application, grant a certificate of naturalization to any person

- if he is not a citizen of any country where citizens of India are Prevented from becoming subjects or citizens of that country
- a citizen of any country, renounce the citizenship of that country
- he has either resided in India or been in the service of a Government in India or throughout the period of twelve months

- he is a good character and has an adequate knowledge of a language specified in the Eighth Schedule to the Constitution. (presently 22 languages)

5) By incorporation of Territory

- If any foreign territory becomes a part of India, the Government of India specifies the persons who among the people of the territory shall be the citizens of India. Such persons become the citizens of India from the notified date. For example, when Pondicherry became a part of India, the Government of India issued the citizenship (Pondicherry) order, 1962.

Loss of Indian Citizenship

Part II of the Constitution of India (Article 5-11) prescribes three ways of losing citizenship.

Renunciation: (is a voluntary act) when a person after acquiring the citizenship of another country gives up his/her Indian citizenship.

Termination: (takes place by operation of law) When an Indian citizen voluntarily acquires the citizenship of another country; he/she automatically ceases to be an Indian citizen.

Deprivation: (is a compulsory termination) The citizenship is deprived on the basis of an order of the Government of India in cases involving acquisition of Indian citizenship by fraud, false representation or being disloyal to the Constitution.

Nationality and citizenship



Nationality is the status of belonging to a particular nation by origin, birth basically, it's an ethnic and racial concept.

Nationality of a person cannot be changed.

Citizenship is granted to an individual by the government of the country when he/she complies with the legal formalities. Citizenship can be changed.

Single citizenship

Our Indian Constitution provides for only Single citizenship, that is, the Indian citizenship. But federal states like USA and Switzerland has dual citizenship. (National citizenship and the State citizenship). In India, all citizens irrespective of the state in which they are born or reside enjoy the same political and civil rights of citizenship all over the country.



As per the order precedence President is the first citizen of our country.

Rights and Duties of Citizen

Our Constitution confers the following rights for the citizen of India.

- Fundamental Rights
- Right to vote in the election to the Lok Sabha and the State Legislature
- Right to hold certain public offices
- Right to become the Member of Parliament and State Legislature.

According to 42nd Amendment of our Constitution, a set of Fundamental Duties are prescribed for all citizens of India. (For e.g. paying taxes honestly, respecting the rights, beliefs and opinions of others, defending the country, respect and obey state and local laws and so on)

Overseas Citizenship of India



Non - Resident Indian

An Indian citizen who is residing outside India and holds an Indian passport.

Person of Indian Origin

A person whose any ancestors was an Indian nationals and who is presently holding another country's citizenship.(other than Pakistan, Bangladesh, Sri Lanka, Bhutan, Afghanistan. China and Nepal). The PIO scheme was rescinded w.e.f. 09-01-2015

Overseas Citizen of India Card Holder

It is an immigration status permitting a foreign citizen of Indian origin to live and work in the Republic of India indefinitely. (Except the citizen of Pakistan and Bangladesh). There are no voting rights for an OCI card holder.

Alien and **immigrant** are two terms that are used to refer to non-nationals of a country.

Alien refers to all non-citizens or non-nationals residing in a country.eg. tourists, foreign students

Immigrant refers to alien who has been granted the right to reside and work permanently without restriction in a particular country.

Qualities of a good citizen

- Loyalty to the Constitution.
- Obeys laws.
- Contributes to society and community and performs civic duty.
- Quality of goodness and justice.
- Respecting diversity.

Global Citizenship

Global citizenship is an idea that everyone, no matter where they live is part of a worldwide community rather than as the citizen of particular nation or place. All people have rights and civic responsibilities. It is fundamental in enabling young people to access and participate in shaping modern society.





Overseas Indians' Day

Pravasi Bharatiya Divas (PBD) Sponsored by Ministry of External Affairs of Government of India is celebrated once in every two years, to “mark the contributions of Overseas Indian Community in the development of India”. The day (January 9) commemorates the arrival of Mahatma Gandhi in India from South Africa.

Conclusion

Our Constitution of India has introduced Single citizenship and provides uniform rights

for the people of India to promote the feeling of fraternity and unity among them to build an integrated Indian nation.

Recap

- Citizen is a person of a country who is entitled to enjoy all the legal rights and privileges granted by a State.
- Part II of the constitution of India, Articles 5 – 11 deals with the Citizenship of India.
- Indian Citizenship Act of 1955 provides for the acquisition and termination of Indian citizenship.
- Our Indian Constitution provides for Single Citizenship.

Glossary

acquisition	act of acquiring	முயன்று அடைதல்
amendment	a minor change	திருத்தம்
Constitutional law	Law determining the fundamental political principles of a government	அரசியலமைப்பு சட்டம்
fraternity	brotherhood	சகோதரத்துவம்
Resident	inhabitant	குடியிருப்பவர்



Evaluation

I Choose the correct answer

- Which of the following is not a condition for becoming the citizen of India?
 - Birth
 - acquiring property
 - descent
 - naturalization
- _____ of the Constitution of India deals with the Citizenship.
 - Part II
 - Part II Article 5-11
 - Part II Article 5-6
 - Part I Article 5-11



3. Who is called the first citizen of India?

- The Prime Minister
- The President
- The Chief Minister
- The Chief Justice of India

II Fill in the blanks

- _____ of a state enjoy full civil and political rights.
- Our Indian Constitution provides for only _____ citizenship.
- An Indian citizen who is residing outside India and holds an Indian passport are called _____.
- Allhaverightand_____responsibility citizens.
- _____ is an idea enabling young peopel to access and participate in shaping modern society.

III State true or false

1. USA has single citizenship.
2. OCI card holder has voting rights in India.
3. Citizen of India can enjoy Fundamental Rights guaranteed by our constitution.
4. Nationality can be change and citizenship can not be changed.

IV Consider the following statements. Tick (✓) the appropriate answer

1. Indian Citizen of a person can be terminated if
 - I. a person voluntarily acquires the citizenship of some other country.
 - II. a person who has become a citizen through registration.
 - III. the Government of India is satisfied that citizenship was obtained by fraud.
 - IV. a citizen who is by birth indulges in trade with an enemy country during war.
 - a) I and II are correct.
 - b) I and III are correct
 - c) I, III, IV are correct.
 - d) I, II, III are correct.
2. **Assertion (A):** When Pondicherry becomes the part of India in 1962, the people lived there became Indian citizens.
Reason (R): It was done by one of the provisions of the Act of 1955 - by incorporation of Territory.

- a) R is the correct explanation of A
- b) R is not the correct explanation of A
- c) A is wrong but R is correct.
- d) Both A and R are wrong.

V Answer the following in one or two sentences

1. Name the types of citizens.
2. What are the Rights that a citizen can enjoy in our country?
3. Mention any three qualities of a good citizen.
4. Name the five ways of acquiring citizenship.
5. What do you know about the citizenship Act of 1955?

VI Answer the following in detail

1. On what grounds that the citizenship of a person is cancelled?

VII Student Activity

1. Tabulate: How will you be a good citizen inside the classroom and outside the classroom.
2. My responsibility as a Good Citizen (write any three points)

At Home	At School
To myself	To the Environment



ICT CORNER

Citizens and Citizenship

Steps

- Enter the following URL or scan the QR code to land in Ministry of Home Affairs official website.
- Select “Act/Rules/Regulations” tab to explore constitutional procedures to become an Indian citizen.
- Select “Required Documents” tab from bottom section to know about important documents.
- Click “Sample Forms” and explore the format to apply for citizenship.

Website URL:

<https://indiancitizenshiponline.nic.in/Home.aspx>

